



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

10801 Town Square Dr.
Blaine MN 55449

*Mayor Tom Ryan,
Councilmember Wes Hovland,
Councilmember Dick Swanson,
Councilmember Dave Clark,
Mayor Pro Tem Mike Bourke,
Councilmember Katherine Kolb,
Councilmember Russ Herbst*

Thursday, November 6, 2014

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: Bryan Schafer, Planning and Community Development Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Jean Keely, City Engineer; Chris Olson, Police Chief/Safety Services Manager; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Catherine Sorensen, City Clerk; and Recording Secretary Linda Dahlquist.

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

4. APPROVAL OF MINUTES

None.

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.-1 [PROC 14-08](#)

PROCLAIMING EXTRA MILE DAY 2014

Sponsors: City Council

Mayor Ryan recognized Gail Marinac and Patty Sandin for their volunteer service to the City of Blaine and proclaimed November 1, 2014 to be Extra Mile Day in the City of Blaine.

6. COMMUNICATIONS

Mayor Ryan congratulated Dave Clark and Wes Hovland on their re-election to the City Council.

Mayor Ryan congratulated Jason King on his election to the City Council.

Mayor Ryan thanked City Clerk Sorensen and staff for their work on the election.

Mayor Ryan stated Community Heroes Project will be awarding a new home to a local Veteran on November 11, 2014.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:47 p.m.

Renee Hanson, property manager at the Park at Four Seasons, stated the residents of the Park at Four Seasons have an issue with feral cats and a resident, Dawn Fisher has helped.

Dawn Fisher, 11350 6th Place NE, stated she has lived in the Park at Four Seasons for years and feral cats have always been an issue. She noted that she has been an animal foster home for cats in the past. She noted she had contacted animal rescue groups and Minnesota Spay Neuter Assistance Program (MN SNAP) and to date 20 kittens have been placed. She stated the City's ordinance on the number of cats in a home is restricting to the rescue and foster homes.

Police Chief/Safety Services Manager Olson stated staff has worked with Ms. Fisher. He noted there is an ordinance for the number of animals in a house.

Ms. Foster is seeking an exemption for animal foster homes. Mayor Ryan stated the Police Department can make a recommendation for the Council to review.

Mayor Ryan asked Ms. Hanson to have Park at Four Seasons' residents call her for any water issues.

There being no further input, Mayor Ryan closed the Open Forum at 8:03 p.m.

8. ADOPTION OF AGENDA

9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME**9.-1 [MO 14-146](#)**

**APPROVE RENEWAL OF CURRENCY EXCHANGE
LICENSES FOR AL'S CHECK CASHING, 1434 93RD LANE
NE AND
SJB ENTERPRISES INC., DBA YOUR EXCHANGE, 10553
UNIVERSITY AVENUE NE**

Sponsors: Sorensen

Attachments: [Dept of Commerce Letter](#)
[Currency Exc PH Notice.doc](#)

Mayor Ryan opened the public hearing at 8:04 p.m.

City Clerk Sorensen stated State statute requires the City to approve renewal requests prior to the State issuing license renewals.

Mayor Ryan closed the public hearing at 8:04 p.m.

Approved

9.-2 [RES 14-217](#)

**ADOPTING ASSESSMENT FOR PAVEMENT
MANAGEMENT - 2014 STREET RECONSTRUCTIONS,
IMPROVEMENT PROJECT NO. 14-07**

Sponsors: Keely

Attachments: [14-07AssmtRollOrder&Call.pdf](#)
[ASSESSMENT MAP.pdf](#)

Mayor Ryan opened the public hearing at 8:05 p.m.

City Engineer Keely stated project number 14-07 involved spot concrete curb and gutter replacement, asphalt surface removal and replacement, aggregate base and appurtenant construction. She stated the assessment roll has been prepared consistent with the feasibility report and the project cost will be paid from assessments over a ten-year period at 4.5 percent interest rate, the Public Utility Fund and the Pavement Management Program Fund.

Mayor Ryan closed the public hearing at 8:07 p.m.

Adopted

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

9.-3 [RES 14-207](#)**ADOPTING ASSESSMENT FOR 93RD LANE INDUSTRIAL
PARK AREA STREET IMPROVEMENTS, PHASE 2,
IMPROVEMENT PROJECT NO. 12-19**

Sponsors: Keely

Attachments: [12-19FinalRoll.pdf](#)
[93rd Ln Assessment Map - FINAL.pdf](#)

Mayor Ryan opened the public hearing at 8:07 p.m.

City Engineer Keely stated project number 12-19 involved asphalt pavement replacement, gravel shouldering, storm drainage improvements, culvert replacements and cleaning, ditch cleaning and regrading, traffic control signage, and appurtenant construction. She stated the assessment roll has been prepared consistent with the feasibility report and the project cost will be paid from assessments over a ten-year period at a 4.5 interest rate, and the Pavement Management Program Fund.

Mayor Ryan closed the public hearing at 8:09 p.m.

Adopted

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

9.-4 [RES 14-208](#)**ADOPTING ASSESSMENT FOR MILL AND OVERLAY OF
NAPLES STREET FROM 95TH AVENUE TO 103RD
STREET ALIGNMENT, IMPROVEMENT PROJECT NO.
13-23**

Sponsors: Keely

Attachments: [13-23 Order&Call.pdf](#)
[Assessment Map.pdf](#)

Mayor Ryan opened the public hearing at 8:10 p.m.

City Engineer Keely stated project number 13-23 involved full width mill, bituminous asphalt overlay, traffic control signage, striping, and appurtenant construction. She stated the assessment roll has been prepared consistent with the feasibility report and the project cost will be paid from assessments over a five-year period at 4.5 interest rate, and Municipal State Aid funds.

Ronald Opheim, 87 West Golden Lake Road, Circle Pines, stated he owns property on the east side of 1351 Naples. He stated the roadwork was needed because of the traffic from the heavy construction on the west side of the road. He is asking the Council's assessment consideration due to his property is undeveloped.

City Engineer Keely replied there was no difference in the assessment rate between the east and west side of the road due to the adjacent properties being zones industrial.

Planning and Community Development Director Schafer replied the west side is heavy industrial and the east side is light industrial.

City Engineer Keely stated there is no difference in the assessment policy between heavy and light industrial.

Councilmember Bourke commented the light industrial side does not have the same damage as heavy industrial.

Councilmember Clark requested a Council Workshop on the Pavement Management Program development formula.

Mr. Opheim stated his land is vacant and he has not had any interested buyers for the light industrial.

Public Services Manager Therres stated staff is using the City's assessment policy which is 50 percent industrial rate. He noted that the City does not have a separate rate for light or heavy industrial.

Councilmember Kolb suggested extending the assessment period from five years to ten years.

Councilmember Herbst asked if Mr. Opheim's property could be adjusted tonight because he is here tonight. City Attorney Sweeney replied yes.

City Manager Arneson suggested going ahead with the assessment and have staff re-evaluate the light industrial properties from the heavy industrial properties.

Councilmember Hovland commented he disagrees with a re-evaluation of all of the light industrial.

Councilmember Kolb commented a motion needs to include the location of the funds to cover this discount.

Councilmember Bourke commented the assessment is a burden and he supports a motion to reduce Mr. Opheim's assessment.

Adopted

Aye: 4 - Councilmember Hovland, Councilmember Swanson, Mayor Pro Tem Bourke and Councilmember Herbst

Nay: 3 - Mayor Ryan, Councilmember Clark and Councilmember Kolb

Councilmember Kolb requested confirmation that the \$1,000 will be taken from the MSA fund. City Engineer Keely confirmed \$1,000 would come out of the MSA fund.

Mayor Ryan commented BFI and Waste Management should have been assessed more.

Councilmember Clark commented all of the property owners on the east side should receive a discount.

Councilmember Herbst commented Mr. Opheim is the only property owner here tonight.

[RES 14-208](#)

**ADOPTING ASSESSMENT FOR MILL AND OVERLAY OF
NAPLES STREET FROM 95TH AVENUE TO 103RD
STREET ALIGNMENT, IMPROVEMENT PROJECT NO.
13-23**

Sponsors: Keely

Attachments: [13-23 Order&Call.pdf](#)
[Assessment Map.pdf](#)

Councilmember Swanson requested a heavy industrial rate be developed by staff.

Mayor Ryan closed the public hearing at 8:40 p.m.

Adopted As Amended

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

9.-5 [RES 14-209](#)**ADOPTING ASSESSMENT FOR RECONSTRUCTION OF
DAVENPORT STREET FROM 99TH LANE TO 105TH
AVENUE, IMPROVEMENT PROJECT NO. 11-11**

Sponsors: Keely

Attachments: [11-11 Order&Call.pdf](#)
 [assessment map.pdf](#)

Mayor Ryan opened the public hearing at 8:41 p.m.

City Engineer Keely stated Improvement Project No. 11-11 involved partial reconstruction of the existing street section to include full concrete curb and gutter replacement, construction of three right turn lanes, sport concrete sidewalk replacement, new concrete sidewalk, asphalt pavement replacement, storm drainage improvements, relocation of hydrants, traffic control signage, signal modifications, striping, and related appurtenant construction. She stated the assessment roll has been prepared consistent with the feasibility report and the project cost will be paid from assessments over a ten-year period at 4.5 percent interest rate, the Public Utility Fund and Municipal State Aid funds.

John Krudo, Green Light Recycling, 10040 Davenport Street East, stated very little work was done in front of his building. He stated his second building is at 1525 99th Lane E. City Engineer Keely stated the assessments are 41 percent of the costs. City Engineer Keely stated Municipal State Aid funds pay for the additional work included in this project.

Councilmember Clark stated the improvements benefit all of the properties on the road.

Councilmember Herbst commented the National Sports Center will be paying a large amount of the improvement cost.

Max Vannais, Twin City Gear, stated he has an issue with traffic from Davenport driving down his road. He noted he does not mind paying his fair share, but the assessment is excessive.

Mayor Ryan closed the public hearing at 8:55 p.m.

Adopted

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

9.-6 [RES 14-210](#)**ADOPTING ASSESSMENT FOR PARTIAL
RECONSTRUCTION OF PAUL PARKWAY FROM OAK
PARK BOULEVARD TO ULYSSES STREET,
IMPROVEMENT PROJECT NO. 12-17**

Sponsors: Keely

Attachments: [12-17 Order&CallAsmtRoll.pdf](#)
[exhibit 5 assessment map - Final.pdf](#)

Mayor Ryan opened the public hearing at 8:56 p.m.

Councilmember Herbst left the meeting at 8:57 p.m.

City Engineer Keely stated project number 12-17 involved spot concrete curb and gutter replacement, spot concrete sidewalk replacement, storm sewer structures, asphalt surface, traffic control signage, striping, and appurtenant construction. She stated the assessment roll has been prepared consistent with the feasibility report and the project cost will be paid from assessments over a ten-year period at 4.5 percent interest rate, the Public Utility Fund and Municipal State Aid funds.

Councilmember Herbst returned to the meeting at 8:59 p.m.

Councilmember Swanson asked if the townhome association is assessed or each townhouse. City Engineer Keely stated each townhouse has its own property identification number and per the special assessment policy multi-family is assessed at a front foot commercial rate.

Councilmember Swanson suggested the assessment go to the association or the landowner.

Councilmember Herbst left the meeting at 9:01 p.m.

Dan Olson, 12237 Lincoln Street NE, stated the homeowners association benefits from the land. He asked for the total for each individual parcel. Public Services Manager Therres replied per unit is \$799.72.

Terry Diffley, 12214 Buchanan Court, asked if the association can be assessed and if she is being assessed at a commercial rate. City Engineer Keely stated the commercial rate is based on a front foot basis and spread over all the units in the townhome development. Ms. Diffley noted the association has 76 units and the association owns their streets.

Mayor Ryan closed the public hearing at 9:03 p.m.

Councilmember Herbst returned to the meeting at 9:03 p.m.

Adopted

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

10. APPROVAL OF CONSENT AGENDA:

10.-1 [RES 14-211](#)

**GRANTING APPROVAL TO CONDUCT OFF-SITE
GAMBLING
AT THE TPC ON NOVEMBER 17-18, 2014 FOR THE
SPRING LAKE PARK LIONS**

Sponsors: Sorensen

Attachments: [LG230 Gambling Form](#)

Adopted

10.-2 [MO 14-150](#)

**AUTHORIZE PAYMENT FOR EIGHT RUGGEDIZED
COMPUTERS FOR SQUAD CARS**

Sponsors: Peters and Huss

Approved

10.-3 [MO 14-149](#)

**UPGRADES TO SCADA CONNECTIVITY BY
WHITEWATER WIRELESS, INC.**

Sponsors: Peters

Approved

11. DEVELOPMENT BUSINESS

11.-1 [RES 14-212](#)

**GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE
4.63 ACRES INTO 15 SINGLE FAMILY LOTS AND ONE (1)
OUTLOT TO BE KNOWN AS VILLAS IN THE LAKES AT
HARPERS STREET/LAKES PARKWAY. HEDBERG
HOMES. (CASE FILE NO. 14-0030/SLK)**

Sponsors: Schafer

Attachments: [Villas in The Lakes - Location Map](#)
[Villas in The Lakes - final plat](#)

Councilmember Hovland left the meeting at 9:07 p.m.

Planning and Community Development Director Schafer stated the Villas in the Lakes consists of subdividing 4.63 acres into a subdivision with 15 dwelling units and one outlot. He stated the applicant proposes 15 detached townhomes.

Adopted

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

11.-2 [RES 14-144](#)

**GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE
7.53 ACRES INTO 26 SINGLE FAMILY LOTS AND TWO
(2) OUTLOTS TO BE KNOWN AS OAK MEADOWS
ADDITION AT 129th AVENUE/WEST OF RADISSON
ROAD NE. OAK MEADOWS LAND HOLDING, LLC.
(CASE FILE NO. 14-0028/SLK)**

Sponsors: Schafer

Attachments: [Oak Meadows - Location map](#)
[Oak Meadows - Final Plat](#)

Councilmember Hovland returned to the meeting at 9:09 p.m.

Planning and Community Development Director Schafer stated the applicant is proposing to subdivide 7.5 acres into 26 single-family lots with existing zoning R-1AA.

Adopted

Aye: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Mayor Pro Tem Bourke, Councilmember Clark and Councilmember Herbst

Nay: 1 - Councilmember Kolb

12. ADMINISTRATION**12.-1 [RES 14-213](#)****AUTHORIZE SALE OF GENERAL OBLIGATION
CERTIFICATES OF INDEBTEDNESS, SERIES 2014B**

Sponsors: Huss

Attachments: [Blaine 2014B GO Equip Financing](#)
[2014B Capital Equipment Financing List](#)

Finance Director Huss stated the adopted 2014 and 2015 Capital Fund Budgets authorized the use of equipment certificates to fund a portion of the budget. He noted that local banks are not interested in purchasing the whole amount of the bid. He stated the City's fiscal consultant, Springsted, Inc., is working with the banks soliciting proposals from national banks or go to competitive market to write the 2014 Equipment Certificate. He noted that the resolution needs to be changed to state a direct placement loan with a national bank or go out for competitive sale and close the sale by the end of 2014.

Terry Heaton, Springsted, Inc., stated the community banks were not interested in bidding. She stated the national banks have been contacted and she is waiting for their response. She noted that if the national banks respond with a close to or better than the competitive market rate, she would recommend a mini competitive loan with the national bank. She stated that if the rate is not close, the bid should go to the competitive market, sell and close by the end of the year. She stated the recommendation is to authorize staff to proceed to work with Springsted to make the determination and return to the Council on November 20, 2014 with options.

Adopted As Amended

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

Amended

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

12.-2 [RES 14-214](#)**ADOPT 2015 CAPITAL EQUIPMENT BUDGET**

Sponsors: Huss

Attachments: [2015 Capital Budget](#)

Finance Director Huss stated it is customary to fund capital purchases with the use of undesignated General Fund reserves, the staff has determined the cost-effectiveness of issuing a Certificate of Indebtedness to fund the 2015 capital expenditures and recommends the issuance of a General Obligation Certificate of Indebtedness to fund a major portion of the 2015 capital equipment purchases.

Councilmember Clark left the meeting at 9:18 p.m.

Adopted

Aye: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Mayor Pro Tem Bourke, Councilmember Kolb and Councilmember Herbst

Abstain: 1 - Councilmember Clark

12.-3 [RES 14-215](#)**ADOPT 2015 CABLE TELEVISION BUDGET**

Sponsors: Huss

Attachments: [2015 Cable TV Fund Budget](#)

Finance Director Huss stated Council reviewed and gave conceptual approval to the proposed 2015 Cable Television Fund Budget.

Adopted

Aye: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Mayor Pro Tem Bourke, Councilmember Kolb and Councilmember Herbst

Abstain: 1 - Councilmember Clark

12.-4 [RES 14-216](#)**DECLARE 121ST AVENUE FROM WOODLAND
PARKWAY TO 650 FEET EAST OF OPAL STREET AN
URBAN DISTRICT AND ESTABLISH AN URBAN SPEED
LIMIT OF 30 MPH**

Sponsors: Keely

Attachments: [30 mph 121st](#)

Councilmember Clark returned to the meeting at 9:20 p.m.

City Engineer Keely stated Minnesota Statutes state that a governing body may by resolution declare a road segment to be an Urban District to establish a speed limit of 30 MPH.

Adopted

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

12.-5 [ORD 14-2298](#)

SECOND READING

**AMENDING RESOLUTION NO. 03-249, ESTABLISHING
THE FEES FOR PARK DEDICATION FOR THE CITY OF
BLAINE**

Sponsors: Monahan

Attachments: [2014 Comparative Park Dedication Fees.pdf](#)

Public Services Manager Therres stated on January 1 of each year park dedication fees shall be adjusted and placed in the fee schedule that is updated annually. He noted that the adjustment is determined by the percent of increase in the fair market value of underdeveloped land within the City and must not exceed a 10% increase.

Introduced, Read, and Placed on File for Second Reading

12.-6 [MO 14-148](#)

**AUTHORIZE CHANGE ORDER NO. 3 IN THE AMOUNT
OF \$31,841 FOR THE AQUATORE PARK SOFTBALL
CONSTRUCTION AT 9191 LINCOLN STREET,
IMPROVEMENT PROJECT NO. 12-09**

Sponsors: Therres

Attachments: [Change Order No. 3](#)

Public Services Manager Therres stated the contractor has discovered unsuitable soils on the project site that is unsuitable and required additional fill. He noted that extra costs have been incurred for the pedestrian ramp, replacement copper for light poles, and stump and peat removal have put the contract cost over the 10% contingency.

Approved

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

13. OTHER BUSINESS

Motion

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

Motion

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

14. ADJOURNMENT

Adjourned

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