



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

Blaine City Hall
10801 Town Square Dr
Blaine, MN 55449

Thursday, December 3, 2015

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:50 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 Patrick Sweeney; Planning and Community Development Director Bryan Schafer; Public Services Manager Bob Therres; Finance Director Joe Huss; Police Chief/Safety Services Manager Chris Olson; City Engineer Jean Keely; Communications Technician Roark Haver; Senior Engineering Technician Al Thorp; City Clerk Catherine Sorensen; and Recording Secretary Linda Dahlquist.

Present: 6 - Tom Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Absent: 1 - Councilmember Hovland

4. APPROVAL OF MINUTES

4.-1 [MIN 15-36](#) RECENTLY HELD MEETINGS

Moved by Councilmember Bourke, seconded by Councilmember King, that the Workshop Meeting Minutes of November 12, 2015, the Workshop Meeting Minutes of November 19, 2015, and the Regular Meeting Minutes of November 19, 2015, be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

5.-1 [PROC 15-07](#) RECOGNITION OF 50TH ANNIVERSARY COMMITTEE MEMBERS

Mayor Ryan recognized and thanked the 50th Anniversary Committee for their exceptional work: Orville Lindquist, Chair; Karen Klinkenberg; Kat & John Smithe; Patricia Sandin; Christine Pribbernow; Jim & Bev Peterson; Kathy Weinbeck; Jeff Lester; SamVillella; Randy & Kathy Kolb; Tim Duevel; John J. Johnson; Sarah Filipi; and Recreation Manager Shari Kunza.

Informational: no action required

6. COMMUNICATIONS

Mayor Ryan stated the Council needs to work with legislators on reconstructing 105th Avenue.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:57 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:57 p.m.

8. ADOPTION OF AGENDA

Adopted as amended, postponing Item 10.1 to next meeting

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

Moved on the agenda to follow agenda item 11.2.

10. APPROVAL OF CONSENT AGENDA:

10.-1 [MO 15-141](#) SCHEDULE OF BILLS PAID

Councilmember Herbst requested agenda item 10.1 be postponed to the next meeting as the item was difficult to read.

Postponed

11. DEVELOPMENT BUSINESS

11.-1 [RES 15-193](#) GRANTING A WAIVER OF PLATTING TO ADJUST THE LOT LINE FIVE (5) FEET BETWEEN TWO PROPERTIES TO PROVIDE A TEN (10) FOOT SIDE YARD SETBACK FOR THE EXISTING HOME LOCATED AT 1130 116TH AVENUE NE. OREN PAYNE AND JOEL PETERSEN. (CASE FILE NO. 15-0061/SLK)

Planning and Community Development Director Schafer stated the owner of 1130 (Parcel A) 116th Avenue NE would like his existing home to meet setback requirements and the owner of 1153 (Parcel B) 116th Avenue NE is willing to adjust the lot line 5 feet further east so that the owner of Parcel A will meet R-1 (Single Family) side yard setbacks for the home (10 feet) and

attached garage (5 feet). He noted Parcel A is currently zoned FR (Farm Residential) and it is anticipated that it will be served with sewer and water and rezoned to Single Family in the future. He commented the adjusted property line will allow the well of 1130 116th Avenue NE to be located on the appropriate property.

Moved by Councilmember Herbst, seconded by Councilmember Clark, that Resolution 15-193, "Granting a Waiver of Platting to Adjust the Lot Line Five (5) Feet Between Two Properties to Provide a Ten (10) Foot Side Yard Setback for the Existing Home Located at 1130 116th Avenue NE. Oren Payne and Joel Petersen," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

11.-2 [RES 15-194](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR OPERATION OF A RETAIL CELLULAR STORE (SPECIALTY STORE) IN A B-1 (NEIGHBORHOOD BUSINESS) ZONING DISTRICT AT 9846 POLK STREET NE. CENTRAL WIRELESS LLC. (CASE FILE NO. 15-0063/SLK)

Planning and Community Development Director Schafer stated the applicant is proposing to operate a cellular store in a 1,600 square foot vacant tenant space. He stated the property has B-1 zoning which does not allow general retail, but does permit a specialty shop as a conditional use. He noted that the property needs fire suppression and the owner will have one year to install.

Councilmember Clark asked if there is a change in building ownership or new tenant. Planning and Community Development Director Schafer replied this is a change in tenant.

Councilmember Herbst asked if the entire building would have to install sprinklers. Planning and Community Development Director Schafer replied the entire building needs fire suppression with the addition of a new tenant.

Councilmember Swanson noted that the owner originally asked for two years to install fire suppression. Planning and Community Development Director Schafer replied yes, the owner did bring that up at the Planning Commission, which they set it at one year.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that Resolution 15-194, "Resolution 15-194, Granting a Conditional Use Permit to Allow for Operation of a Retail Cellular Store (Specialty Store) in a B-1 (Neighborhood Business) Zoning District at 9846 Polk Street NE. Central Wireless LLC," be approved.

Amended motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Moved by Councilmember Swanson, seconded by Councilmember Clark, to allow the applicant two years to install fire suppression.

Amendment adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

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

9.-1 [RES 15-192](#) VACATION OF DRAINAGE EASEMENT, BALL ROAD ADDITION, VACATION NO. V15-05

Mayor Ryan opened the public hearing at 8:06 p.m.

City Engineer Keely stated the vacation is requested to resize and expand the existing drainage basin to accommodate the proposed development of Outlot A. She noted the applicant is a single property owner who represents 100% of the affected property abutting this easement.

Councilmember Swanson asked if this vacation will impact the existing drainage. City Engineer Keely replied this project is upstream and separate drainage pattern. She stated work was done on Erskin and regraded the ditch along Lexington Avenue to improve drainage in the area.

Councilmember Swanson stated there is still an issue with drainage on Hupp Street. City Engineer Keely stated staff needs to wait to see how the new drainage works.

Councilmember Herbst asked if the work was completed on the culvert near the new Goodwill. City Engineer Keely replied they did a portion of the work. She stated she will research the work request and report back to Council.

Councilmember Swanson asked when the work will be completed on the rest of Ball Road. City Engineer Keely stated it is an MSA route and the project is still scheduled out a few years until financing is available.

Mayor Ryan closed the public hearing at 8:11 p.m.

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Resolution 15-192, "Vacation of Drainage Easement, Ball Road Addition," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

DEVELOPMENT BUSINESS - continued

11.-3 [RES 15-195](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 3.06 ACRES INTO ONE (1) LOT TO BE KNOWN AS BALL ROAD 3RD ADDITION, LOCATED AT OUTLOT A, BALL ROAD ADDITION. THE DRIESSEN GROUP, LLC. (CASE FILE NO. 15-0064/LSJ)

Planning and Community Development Director Schafer stated The Driessen Group, LLC is requesting approval of a preliminary plat for Outlot A on the southwest side of the entrance road to Walmart. He stated a conditional use permit is being requested to allow for the construction of two multi-tenant retail buildings.

Councilmember Clark stated staff received a letter from a resident with concern about the loss of trees. He asked if the changes will provide adequate screening. Planning and Community Development Director Schafer replied trees were removed with the installation of the pond. He noted trees will be replaced and a fence will be installed. He stated the screening will be attractive, but the buildings will be visible from the road.

Councilmember Swanson stated this project will have an impact on the neighborhood and he cannot support the project with the proposed screening. He commented Goodwill has a good amount of screening.

Councilmember Bourke asked about the property line and proposed screening. Planning and Community Development Director Schafer replied the property line is 60 feet from the road; the back side of the building is similar to the front; the lighting will be wall mounted, down lit and screened; the parking lot is on the other side of the building and away from the residential area. He noted there will be a drive-thru along the back of the building. He commented staff will work with the developer on screening. He noted that the developer does not want to hide his buildings.

Councilmember Bourke asked about building signage on the back of the buildings. Planning and Community Development Director Schafer replied staff has not seen a signage package but anticipates some signage would be included along the back of the buildings.

Mayor Ryan asked about the existing building on the corner. Planning and Community Development Director Schafer replied the owners are getting offers and it will not be too long before something happens.

Councilmember Bourke suggested including additional screening and no signage on the back of the buildings. Planning and Community Development Director Schafer said that direction could be addressed in the conditional use permit.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that Resolution 15-195, "Granting Preliminary Plat Approval to Subdivide 3.06 Acres

into One (1) Lot to be known as Ball Road 3rd Addition. Located at Outlot A, Ball Road Addition. The Driessen Group, LLC," be approved.

Motion adopted 5-1 (Councilmember Swanson voting nay).

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Nay: 1 - Councilmember Swanson

11.-4 [RES 15-196](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF TWO MUTLI-TENANT RETAIL BUILDINGS ON ONE LOT IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT, LOCATED AT OUTLOT A, BALL ROAD ADDITION. THE DRIESSEN GROUP, LLC. (CASE FILE NO. 15-0064/LSJ)

Planning and Community Development Director Schafer stated the applicant is proposing to construct two 6,500 square foot retail buildings on Lot 1. He stated the lot is zoned PBD (Planned Business District) and a conditional use permit will allow the multi-tenant use of general retail and restaurants along with the two buildings.

Councilmember Clark asked about proposed signage for the buildings. Planning and Community Development Director Schafer replied signage would be allowed on the back of the building and a monument sign will be located to the right of the property. He noted no monument signage will be on Ball Road.

Scott Nelson, Architect, stated the buildings are multi-tenant and would want signage on the front and back on the buildings.

Councilmember King stated he would support lighted signage on both sides of the buildings.

Councilmember Swanson stated he is opposed to lighted signage on the buildings.

Planning and Community Development Director Schafer stated there are two types of signs on buildings, which are panel signs and channelized individual letters signage. He stated the Council can restrict the signage in the conditional use permit but commented most tenants will want signage on the front of their store and not the back.

Planning and Community Development Director Schafer suggested adding a condition for the landscape plan to be modified to provide a greater percentage of conifer trees to provide a better screen buffer along Ball Road.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-196, "Granting a Conditional Use Permit to Allow for Construction of Two Multi-Tenant Retail Buildings on One Lot in a PBD

(Planned Business District) Zoning District. Located at Outlot A, Ball Road Addition. The Driessen Group, LLC," be approved.

Amended motion adopted 5-1 (Councilmember Swanson).

Aye: 5 - Mayor Ryan, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Nay: 1 - Councilmember Swanson

Moved by Councilmember Clark, seconded by Councilmember Herbst, that all wall signage be channelized letters and add a condition for the landscape plan to be modified to provide a greater percentage of conifer trees to provide a better screen buffer along Ball Road.

Amendment adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

11.-5 [ORD 15-2334](#)

SECOND READING

AMENDING SECTIONS 31.04, 31.14 and 31.33 OF THE ZONING ORDINANCE OF THE CITY OF BLAINE TO ALLOW FOR BREWER TAPROOM AS A CONDITIONAL USE IN THE I-1 (LIGHT INDUSTRIAL), I-2 (HEAVY INDUSTRIAL) AND PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICTS. CITY OF BLAINE. (CASE FILE NO. 15-0065/BKS)

Planning and Community Development Director Schafer stated this zoning change to add taprooms to the I-1, I-2 and PBD zoning chapters recognizes that the principal use in this case would be the operation of a commercial brewery which would be a permitted use in the I-1 and I-2 and a CUP in the PBD district. He noted the taproom would be accessory to and on the same property as the brewery and would require a separate conditional use permit.

Councilmember King asked if the brewery will be allowed to sell growlers on Sundays. City Clerk Sorensen replied the code amendment as proposed would allow Sunday sales and off-sale of growlers.

Declared by Mayor Ryan that Ordinance 15-2334, "Amending Sections 31.04, 31.14 and 31.33 of the Zoning Ordinance of the City of Blaine to allow for Brewer Taproom as a Conditional Use in the I-1 (Light Industrial) I-2 (Heavy Industrial) and PBD (Planned Business District) Zoning Districts. City of Blaine" be introduced and placed on file for second reading at the December 17, 2015, Council meeting.

Councilmember Swanson requested agenda items 12.4 and 12.5 be moved up on the agenda.

12. ADMINISTRATION

12.-4 [ORD 15-2332](#) SECOND READING

AN ORDINANCE AMENDING APPENDIX C - FRANCHISES ARTICLE II. - CABLE TELEVISION FRANCHISE OF THE CODE OF ORDINANCES OF THE CITY OF BLAINE GRANTING A FRANCHISE TO QWEST BROADBAND SERVICES, INC., D/B/A CENTURYLINK, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM IN THE CITY OF BLAINE, MINNESOTA, FOR THE PURPOSE OF PROVIDING CABLE SERVICE; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY'S RIGHT-OF-WAY ORDINANCE, IF ANY; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN

City Manager Arneson stated first reading and a public hearing for this ordinance was held in November. He stated this ordinance allows Centurylink to operate in the City of Blaine and compete in the marketplace with Comcast.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Ordinance 15-2332, "An Ordinance Amending Appendix C – Franchises Article II. – Cable Television Franchise of the Code of Ordinances of the City of Blaine Granting a Franchise to Qwest Broadband Services, Inc., D/B/A Centurylink to Construct, Operate and Maintain a Cable System in the City of Blaine, Minnesota, for the purpose of Providing Cable Service; Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System and the Public Rights-of-Way in Conjunction with the City's Right-of-Way Ordinance, if any; and Prescribing Penalties for the Violation of the Provisions Herein," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12.-5 [RES 15-199](#)

PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 15-2332 GRANTING A FRANCHISE TO QWEST BROADBAND SERVICES, INC., D/B/A CENTURYLINK, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM IN THE CITY OF BLAINE, MINNESOTA, FOR THE PURPOSE OF PROVIDING CABLE SERVICE; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY'S RIGHT-OF-WAY ORDINANCE, IF ANY; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN

City Manager Arneson stated this resolution allows for a summary publication of the cable franchise ordinance and that the full ordinance is on file at City Hall.

Councilmember Swanson asked when Centurylink will start marketing. Michael Bradley, Attorney with Bradley Hagen & Gulikson and representing North Metro Telecommunications Commission, replied they will begin marketing efforts as soon as they can.

Moved by Councilmember Swanson, seconded by Councilmember Bourke, that Resolution 15-199, "Publication of the Title and Summary of Ordinance 15-2332 Granting a Franchise to Qwest Broadband Services, Inc., D/B/A Centurylink to Construct, Operate and Maintain a Cable System in the City of Blaine, Minnesota, for the Purpose of Providing Cable Service; Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System and the Public Rights-of-Way in Conjunction with the City's Right-of-Way Ordinance, if any; and Prescribing Penalties for the Violation of the Provisions Herein," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

DEVELOPMENT BUSINESS - continued

- 11.-6 [RES 15-197](#) GRANTING A COMPREHENSIVE PLAN LAND USE AMENDMENT FROM LDR (LOW DENSITY RESIDENTIAL) AND MDR (MEDIUM DENSITY RESIDENTIAL) TO P/OS (PARK/OPEN SPACE) FOR THE FOLLOWING PROPERTIES:
- A) LEXINGTON ATHLETIC COMPLEX
 - B) LEGACY CREEK PARK
 - C) HARPERS PARK.

Planning and Community Development Director Schafer stated the City has added three new public parks in the last couple years and since the last Comprehensive Plan update. He stated all of the older City parks have been designated in the Comprehensive Plan as P/OS (Park/Open Space) and this action would do the same and amend the land use designation for Lexington Athletic Complex; Legacy Creek Park; and Harpers Park.

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Resolution 15-197, "Granting a Comprehensive Plan Land Use Amendment from LDR (Low Density Residential) and MDR (Medium Density Residential) to P/OS (Park/Open Space) for the Following Properties: Lexington Athletic Complex; Legacy Creek Park; and Harpers Park," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

ADMINISTRATION - continued

- 12.-1 [ORD 15-2333](#) SECOND READING

AMENDING SECTION 74-81(g)(4)g OF THE MUNICIPAL CODE OF THE CITY OF BLAINE ESTABLISHING 2016 PARK DEDICATION FEES

Public Services Manager Therres stated annually on January 1 the Council adjusts the park dedication fees. He noted the park dedication fees are updated separately from the annual fee schedule ordinance. He stated the adjustment is determined by the percent of increase in the fair market value of under developed land within the City and must not exceed 10% increase. He stated based on Council direction at the last meeting staff is recommending the Council adopt a 10% increase for residential fee; 0% increase for commercial fee; and 5% increase for industrial fee for 2016.

Declared by Mayor Ryan that Ordinance 15-2333, "Amending Section 74-81(g)(4)g of the Municipal Code of the City of Blaine Establishing 2016 Park Dedication Fees" be introduced and placed on file for second reading at the December 17, 2015, Council meeting.

12.-2 [MO 15-142](#)

AWARD CONTRACT FOR CLEANING SERVICES AT CITY HALL TO MSI, INCORPORATED

Public Services Manager Therres stated staff received five proposals for cleaning services at City Hall and recommends Council award the contract to MSI, Inc. He noted MSI, Inc. is the current cleaning vendor and has done a good job and their bid had no increase from the current contract.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that Motion 15-142, "Award Contract for Cleaning Services at City Hall to MSI Incorporated," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12.-3 [RES 15-198](#)

APPROVE AMENDMENT TO PROGRAMMATIC STORMWATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT WITH RICE CREEK WATERSHED DISTRICT

City Engineer Keely stated the City has a Programmatic Maintenance Agreement with the Rice Creek Watershed District (RCWD), which acts as a general, unrecorded maintenance agreement for all City projects eliminating the need for separate agreements for individual projects. She stated the City submitted two separate permits to the RCWD for projects that included the crossing of public ditches which triggered RCWD Rule G (crossing of conveyance systems) and Rule I (drainage systems) that require separate maintenance agreements due to ditches related to public drainage law. She noted staff negotiated an amendment to the existing agreement to include Rules G and I resulting the amended agreement.

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Resolution 15-198, "Approve Amendment to Programmatic Stormwater Management Facility Maintenance Agreement with Rice Creek Watershed District," be

approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

[ORD 15-2332](#)

SECOND READING

AN ORDINANCE AMENDING APPENDIX C - FRANCHISES ARTICLE II. - CABLE TELEVISION FRANCHISE OF THE CODE OF ORDINANCES OF THE CITY OF BLAINE GRANTING A FRANCHISE TO QWEST BROADBAND SERVICES, INC., D/B/A CENTURYLINK, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM IN THE CITY OF BLAINE, MINNESOTA, FOR THE PURPOSE OF PROVIDING CABLE SERVICE; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY'S RIGHT-OF-WAY ORDINANCE, IF ANY; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN

Moved on the agenda to follow agenda item 11.5.

[RES 15-199](#)

PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 15-2332 GRANTING A FRANCHISE TO QWEST BROADBAND SERVICES, INC., D/B/A CENTURYLINK, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM IN THE CITY OF BLAINE, MINNESOTA, FOR THE PURPOSE OF PROVIDING CABLE SERVICE; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY'S RIGHT-OF-WAY ORDINANCE, IF ANY; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN

Moved on the agenda to follow agenda item 12.4.

12.-6 [ORD 15-2328](#)

SECOND READING

AMENDING CHAPTER 14 - ANIMALS AND CHAPTER 54 - PARKS AND RECREATION, CODE OF ORDINANCES OF THE CITY OF BLAINE

Police Chief/Safety Services Manager Chris Olson staff recommended changes to the animal-related ordinances in order to update and clarify ordinances.

Council requested publication of the ordinance on the City's website, newsletter and on cable TV to notify residents of the updated ordinance.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Ordinance 15-2328, "Amending Chapter 14 – Animals and Chapter 54 – Parks and Recreation, Code of Ordinances of the City of Blaine," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12.-7 [RES 15-175](#)

PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 15-2328, AMENDING CHAPTER 14 - ANIMALS AND CHAPTER 54 - PARKS AND RECREATION, CODE OF ORDINANCES OF THE CITY OF BLAINE

Police Chief/Safety Services Manager Chris Olson staff recommended changes to the animal-related ordinances in order to update and clarify ordinances.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Resolution 15-175, "Publication of the Title and Summary of Ordinance 15-2328, Amending Chapter 14 – Animals and Chapter 54 – Parks and Recreation, Code of Ordinances of the City of Blaine," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12.-8 [RES 15-200](#)

2015 BUDGET AMENDMENTS

Finance Director Huss stated staff is requesting Council authorization to amend the 2015 budget and appropriate additional resources to the Building Inspections department.

Moved by Councilmember Herbst, seconded by Councilmember Clark, that Resolution 15-200, "2015 Budget Amendments," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12.-9 [RES 15-201](#)

ADOPT 2016 STORM DRAINAGE UTILITY FUND BUDGET

Finance Director Huss stated staff is requesting approval of the proposed 2016 Storm Drainage Utility Fund Budget. He noted the five-year projection indicates a small operating deficit for three years before returning to structural balance in 2020. He noted that the request for one additional FTE position was removed from the proposed budget that was presented at a Workshop on November 19, 2015.

Councilmember Swanson stated there is a need for an additional FTE. He commented we have the equipment to use, work to be done, and the funding to pay for the position. He stated he is in favor of funding either a FTE or temporary position.

Councilmember Herbst stated he disagrees with creating another department. He noted the Storm Water department was created to bring the City into compliance on MS4 reporting. He stated he believes the one additional FTE should be brought into Public Works.

Councilmember Swanson stated Public Works and Storm Water are two funding sources that share the same staff.

Mayor Ryan commented the City has work to do.

Councilmember Clark commented he is in favor of postponing this decision until after January 1, 2016.

Councilmember Bourke commented he supported the creation of the Storm Water department to meet State requirements.

Councilmember King stated he agrees one additional FTE is needed in the Public Works department to do Storm Water work.

Moved by Councilmember Herbst, seconded by Councilmember King, that Resolution 15-201, "Adopt 2016 Storm Drainage Utility Fund Budget," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Moved by Councilmember Swanson, seconded by Mayor Ryan, to add one FTE into the budget.

Councilmember Burke - No
Councilmember Clark - No
Councilmember Herbst - No
Councilmember King - Yes
Councilmember Swanson - Yes
Mayor Ryan - Yes

Amendment failed 3-3.

Aye: 3 - Mayor Ryan, Councilmember Swanson and Councilmember King

Nay: 3 - Councilmember Bourke, Councilmember Herbst and Councilmember Clark

Councilmember Swanson requested staff clarify for Council the process for department funding sources.

Councilmember Herbst stated the Storm Water fund comes from residents' water bill and Public Works fund comes from the general fund; and the Public

Works staff does the work.

Councilmember Clark requested a Workshop to discuss staffing of Public Works in February 2016.

12. [RES 15-202](#)
-10

ADOPT 2016 CAPITAL EQUIPMENT BUDGET

Finance Director Huss stated staff is requesting approval of the proposed 2016 Capital Equipment Budget. He stated unrestricted reserves will not be sufficient to fully cover the cost of all capital equipment purchases and a certificate of indebtedness will be used to fund a portion of the purchases.

Councilmember Bourke stated he supports the budget but wants to review alternatives for tall grass mowing.

Councilmember Herbst stated he supports the budget.

Councilmember King commented he supports the budget and asked staff to watch capital spending.

Moved by Councilmember Herbst, seconded by Councilmember King, that Resolution 15-202, "Adopt 2016 Capital Equipment Budget," be approved.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

12. [ORD 15-2335](#)
-11

SECOND READING

ORDINANCE AMENDING CHAPTER 6, ALCOHOLIC BEVERAGES, ARTICLE II. - INTOXICATING LIQUOR AND 3.2 PERCENT MALT LIQUOR

City Clerk Sorensen stated staff proposes a code amendment to allow a brewer taproom and brew pub in the City. She noted there are also minor housekeeping items such as definitions, minimum food requirements on site, food delivery or food trucks are not allowed, allow for off-sale, Sunday off-sale, Sunday on-sale, 2 a.m. permit State license requirement, and 250 square foot location restriction.

Councilmember Bourke asked about serving training. City Clerk Sorensen replied taprooms will have to abide by the requirement to have training for all servers.

Declared by Mayor Ryan that Ordinance 15-2335, "Ordinance Amending Article II. – Intoxicating Liquor and 3.2 Percent Malt Liquor" be introduced and placed on file for second reading at the February 20, 2015, Council meeting.

13. OTHER BUSINESS

Mayor Ryan stated the City's Yamaha piano located in Cloverleaf Courts senior building is missing and requested the City purchase a new one. He said the new management company cannot determine if the piano went missing before or after closing but that the residents would like to have one for the holidays. City Manager Arneson stated the City has a donation fund that could be used to purchase a replacement piano.

Moved by Councilmember Swanson, seconded by Mayor Ryan, to purchase a new piano for Cloverleaf Courts using funds from the donation fund.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Councilmember Swanson said he would like to see Council give staff additional time off to use during the holidays as has been done in the past.

Moved by Councilmember Herbst, seconded by Mayor Ryan, to give staff two paid half-days to use at the City Manager's discretion during the holiday season.

Motion adopted unanimously.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

City Clerk suggested February 2, 2016, to conduct interviews for the City Boards and Commissions. She noted the deadline for applications is December 11, 2015.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, to adjourn the meeting at 9:35 p.m.

Aye: 6 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King