



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, May 17, 2012

7:30 PM

Council Chambers

Meeting Number 12-33

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:32 p.m. by Mayor Pro Tem Kolb followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Quorum present.

ALSO PRESENT: Bryan Schafer, Community Development Director; Bob Therres, Public Services Manager; Chris Olson, Public Safety Manager/Police Chief; Joe Huss, Finance Director; Jean Keely, City Engineer; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane M. Cross, City Clerk; and Recording Secretary Cheryl Felix.

Present: 5 - Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

Absent: 2 - Mayor Ryan and Councilmember Hovland

4. APPROVAL OF MINUTES

4.-1 [MIN 12-19](#)

WORKSHOP MEETING - 05/03/2012
REGULAR MEETING - 05/03/2012

Sponsors: Cross

Attachments: [Workshop Minutes 05/03/12](#)

[Regular Minutes 05/03/12](#)

Councilmember Kolb abstained on the May 3, 2012 Workshop and Regular meeting minutes due to her absence. Councilmember Clark abstained on the

May 3, 2012 Workshop meeting minutes due to his absence.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that the Minutes be Approved. The Motion was adopted unanimously.

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.-1 [PROC 12-03](#)

ARBOR DAY 2012

Sponsors: City Council

Mayor Pro Tem Kolb read in full a Proclamation declaring May 5th as Arbor Day 2012 in the City of Blaine.

Informational: no action required

6. COMMUNICATIONS

Mayor Pro Tem Kolb stated she was acting as Mayor Pro Tem because Mayor Ryan and Councilmember Hovland along with the City were being honored at the Saints Game; Blaine is being claimed Newest Yellow Ribbon Community by proclamation of the governor. Mayor Pro Tem Kolb explained that in April 2011, Blaine held a kick-off meeting to get involved and at present, over 50 community members are involved. She encouraged anyone interested to contact Rebecca Olson at City Hall 763-785-6120.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Pro Tem Kolb opened the Open Forum at 7:38 p.m.

Patty Paulson, 1213 104th Ave NE, Blaine and Gary Taft, 976 122nd Lane NW, Coon Rapids presented their request to bring a car wash, with signage, to Fastrip, located at 9850 Polk Street NE. Ms. Paulson explained this site was converted from an Oasis Market. She stated her understanding only the price of the car wash can be advertised on a sign, which they would like to do with rolling video. Ms. Paulson asked if the Council would consider amending the ordinance and indicated she would be happy to circulate a petition to determine whether any would be annoyed by video signage.

Mayor Pro Tem Kolb suggested they have a discussion with staff after seeing what could be done and give recommendations.

Community Development Director Schafer stated he thinks the ordinance requires static messaging, not video or rolling, because people watch the board instead of driving. He added there is a process for a car wash, including

site issues, a conditional use permit, and set back requirement.

Councilmember Bourke stated there will probably be a public hearing due to the proximity to residential.

Being no other input, Mayor Pro Tem Kolb closed the Open Forum at 7:44 p.m.

8. ADOPTION OF AGENDA

The agenda was adopted as presented.

9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME

None.

10. APPROVAL OF CONSENT AGENDA:

Councilmember Swanson requested the removal of agenda item 10.3

Approval of the Consent Agenda

Moved by Councilmember Clark, seconded by Councilmember Swanson that the following items be Approved by Consent Vote. Motion adopted unanimously.

Aye: 5 - Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

10.-1 [MO 12-055](#)

SCHEDULE OF BILLS PAID

Sponsors: Huss

Attachments: [04/27/12 Bills Paid](#)
[05/04/12 Bills Paid](#)
[April 2012 Payroll Checks and Wire Transfers](#)

Approved unanimously by Consent Vote.

10.-2 [RES 12-059](#)

**RECEIVE PETITION AND ORDER PUBLIC HEARING
VACATION OF STREET RIGHT-OF-WAY
TH 65 WEST FRONTAGE ROAD
ADJACENT TO EAST PROPERTY LINE
LOT 1, BLOCK 1, SANDLER PLACE**

VACATION NO. V12-02

Sponsors: Keely

Attachments: [V12-02 Petition.Sandler.pdf](#)
[V12-02. Map. Sandler.pdf](#)

Adopted unanimously by Consent Vote.

10.-4 [MO 12-056](#) **APPROVE A TEMPORARY ON-SALE 3.2 PERCENT
MALT BEVERAGE LICENSE FOR DISCOVER
AVIATION DAYS, GOLDEN WINGS MUSEUM
HANGER DANCE.**

Sponsors: Cross

Approved unanimously by Consent Vote.

10.-5 [MO 12-057](#) **APPROVE A VENDING TRUCK LICENSE FOR BECKY'S
SWEET TREATS**

Sponsors: Cross

Approved unanimously by Consent Vote.

10.-6 [MO 12-058](#) **APPROVE A CARNIVAL LICENSE FOR GOPHER STATE
EXPOSITIONS**

Sponsors: Cross

Approved unanimously by Consent Vote.

10.-3 [RES 12-060](#) **APPROVE TEMPORARY ROAD CLOSURES OF
PORTIONS OF HARPERS STREET AND LAKES
PARKWAY FOR BLAINE TRIATHLON**

Sponsors: Kappelhoff

Attachments: [Traffic Plan for Blaine Triathlon road closure for council.pdf](#)

Councilmember Swanson explained the temporary road closure, from about 7:00 a.m. until noon, is to accommodate the City first triathlon. He described

the detour route using North Marina Drive. Public Services Manager Therres added there are over 300 participants and the event is sold out.

Moved by Councilmember Swanson, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

11. DEVELOPMENT BUSINESS

- 11.-1 [RES 12-062](#) **GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE .42 ACRES INTO FOUR (4) SINGLE FAMILY LOTS TO BE KNOWN AS THE LAKES OF RADISSON FIFTIETH ADDITION AT EDISON STREET/123rd LANE NE. HANS HAGEN HOMES, INC. (CASE FILE NO. 12-0014/SLK) PER SECTION 74-43 OF THE SUBDIVISION ORDINANCE**

Sponsors: Schafer

Attachments: [Attachments 051712.pdf](#)

Community Development Director Schafer presented this is the final plat, the last 12 lots, in the Lakes Development. The Resolution lays out development requirements. He noted that public improvements are not needed because the streets are already in.

Councilmember Herbst questioned four lots at .42 acres. Community Development Director Schafer replied the homes are long and narrow in several locations in the Lakes.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

- 11.-2 [RES 12-058](#) **FINAL PLAT APPROVAL TO SUBDIVIDE 12.37 ACRES INTO ONE (1) LOT AND ONE (1) OUTLOT TO BE KNOWN AS CHAIN OF LAKES ADDITION AT 12450 ALAMO STREET NE. PRESBYTERY OF THE TWIN CITIES. (CASE FILE NO. 12-0007/SLK)**

Sponsors: Schafer

Attachments: [Attachments 051712.pdf](#)

Community Development Director Schafer noted on May 3, Council approved the preliminary plat that created two parcels, one for the church, and one that is owned by Meridian Bank.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

12. ADMINISTRATION

12.-1 [RES 12-061](#)

**APPROVE A NEW PREMISES PERMIT FOR
CHARITABLE GAMBLING FOR THE BLAINE'S BLAZIN
4TH INC. AT BLAINBROOK ENTERTAINMENT CENTER**

Sponsors: Cross

City Clerk Cross indicated that representatives from Blainbrook Entertainment Center are in attendance and they are applying for a premises permit effective July 1, 2012.

Bonnie Brubakken, Vice President, and Linda Brausen, Site Manager, indicated the Festival is the weekend before the 4th of July. Ms. Brubakken reviewed their efforts to determine the best publicity, to show good will in the community, and indicated it would be nice to not have to look elsewhere for financial support. Ms. Brausen announced they have selected great bands this year, such as the Rockin' Hollywoods and Jonah and the Whales. Ms. Brubakken stated they are trying to get more happenings for tweens and younger kids, such as the magician who appeared on America's Got Talent.

Mayor Pro Tem Kolb asked if they needed volunteers. Ms. Brubakken replied they do and provided contact information.

Councilmember Swanson requested staff review the impact of electronic pull tabs on charitable gambling organizations. City Manager Arneson replied the League is working on that issue.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this Resolution be Adopted. The Motion was adopted unanimously.

12.-2 [MO 12-059](#)

**RATIFICATION OF LOCAL 49 (PUBLIC WORKS) UNION
FOR CONTRACT YEAR 2013**

Sponsors: Human Resources Director Dussault

Attachments: [2013 49ersContract](#)

Human Resources Director Dussault stated this motion is to get all of public works on the same calendar. The contract includes the same raise for 2013 and the insurance rate has not yet been determined for the coming year.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that this Motion be Approved. The Motion was adopted unanimously.

12.-3 [RES 12-063](#)

RECEIVE FEASIBILITY REPORT AND ORDER PUBLIC HEARING FOR THE RECONSTRUCTION OF HAMLINE AVENUE FROM EDGEWOOD ROAD TO PATRIOT LANE, IMPROVEMENT PROJECT NO. 10-13

Sponsors: Keely

Attachments: [Exhibit 1 - location map.pdf](#)
[Exhibit 2 - assessment map.pdf](#)
[Feasibility Report.pdf](#)

City Engineer Keely presented a feasibility report for reconstruction of Hamline Avenue. The City of Lexington requested a joint project with Blaine and worked on the joint powers agreements so this is the next step to moving forward. The estimate cost is \$586,640 with the cost split being \$251,640 for Blaine and \$335,000 to Lexington. The street is shared between the two cities so items such as aggregate work and ditch cleaning will be split between the two cities. There are more frontages in Lexington, so the cost will be split proportionately to each. City Engineer Keely indicated \$110,694 will be assessed to benefiting properties in Blaine, which includes the City water tower on Hamline Avenue and \$10,086 would come from the water utility fund. It is proposed that \$140,946 would be paid by the Payment Management Program, which is consistent with the special assessment policy.

City Engineer Keely explained that Blaine typically builds at 29 feet to the back of the curb, while Lexington builds to 24 feet wide, so they are proposing to move forward with 24 feet and would sign the west side as no parking. This meets fire and police standards similar to private developments. The proposed assessments are spread over 10 years and based on 50% of the improved street section per policy. If this project moves forward, a public hearing will be held at the June 7th Council meeting. If approved, the contract would be awarded at the July 12 Council meeting.

Councilmember Swanson asked who is managing the project. City Engineer Keely replied a Lexington consulting engineer will put together the construction plans and administer the contract as previously discussed with City Council. A Blaine inspector will oversee the project.

Moved by Mayor Pro Tem Kolb, seconded by Councilmember Swanson, that this Resolution be Adopted. The Motion was adopted unanimously.

The following two items are related

12.4 A [RES 12-064](#)

ORDER PREPARATION OF PROPOSED ASSESSMENT FOR RECONSTRUCTION OF JEFFERSON STREET NE/87TH LANE NE FROM 85TH AVENUE NE TO 89TH

**AVENUE NE
ALONG WITH 7TH STREET NE AND WASHINGTON
STREET NE
FROM 87TH LANE NE TO CSAH 10
IMPROVEMENT PROJECT NO. 10-10**

Sponsors: Keely

Attachments: [Final assessment roll.xls](#)
[10 10 FINAL assessment MAP.pdf](#)

City Engineer Keely noted Items 12.4A and 12.4B are related but requires two actions. This resolution orders preparation of the proposed assessment for Jefferson Street NE/87th Lane NE. The total project cost was \$809,854.41. She noted this project was built last year but held over to complete punch list times and calculate final quantities. The benefitted properties would be assessed 50% of the total street improvements, \$250,893.25, and the public utilities fund would contribute \$12,756.38, which includes manholes and fire hydrants. Municipal state aid is the contribution for the balance of \$546,204.78. At the 50%, rate all properties are commercial areas so the parcels would be assessed \$49.18 per front foot.

Moved by Councilmember Swanson, seconded by Councilmember Clark, that this Resolution be Adopted. The Motion was adopted unanimously.

12.4 B [RES 12-065](#)

**CALL FOR HEARING ON PROPOSED ASSESSMENT FOR
RECONSTRUCTION OF JEFFERSON STREET NE/87TH
LANE NE FROM 85TH AVENUE NE TO 89TH AVENUE
NE
ALONG WITH 7TH STREET NE AND WASHINGTON
STREE NE
FROM 87TH LANE NE TO CSAH 10
IMPROVEMENT PROJECT NO. 10-10**

Sponsors: Keely

Attachments: [Final assessment roll.xls](#)
[10 10 FINAL assessment MAP.pdf](#)

City Engineer Keely stated this resolution calls for a hearing of the proposed assessment and has the same background as the previous agenda item.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

The following two items are related

12.5 A [RES 12-066](#)**ORDER PREPARATION OF PROPOSED ASSESSMENT
FOR RECONSTRUCTION OF CLOUD DRIVE NE/119TH
AVENUE NE FROM TH 65 TO LONDON STREET NE,
IMPROVEMENT PROJECT NO. 10-11**

Sponsors: Keely

Attachments: [10 11 assessmentMAP.pdf](#)
[10-11 Final Assmt Roll.xls](#)

City Engineer Keely stated this is the second state aid project from last year's construction but was held until spring to complete final punch list items. The total construction project cost is \$570,324.79. All parcels are residential except for the north corner at Highway 65 and would be assessed 25% of the cost of an equivalent 29 foot residential street. The commercial parcel and four townhomes, are to be assessed 50% of the cost of an equivalent 29 foot commercial street. The amount to be assessed is \$66,480.07 and public utility would contribute \$19,873.19 for utility updates. Municipal state aid funds will meet the difference with \$483,971.53. City Engineer Keely indicated assessments for residential would be \$1,594.63 per lot and commercial would be \$25.07 per front foot.

Councilmember Bourke questioned if this was the lot of 24 in a previous discussion, on two roads. City Engineer Keely replied the proposed assessments are based on the mock plat as included in the feasibility report. If the Council chooses, they can do something different at the assessment hearing.

Moved by Councilmember Bourke, seconded by Mayor Pro Tem Kolb, that this Resolution be Adopted. The Motion was adopted unanimously.

12.5 B [RES 12-067](#)**CALL FOR HEARING ON PROPOSED ASSESSMENT FOR
RECONSTRUCTION OF CLOUD DRIVE NE/119TH
AVENUE NE FROM TH 65 TO LONDON STREET NE,
IMPROVEMENT PROJECT NO. 10-11**

Sponsors: Keely

Attachments: [10-11 Final Assmt Roll.xls](#)
[10 11 assessmentMAP.pdf](#)

City Engineer Keely stated this resolution calls for a hearing for the proposed assessment and has the same background as the previous agenda item.

Moved by Councilmember Clark, seconded by Councilmember Herbst, that this Resolution be Adopted. The Motion was adopted unanimously.

The following two items are related

12.6 A [RES 12-052](#)

ACCEPT BID FROM NORTHWEST ASPHALT, INC. IN THE AMOUNT OF \$333,763.30 FOR THE WOODLAND VILLAGE PUBLIC IMPROVEMENTS - SIDEWALK, TRAIL, AND STREET OVERLAY (IMPROVEMENT PROJECT NO. 11-20)

Sponsors: Keely

Attachments: [Project Location Map.pdf](#)

City Engineer Keely presented the resolution to accept the low bid from Northwestern Asphalt. She indicated that seven bids were received on April 17, 2012. The City has worked with Northern Asphalt on other projects. This project will be funded from recovered bonds money from the original Gardenwood project.

City Engineer Keely described the change order for \$61,486 for sidewalk trails and street overlay. She explained that in preparation for construction, staff marked pavement areas that would be removed and prepared for the wear course. In checking for poor spots in base course pavement, it was realized repairs were significantly above the amount in the original construction plans. Original construction plans were prepared for the developer a few years ago and the wear and tear on the base course was more than originally planned for. City Engineer Keely indicated the change order would bring the contract amount to \$395,249.30. Resolution No. 11-154, considered in November of 2011, set up how \$800,000 of bond proceeds would be split to complete the project work.

City Engineer Keely presented a summary of the financing that would finalize the Gardenwood obligations. Bond proceeds have been used to pay for legal and engineering fees to finalize the Gardenwood obligations, contributions to the Lexington turn lane to reduce assessments to residents, soil corrections, the contract to complete development improvements and paying the consulting engineer contract for the design and record drawings, which were not received from the original developer. Approximately \$6,000 remains of the bond proceeds and it is recommended that these funds be used to pay a portion of the city engineer cost for inspection, therefore no contingency is shown for this project.

Councilmember Bourke questioned when the original engineering work was done, but improperly, did the \$21,000 change. City Engineer Keely replied the developer hired the engineer initially and installed improvements;

however, all work was not completed by the developer so they brought the contract to the Council to hire the same engineer. The City had to pay for construction plans to use for bids and for the record drawings that were never done by the developer. Councilmember Bourke asked if the engineer duplicated the original plans and sold them back to the City. City Engineer Keely replied changes were made, a street was added and the sidewalk location on Huff Street was changed. She noted that 20 tons was an estimate from the original construction plans that was not updated.

Councilmember Herbst stated that \$800,000 was the price negotiated from the original developer bond with the City of Blaine. The developer went broke so the City went to court and the settlement would be used for this project. He noted this means it is not being paid by taxpayers and he imagines the engineering firm never was paid by the original developer. City Engineer Keely replied no. Councilmember Herbst stated he is happy the project came in under budget.

Moved by Councilmember Herbst, seconded by Mayor Pro Tem Kolb, that this Resolution be Adopted. The Motion was adopted unanimously.

12.6 B [RES 12-068](#)

APPROVE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$61,486 FOR THE WOODLAND VILLAGE PUBLIC IMPROVEMENTS - SIDEWALK, TRAIL, AND STREET OVERLAY (IMPROVEMENT PROJECT NO. 11-20)

Sponsors: Keely

Attachments: [Change Order No 1.pdf](#)
[Woodland Village Bond Fund Summary.xls](#)

Moved by Councilmember Bourke, seconded by Councilmember Clark, that this Resolution be Adopted. The Motion was adopted unanimously.

13. OTHER BUSINESS

Mayor Pro Tem Kolb encouraged people to come to the Memorial Gardens on Memorial Day, 9:00 a.m., and/or to the Veteran's Memorial at the park at 11:00 a.m., followed by a community picnic.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that this meeting be Adjourned. The Motion was adopted unanimously. The meeting adjourned at 8:25 p.m.