



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

10801 Town Square Dr.
Blaine MN 55449

Thursday, April 19, 2012

7:30 PM

Council Chambers

The Agenda was REVISED to include HANDOUT items 11.3, 12.3 and 12.4

Meeting Number 12-27

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:30 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: Thomas Sweeney, City Attorney; Clark Arneson, City Manager; Bryan Schafer, Community Development Director; Bob Therres, Public Services Manager; Chris Olson, Public Safety Manager/Police Chief; Joe Huss, Finance Director; Jim Kappelhoff, Park and Recreation Director; Roark Haver, Communications Technician; and Recording Secretary Carol Hamer.

Present: 7 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

4. APPROVAL OF MINUTES

4.1 [MIN 12-16](#)

WORKSHOP MEETING - 4/05/2012
REGULAR MEETING - 4/05/2012

Sponsors: Cross

Attachments: [Regular Minutes 4/5/12](#)
[Workshop Minutes 4/5/12](#)

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

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.1 [PROC 12-02](#) PROCLAMATION - LOREN FREITAG

Sponsors: City Council

Mayor Ryan read in full a Proclamation recognizing Loren Freitag who had retired on March 4, 2012, after 18 years of service to the Spring Lake Park-Blaine-Mounds View Fire Department.

6. COMMUNICATIONS

None.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:38 p.m. There being no input, Mayor Ryan closed the Open Forum at 7:38 p.m.

8. ADOPTION OF AGENDA

City Manager Arneson noted the addition of Agenda Items 11.3, 12.3 and 12.4.

The agenda was adopted as amended.

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

Moved in the agenda to follow agenda item 12.4.

10. APPROVAL OF CONSENT AGENDA:

Councilmember Herbst requested the removal of agenda item 10.4.

Councilmember Kolb requested the removal of agenda item 10.8.

Approval of the Consent Agenda

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

Aye: 7 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Councilmember Bourke, Mayor Pro Tem Kolb and Councilmember Herbst

10.1 [MO 12-051](#) **SCHEDULE OF BILLS PAID**

Sponsors: Huss

Attachments: [03/30/12 Bills Paid](#)
 [04/06/12 Bills Paid](#)
 [March 2012 Payroll Checks and Wire Transfers](#)

Approved unanimously by Consent Vote.

10.2 [MO 12-044](#) **ACCEPTING THE PROPOSAL FOR THE 2012
FIREWORKS SHOW FROM HOLLYWOOD
PYROTECHNICS.**

Sponsors: Kappelhoff

Approved unanimously by Consent Vote.

10.3 [MO 12-045](#) **APPROVE 2012 PORTABLE RESTROOM PROPOSAL
FOR PARK LOCATIONS FROM JIMMY’S JOHNNYS,
INC. IN THE AMOUNT OF \$20,092.50.**

Sponsors: Kappelhoff

Approved unanimously by Consent Vote.

10.5 [MO 12-047](#) **APPROVE A TEMPORARY ON-SALE 3.2% MALT
BEVERAGE LICENSE FOR THE NATIONAL SPORTS
CENTER MINNESOTA BASS EXPO**

Sponsors: Cross

Approved unanimously by Consent Vote.

10.6 [MO 12-048](#) **APPROVAL OF THE 2012-2013 KENNEL LICENSES**

Sponsors: Cross

Approved unanimously by Consent Vote.

10.7 [MO 12-049](#) **APPROVE A VENDING TRUCK LICENSE FOR
BLAINE ANOKA ICE CREAM**

Sponsors: Cross

Approved unanimously by Consent Vote.

10.4 [MO 12-046](#)

**AUTHORIZE TEMPORARY REMOVAL OF PARKING
RESTRICTIONS ON 91ST AVENUE, 92ND AVENUE, 92ND
LANE AND BALTIMORE STREET TO ACCOMMODATE
LETTERMEN SPORTS TENT SALES ON JUNE 14 - 17
AND AUGUST 2 - 5, 2012**

Sponsors: Keely

Attachments: [temp parking.Lettermen Sports.pdf](#)

Public Services Manager Therres provided an overview of the proposed temporary removal of parking restrictions on 91st Avenue, 92nd Avenue, 92nd Lane, and Baltimore Street.

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

10.8 [MO 12-052](#)

**APPROVE A NAME CHANGE ONLY FOR BEBOP
MONSTER PARK LLC DBA BEBOP MONSTER
PARK TO
THE BEBOP & ELEGANCE ROOM INC. DBA
THE BEBOP & ELEGANCE ROOM,
1009 109TH AVENUE NE., BLAINE.**

Sponsors: Cross

Councilmember Kolb stated the Elegance Room is very nice and the public should know it is a lovely facility for events like weddings.

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

11. **DEVELOPMENT BUSINESS**

The Following Ordinance is Scheduled for Second Reading

11.1 [ORD 12-2249](#)

**CODE AMENDMENT TO SECTION 29.30 R-1 (SINGLE
FAMILY) OF THE ZONING ORDINANCE TO ALLOW, AS
A PERMITTED USE, THE OF STEEL PANEL (STANDING
SEAM) METAL ROOF MATERIALS. CITY OF BLAINE
(CASE FILE NO. 12-0006/BKS)**

Sponsors: Schafer

Attachments: [Metal Roof Pic.jpg](#)

Community Development Director Schafer presented background information on Ordinance 12-2249, noting first reading of the ordinance has been completed and the ordinance is now before the Council for adoption.

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

11.2 [RES 12-045](#)

**AUTHORIZING THE CITY OF BLAINE TO ENTER INTO
A PURCHASE AGREEMENT FOR REAL PROPERTY
WITH KR FARM LAND HOLDINGS, LLC FOR THE
PURCHASE OF 38 ACRES TO BE USED FOR THE
LEXINGTON ATHLETIC COMPLEX AT 120TH AND
LEXINGTON AVENUE**

Sponsors: Schafer

Attachments: [Finn Farm - Proposed Park Plan.pdf](#)
 [Purchase Agreement - KR and Blaine April 11 2012.docx](#)

Moved in the agenda to follow Agenda Item 9.2.

HANDOUT ITEM:

11.3 [RES 12-046](#)

**AUTHORIZE EXECUTION AND RECORDING OF
CERTAIN DOCUMENTS NECESSARY FOR PROPER
RECORDING OF CENTRAL AVENUE ACRES FOURTH
ADDITION (WAL-MART REAL ESTATE BUSINESS
TRUST)**

Sponsors: Schafer

Attachments: [EXHIBIT A or April 19 2012 Council.doc](#)
 [EXHIBIT B for April 19 2012 Council.doc](#)

Community Development Director Schafer presented an overview of the documents necessary for the proper recording of Central Avenue Acres Fourth Addition (Wal-Mart Real Estate Business Trust).

Councilmember Clark clarified this is the Wal-Mart on the west side of the City off Ulysses Street.

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

12. ADMINISTRATION**12.1 [MO 12-050](#)****ACCEPTING THE PROPOSAL OF AN EAGLE SCOUT PROJECT FROM DAVID REIS TO CONSTRUCT A PICNIC SHELTER AT JEFFERSON PARK.**

Sponsors: Kappelhoff

Attachments: [Jefferson Park Shelter Location.pdf](#)
[Shelter Side View.jpg](#)

Park and Recreation Director Kappelhoff presented an overview of the proposed Eagle Scout Project to construct a picnic shelter at Jefferson Park.

The Council invited David Reis to share information on the project and his current academics and future plans.

David Reis stated he was looking for Eagle Scout projects and wanted to do a project he would remember in a couple years. When selecting a project one requirement is that it must benefit the community. His work on this project will include arranging dates to pour the footings and slab, digging out the footings, pouring the slab, framing the roof and placing the shingles. He stated he has had many people offer to help, and other troupes offer to pitch in. The Park Board offered to give a day of labor to the project as well. Currently he is at about 24 hours in planning and has visited numerous businesses to ask for donations to fundraise for the project. He shared that he is 15 years old and in 9th grade at Blaine High School. He is enrolled in the CEMS Program and plans to be some type of engineer in the future.

Councilmember Kolb noted the picnic shelter is needed in Jefferson Park and asked how many picnic tables will fit under the shelter. David Reis replied that two to three picnic tables should fit under the shelter.

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

The Following Ordinance is Scheduled for Second Reading**12.2 [ORD 12-2243](#)****AN ORDINANCE REPEALING CHAPTER 22, ARTICLE IX, DIVISION 1 AND 2, SAUNAS AND MASSAGE PARLORS, OF THE MUNICIPAL CODE OF THE CITY OF BLAINE AND REGULATING THERAPEUTIC MASSAGE WITHIN THE CITY OF BLAINE, MINNESOTA**

Sponsors: Cross and Safety Services Manager / Police Chief Olson

Attachments: [Blaine Massage Therapy Ordinance Draft 3-12-12](#)
[Blaine Massage Therapy Ordinance Draft 3-12-12](#)
[Proposed Fees Massage Therapy](#)
[Proposed Fees Massage Therapy](#)

Safety Services Manager/Police Chief Olson provided an overview of Ordinance 12-2243, An Ordinance Repealing Chapter 22, Article IX, Division 1 and 2, Saunas and Massage Parlors, of the Municipal Code of the City of Blaine and Regulating Therapeutic Massage within the City of Blaine, Minnesota.

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

HANDOUT ITEM:

- 12.3 [RES 12-047](#) **PROVIDING FOR PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE NO. 12-2243, REPEALING CHAPTER 22, ARTICLE IX, DIVISION 1 AND 2 SAUNAS AND MASSAGE PARLORS, OF THE MUNICIPAL CODE OF THE CITY OF BLAINE AND ADOPTING CHAPTER 22 OF THE MUNICIPAL CODE OF THE CITY OF BLAINE REGULATING THERAPEUTIC MASSAGE WITHIN THE CITY OF BLAINE, MINNESOTA**

Sponsors: Cross

Attachments: [Exhibit B Summary Ordinance](#)

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

HANDOUT ITEM:

- 12.4 [MO 12-053](#) **APPOINT AND CONFIRM DAVE KNAPP TO THE 2012 PARK ADVISORY BOARD**

Sponsors: Cross

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

- 9.1 [RES 12-044](#) **FUNDING PARK IMPROVEMENTS THROUGH USE OF**

CAPITAL IMPROVEMENT FUND

Mayor Ryan opened the public hearing at 8:02 p.m.

Finance Director Huss presented an overview of Resolution No. 12-044, Funding Park Improvements Through Use of Capital Improvement Fund. He explained that this fund generates interest earnings to be used for projects within the City that meet certain requirements, most significantly that the project provides a community wide benefit.

Park and Recreation Director Kappelhoff provided an overview of the Lexington Athletic Complex Concept Plan.

There being no public input, Mayor Ryan closed the public hearing at 8:06 p.m.

Councilmember Herbst stated he will be abstaining on this item due to a conflict of interest.

Councilmember Swanson commented that the Capital Improvement Fund was established to fund major projects like this.

Moved by Councilmember Bourke, seconded by Councilmember Swanson, that this Resolution be Adopted. Motion adopted 6-0-1 (Councilmember Herbst abstained).

The Following Ordinance is Scheduled for a Public Hearing and First Reading

**9.2 [ORD 12-2250](#) VACATION OF DRAINAGE AND UTILITY EASEMENT
FOR
LOT 14, BLOCK 2, THE SANCTUARY EIGHTH
ADDITION VACATION NO. V12-01**

Sponsors: Keely

Attachments: [location map 12-01.pdf](#)

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

Support Services Manager Therres provided an overview of Ordinance 12-2250.

There being no public input, Mayor Ryan closed the public hearing at 8:09 p.m.

Declared by Mayor Ryan that Ordinance No. 12-2250, "An Ordinance Vacating Drainage and Utility Easement for Lot 14, Block 2, The Sanctuary Eighth Addition Vacation No. V12-01," be introduced and placed on file for second reading at the May 3, 2012 Council meeting.

[RES 12-045](#)

**AUTHORIZING THE CITY OF BLAINE TO ENTER INTO
A PURCHASE AGREEMENT FOR REAL PROPERTY
WITH KR FARM LAND HOLDINGS, LLC FOR THE
PURCHASE OF 38 ACRES TO BE USED FOR THE
LEXINGTON ATHLETIC COMPLEX AT 120TH AND
LEXINGTON AVENUE**

Sponsors: Schafer

Attachments: [Finn Farm - Proposed Park Plan.pdf](#)

[Purchase Agreement - KR and Blaine April 11 2012.docx](#)

Councilmember Herbst stated he will be abstaining on this item due to a conflict of interest.

Community Development Director Schafer presented an overview of the purchase agreement for real property with KR Farm Land Holdings, LLC for the purchase of 38 Acres to be used for the Lexington Athletic Complex at 120th and Lexington Avenue

Councilmember Bourke questioned the estimated development that would have been generated by the \$1.4 million credit included in the agreement. Community Development Director Schafer replied that the \$1.4 million in park dedication would equate to approximately 400 to 500 homes.

Councilmember Kolb expressed that she has strong feelings against losing the barn on the property and commented on the possibility of basketball courts as a new use for the barn.

Moved by Councilmember Bourke, seconded by Councilmember Swanson, that this Resolution be Adopted. Motion adopted 6-0-1 (Councilmember Herbst abstained).

13. OTHER BUSINESS

Councilmember Swanson stated he has been seeing a lot of American Flags that are in tatters, and places where commercial flags are flown above the American Flag. He requested staff to include something in the newsletter about flag etiquette and how the American Flag should be flown.

Councilmember Clark noted the City has received complaints about the

purple bags the Star Tribune is dropping off in people's driveways. Councilmember Kolb stated this is also being done by the Pioneer Press.

City Manager Arneson stated the City has received numerous complaints about this issue. Staff contacted the Star Tribune and they indicated they would stop the distribution, which has not been the case. There will be a review by legal counsel on the subject.

[MO 12-060](#)

APPROVE A 3% SALARY INCREASE TO THE CITY
MANAGER, RETROACTIVE TO JANUARY 1, 2012

Mayor Ryan reported the Council held a closed session meeting tonight on the topic of the City Manager's performance. The Council agreed on a 3% salary increase retroactive to January 1, 2012. He noted this is the third salary increase the City Manager has received since he was hired in 2008. Councilmember Kolb noted the Council discussed that meetings will continue to be set to establish goals in relation to the City Manager's performance.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that this Motion be Approved. The Motion was adopted unanimously.

14. ADJOURNMENT

The meeting was adjourned at 8:22 p.m. by Mayor Ryan.