



City of Blaine
Anoka County, Minnesota
Minutes - Final
City Council

Blaine City Hall
10801 Town Sq Dr NE
Blaine, MN 55449

Thursday, March 16, 2017

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:35 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum Present.

ALSO PRESENT: City Manager Clark Arneson; City Attorney Andy Pratt; Planning and Community Development Director Bryan Schafer; Finance Director Joe Huss; Police Chief/Safety Services Manager Chris Olson; Public Services Manager Bob Therres; City Engineer Jean Keely; Communications Technician Roark Haver; Senior Engineering Technician Jason Sundeen; and City Clerk Catherine Sorensen.

Present: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

Absent: 1 - Councilmember Jeppson

4. APPROVAL OF MINUTES

4.-1 [MIN 17-09](#) RECENTLY HELD MEETINGS

Moved by Councilmember Swanson, seconded by Councilmember Clark, that the Minutes of the Workshop Meeting of March 2, 2017 and the Minutes of the Regular Meeting of March 2, 2017 be approved.

Motion adopted. Councilmembers Clark and Hovland abstained on the March 2, 2017 Workshop and Regular meeting minutes due to their absence.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

Mayor welcomed members of Boy Scout Troop 509

5.-1 [PROC 17-04](#) PROCLAMATION FOR FIREFIGHTER MIKE SCHAAF

Fire Chief Smith stated Mike Schaaf has been an integral part of the Blaine Mounds View Spring Lake Park Fire Department. He explained that Mr. Schaaf would be retiring and he wished him well in his retirement.

Mayor Ryan read a proclamation in full for the record recognizing Firefighter Mike Schaaf for his 11 years of dedicated service to the City of Blaine.

Firefighter Schaaf thanked the Fire Department and City Council for their continued support. A round of applause was offered by all in attendance.

Informational: no action required

5.-2 [SPEAKER
17-01](#) SWEARING IN CEREMONY

Safety Services Manager/Police Chief Olson introduced newly hired Police Officers Mychal Rygg and Grant Breems to the City Council.

City Clerk Sorensen administered the Oath of Office to Police Officers Mychal Rygg and Grant Breems. Badges were pinned on and a round of applause was offered by all in attendance.

Councilmember Clark thanked staff for holding the Swearing In Ceremony for the new Police Officers at the Council meeting.

Informational: no action required

6. COMMUNICATIONS

Mayor Ryan welcomed Bowlero to the City of Blaine.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:50 p.m.

Cathy Harrison, 4620 107th Avenue, addressed the Council regarding the ponds and drainage concerns she had from Eastside Park. She believed the runoff was affecting lots and adjacent basements. She provided the Council with some pictures of the water situation on her property and noted she only had to dig down a foot and a half to find water.

Scott Hermodson, 4600 107th Avenue NE, explained he has lived in his home for the past 15 years and reported the water near his home was not draining properly. He reported he had the same concerns and requested the Council address this matter at an upcoming workshop meeting. He stated he and his neighbors were in need of help from the City due to major expense the rising

water table was costing his neighborhood.

City Manager Arneson stated the City would look into the Rice Creek Watershed control structure at Home Depot and 109th Avenue. He understood the watershed district had ordered a project that would assist in properly draining this area. He reported Blaine Engineering staff could also look at these ponds to address any localized issues.

Councilmember King supported the Council addressing this matter at an upcoming workshop.

Mayor Ryan closed the Open Forum at 8:06 p.m.

8. ADOPTION OF AGENDA

The agenda was adopted as presented.

9. 7:30 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME

9.-1 [RES 17-031](#) REFINANCE 2009 ALLINA HEALTH SYSTEMS CONDUIT DEBT

Finance Director Huss stated in 2009, Allina Health Systems, a Minnesota non-profit corporation, requested the City of Minneapolis and the St. Paul HRA to issue \$300,000,000 of conduit revenue bonds on behalf of Allina and its affiliates. Included in the issue was \$2,000,000 that was used to finance both improvements and acquisition of capital equipment at the Blaine Allina Medical Clinic located at 10705 Town Square Dr. NE. Since a portion of the proceeds were used for facilities located in Blaine, the City provided consent pursuant to Minnesota Statutes, Chapter 471.656 and the Internal Revenue Code.

Finance Director Huss explained Allina Health Systems is in the process of refinancing the 2009 bonds and again is seeking consent from Blaine pursuant to Minnesota statutes and IRS code. The debt is considered conduit debt and, as such, is payable solely from the revenues of Allina Health Systems. The debt is neither a general nor moral obligation of the Cities of Blaine or Minneapolis, or the St. Paul HRA. Staff recommended approval of the bond refinancing request.

Mayor Ryan opened the public hearing at 8:08 p.m.

Being no one appeared; Mayor Ryan closed the public hearing at 8:09 p.m.

Moved by Councilmember King, seconded by Councilmember Hovland, that Resolution 17-031, "Refinancing the 2009 Allina Health Systems Conduit Debt," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

10. APPROVAL OF CONSENT AGENDA:

Councilmember King requested the removal of agenda item 10.2.

Councilmember Hovland requested the removal of agenda item 10.3.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that the following be approved:

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

10.-1 [MO 17-34](#)

SCHEDULE OF BILLS PAID

Approved

10.-4 [MO 17-37](#)

AUTHORIZE PAYMENT TO HD SUPPLY FOR WARRANTY REPLACEMENT RADIOS FOR UTILITY SYSTEM IN THE AMOUNT OF \$25,491

Approved

10.-5 [MO 17-38](#)

AUTHORIZE TEMPORARY REMOVAL OF PARKING RESTRICTIONS ON 103RD LANE AND NATIONAL STREET FOR CENTENNIAL ELEMENTARY SCHOOL EVENT ON MAY 24, 2017 (RAIN DATE: MAY 25, 2017)

Approved

10.-2 [MO 17-35](#)

AUTHORIZE MANAGEMENT AGREEMENT WITH MCGOUGH FACILITY MANAGEMENT FOR CITY FACILITIES IN THE AMOUNT OF \$32,784

Councilmember King recused himself from taking action on this item due to a potential perceived conflict of interest with the contractor.

Moved by Councilmember Hovland, seconded by Councilmember Clark, that Motion 17-35, "Authorizing Management Agreement with McGough Facility Management for City Facilities in the amount of \$32,784," be approved.

Motion adopted 5-0-1 (King abstained).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Hovland and Councilmember Garvais

Abstain: 1 - Councilmember King

10.-3 [MO 17-36](#)

AUTHORIZE THREE YEAR CONTRACT WITH JIMMYS JOHNNYS, INC. FOR PORTABLE RESTROOM SERVICES IN CITY PARKS

Councilmember Hovland asked if the City had ever gone out for bid on this contract. City Manager Arneson reported the City received three bids for this contract.

Moved by Councilmember Clark, seconded by Councilmember King, that Motion 17-36, "Authorizing Three Year Contract with Jimmys Johnnys, Inc. for Portable Restroom Services in City Parks," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

11. DEVELOPMENT BUSINESS

11.-1 [RES 17-032](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE 10.3 ACRES INTO 32 SINGLE FAMILY LOTS AND 1 OUTLOT TO BE KNOWN AS PRESERVE AT LEGACY CREEK 4TH ADDITION. CALATLANTIC GROUP, INC. (CASE FILE NO. 17-0008/LSJ)

Planning and Community Development Director Schafer stated CalAtlantic Homes (the former Ryland Homes) is the builder and developer of the Preserve at Legacy Creek. At this time, they are requesting final plat approval for the fourth and final phase of this development. The plat includes larger lot single family home sites (72-75 feet). The CUP that set the development standards was adopted by the City Council as part of the Preliminary Plat in May of 2013. The final plat known as The Preserve at Legacy Creek 4th Addition consists of 32 single family lots and one (1) outlot. Outlot A will be used for a drainage and utility easement. Staff reviewed the request in further detail and recommended approval of the final plat.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Resolution No. 17-032, "Granting Final Plat Approval to Subdivide 10.3 Acres into 32 Single Family Lots and 1 Outlot to be known as Preserve at Legacy Creek 4th Addition," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

11.-2 [ORD 17-2376](#)

SECOND READING

AMENDING SECTION 30.50 - REGIONAL RECREATION - SECTION

30.52 - CONDITIONAL USES OF THE ZONING ORDINANCE OF THE CITY OF BLAINE TO ADD ELEMENTARY SCHOOL AS A USE ALLOWED BY CONDITIONAL USE PERMIT. CITY OF BLAINE. CASE FILE NO. 17-0007/BKS)

Planning and Community Development Director Schafer requested the Council introduce an Ordinance that would amend Section 30.50 and Section 30.52 in order to allow an elementary school as an allowed use by Conditional Use Permit within the Regional Recreation zoning district.

Councilmember King asked if the National Sports Center was the only portion of the City zoned Regional Recreation. Planning and Community Development Director Schafer reported this was the case.

Councilmember Hovland stated he did not believe he could support a school on the National Sports Center campus.

Mayor Ryan noted that traffic concerns would have to be addressed before the elementary school could be approved.

Declared by Mayor Ryan that Ordinance No. 17-2376, "Ordinance No. 17-2376, Amending Section 30.50 – Regional Recreation – Section 30.52 Conditional Uses of the Zoning Ordinance of the City of Blaine to Add Elementary School as a Use Allowed by Conditional Use Permit," be introduced and placed on file for second reading at the April 6, 2017 Council meeting.

12. ADMINISTRATION

12.-1 [MO 17-39](#)

CONFIRM 2017 BOARD/COMMISSION MAYORAL APPOINTMENTS

Mayor Ryan stated at the March 2, 2017 Council meeting, he announced the appointments for the Planning Commission, Park Advisory, Natural Resource Conservation Boards, Fire Board and the newly-formed Traffic Commission. Commissioners and Boardmembers will be sworn in at their next regular meetings. Appointments to the Special Board of Review expire upon adjournment of the final 2017 meeting, Fire Board terms are four-years, and the Traffic Commission will vary between two- and three-year terms. The remaining Commissions are two-year terms. He reported the Council was being asked to confirm the following appointments:

PLANNING COMMISSION

- Daphne Ponds - Ward 1
- Daniel York - Ward 2
- Maisa Olson - Ward 3

PARK ADVISORY BOARD

- Rex Markle - Ward 1
- Prad Das - Ward 2
- Tom Walsdorf - Ward 3

NATURAL RESOURCE CONSERVATION BOARD

- Dottie McKinley - Chair at Large
- Sam Villella - Ward 1
- Christopher Perkins - Ward 2
- Mary Jo Truchon - Ward 3
- Steve Theisen - Ward 3
- Kristen Genet - At Large

TRAFFIC COMMISSION

- Todd Haas - Chair at Large
- Kevin Chmielewski, Terry Wold - Ward 1
- Loren Hill, Khurram Mahmudi - Ward 2
- Chad Maschke, Nick Skarich - Ward 3

FIRE BOARD

- Harley Wells -At Large
- Andy Westerberg - At Large

SPECIAL BOARD OF REVIEW

- Randi Erickson, Chair
- Patrick Grengs
- Maisa Olson
- Lynda Riley
- Mary Wells

SENIOR ADVISORY COUNCIL

- William Wilkes
- Joanne C. Lero
- Nellie Spexet
- Martha Caouette
- Jerry Schilling
- Patricia L. Sandin
- Shirley Knoll
- James D. Grant
- Rebecca Sales
- Douglas Kurpiers
- Kathryn Helmke
- Stephen Steiner
- Abdul Basit
- Sue Ouellette

Moved by Councilmember Swanson, seconded by Councilmember Clark, that Motion 17-39, "Confirming 2017 Board/Commission Mayoral Appointments," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

Councilmember Clark discussed the interview process that was followed by the City Council for the commission members noting a team approach was taken.

Councilmember Swanson asked if the Traffic Commission meetings would be televised. City Engineer Keely explained the meetings would be webcast but not televised on cable. She provided further comment on the items that would be addressed by the Traffic Commission at their first meeting.

12.-2 [ORD 17-2374](#)

SECOND READING

AMENDING CHAPTER 14, ARTICLE V. - NONDOMESTICATED ANIMALS, ADDING SECTION 14-228, INTENTIONAL FEEDING OF WILD ANIMALS

Safety Services Manager/Police Chief Olson stated at a December 2016 workshop, staff gave a presentation in regards to a wildlife management plan in controlling the deer population in the City of Blaine. In that presentation, a possible new ordinance was presented in regards to feeding of wild animals and it appeared to have council support at that time. Staff reviewed the ordinance with the Council and recommended approval of the second reading.

Councilmember King stated he would not be supporting the Ordinance noting he did not receive positive feedback from the public. He explained he would support a controlled hunt in the City of Blaine but believed it would be difficult for the City to enforce the proposed Ordinance.

Councilmember Swanson explained he would be supporting the Ordinance as he wanted to see deer removed from neighborhoods as much as possible.

Councilmember Hovland agreed and noted he would be offering his support for the Ordinance.

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Ordinance 17-2374, "Amending Chapter 14, Article V. – Nondomesticated Animals, Adding Section 14-228, Intentional Feeding of Wild Animals," be approved.

Motion adopted 5-1 (King opposed).

Aye: 5 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember Hovland and Councilmember Garvais

Nay: 1 - Councilmember King

12.-3 [MO 17-40](#)

AUTHORIZE CITY MANAGER TO ENTER INTO FIVE-YEAR CONTRACT WITH E.G. RUD & SONS, INC. FOR STORMWATER POND SURVEYS

City Engineer Keely stated since 2008 the City has surveyed its stormwater ponds to determine the need for maintenance excavation. Twenty percent of the ponds are surveyed each winter under frozen conditions to facilitate the ease of working over the water. E.G. Rud & Sons, Inc. has performed the work with their bid being the lowest in each of the past two five year cycles. Deliverables included hard copy and electronic copy of the surveys for each pond.

City Engineer Keely reported the City has been divided into five regions with about 54 ponds in each region. All ponds have been surveyed twice providing a base of data. Ensuing surveys will be compared to the previous work to see if pond depths have changed to a point where excavation is necessary. This enables the city to be compliant with the requirements of the MS4 permit.

City Engineer Keely explained E.G. Rud has provided a proposal with a per pond cost for the next five-year cycle of surveys. The average cost per year over the five-year period is \$29,196 and is included in the stormwater budget approved by Council for 2017. E.G. Rud has typically come in under budget each year in the past. The experience, familiarity and base line work compiled in the past ten years by E. G. Rud will provide the City with the most accurate and cost efficient data collection over the course of the next five years. Staff requested the Council extend the contract with E.G. Rud for the next five-year cycle of surveys to build on their experience on this project and ensure consistency and accuracy with the end product.

Mayor Ryan asked if any ponds have been cleaned to date. City Engineer Keely reported the City has not cleaned any ponds to date. She explained the City was investigating how to properly manage the soil and debris that would be removed from the City's ponds.

Councilmember Clark questioned if the five-year contract was put out for bid. City Engineer Keely stated previously the City put it out for bid and E.G. Rud was the low bidder. For continuity purposes, the City would like to continue working with E.G. Rud. She noted their bid has only gone up \$15 per pond this year.

Councilmember Clark commented he would be in favor of putting this five-year project out for bid through an RFP.

Councilmember Garvais agreed with this recommendation.

Councilmember Hovland and Mayor Ryan withdrew their motion and second.

The consensus of the City Council was to postpone action on this item until the Council could review an RFP.

12.-4 [RES 17-034](#)

DECLARE ADEQUACY OF PETITION AND ORDER PREPARATION OF FEASIBILITY REPORT FOR LEVER STREET IMPROVEMENTS

FROM 125TH AVENUE NORTH TO 132ND AVENUE ALIGNMENT,
INCLUDING THE INTERSECTION OF 125th AVENUE AND LEVER
STREET, IMPROVEMENT PROJECT NO. 17-07

City Engineer Keely stated on March 6, 2017, signatures were received on a petition for Lever Street improvements from 125th Avenue north to 132nd Avenue alignment. The petition is signed by owners of 63% of the frontage on Lever Street north of 125th Avenue. The improvements to be included in the proposed Lever Street project are sanitary sewer, water main, storm sewer, and street from 125th Avenue north to the 132nd Avenue alignment, including intersection improvements at Lever Street and 125th Avenue. If approved, this resolution accepts the petition and orders preparation of a feasibility report.

Moved by Councilmember Hovland, seconded by Councilmember King, that Resolution 17-034, "Declaring Adequacy of Petition and Order Preparation of Feasibility Report for Lever Street Improvements from 125th Avenue North to 132nd Avenue Alignment, including the Intersection of 125th Avenue and Lever Street," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais

13. OTHER BUSINESS

None.

14. ADJOURNMENT

Moved by Councilmember Hovland, seconded by Councilmember King, to adjourn the meeting at 8:40 p.m.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Clark, Councilmember King, Councilmember Hovland and Councilmember Garvais