



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

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Thursday, December 20, 2018

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:31 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; Planning and Community Development Director Bryan Schafer; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Economic Development Coordinator Erik Thorvig; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Dan Schluender; Communications Technician Roark Haver; Budget/Fiscal Analyst Ward Brown; Fire Chief Charlie Smith; 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 18-53](#) RECENTLY HELD MEETINGS

Moved by Councilmember Garvais, seconded by Mayor Ryan, that the Minutes of Workshop Meeting of December 6, 2018, and the Minutes of the Regular Meeting of December 6, 2018 be approved.

Motion adopted 5-0-1. Councilmember Hovland abstained on minutes due to his absence.

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

Abstain: 1 - Councilmember Hovland

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

None.

6. COMMUNICATIONS

Mayor Ryan welcomed students from Centennial High School.

Mayor Ryan stated he was pleased to welcome Panera Bread to the City of Blaine.

Mayor Ryan sent his condolences on the passing of Jim Ristine, noting he was a long-time member of the Blaine Festival Royalty Program.

Councilmember Clark commended the Blaine Police Department for charging the individuals involved in the recent Salvation Army Red Kettle theft at Northtown Cub Foods.

On behalf of the entire City Council, Councilmember Hovland and Mayor Ryan thanked Councilmember Clark and Councilmember King for their service to the City of Blaine.

Informational; no action required.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:34 p.m.

Thomas Schmitz, 11425 Lexington Avenue NE, stated he has been a resident of Blaine for the past 35 years. He requested the Council consider allowing him to have a private kennel in the FR (Farm Residential) zoning district to allow for five to six dogs. He explained he would be using these dogs for sled dog racing.

Police Chief/Safety Services Manager Podany explained the City currently has a three-dog limit. He reported Mr. Schmitz would need a Conditional Use Permit for a private kennel license.

Mayor Ryan requested this item be addressed by the Council at the January 17 workshop meeting.

There being no input, Mayor Ryan closed the Open Forum at 7:41 p.m.

Informational; no action required.

8. ADOPTION OF AGENDA

The agenda was adopted as presented.

9. APPROVAL OF CONSENT AGENDA:

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

Motion adopted unanimously.

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

9.-1 [MO 18-153](#) SCHEDULE OF BILLS PAID

Approved

9.-2 [MO 18-154](#) APPROVE OUTSTANDING 2019 ANNUAL LICENSE RENEWALS

Approved

9.-3 [RES 18-226](#) RECEIVE PETITION AND ORDER PUBLIC HEARING FOR VACATION OF DRAINAGE AND UTILITY EASEMENT FOR LOT 3, BLOCK 1, BLAINE'S NORTHERN ASPHALT, VACATION NO. V18-10

Adopted

10. 7:30 P.M. - PUBLIC HEARING AND ITEMS PUBLISHED FOR A CERTAIN TIME

10.-1 [MO 18-155](#) 3.2 PERCENT MALT LIQUOR OFF-SALE AND TOBACCO, TOBACCO PRODUCTS, OR TOBACCO-RELATED DEVICE LICENSES FOR KWIK TRIP #1014, 12260 FRAIZER ST NE, BLAINE, MINNESOTA

City Clerk Sorensen stated Donald Zietlow, applicant for Kwik Trip #1014 has submitted applications for a 3.2 percent malt liquor off-sale license and tobacco, tobacco products, or tobacco-related device license located at 12260 Fraizer Street NE, Blaine, Minnesota. The applicant has submitted completed application materials, certificate of insurance including liquor liability, and the appropriate license fees. The Police Department's background check was successful. The licenses will be issued upon completion of the fire inspection and Certificate of Occupancy. All required information will be submitted to the Department of Public Safety Alcohol and Gambling and the Minnesota Department of Revenue upon approval by the Council.

Mayor Ryan opened the public hearing at 7:44 p.m.

There being no public input, Mayor Ryan closed the public hearing at 7:44 p.m.

Moved by Councilmember Garvais, seconded by Councilmember King, that Motion 18-155, "3.2 Percent Malt Liquor Off-Sale and Tobacco, Tobacco Products, or Tobacco-related Device Licenses for Kwik Trip #1014, 12260 Fraizer Street NE, Blaine, Minnesota," be approved.

Motion adopted unanimously.

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

10.-2 [ORD 18-2418](#)

SECOND READING

AMENDING APPENDIX D - FEE SCHEDULE OF THE MUNICIPAL CODE OF THE CITY OF BLAINE

City Manager Arneson stated annually, the City Council reviews and adopts a fee schedule. The fee schedule with proposed changes was reviewed with the Council. It was noted additions are underlined and highlighted in yellow and deletions had strikethrough.

Mayor Ryan opened the public hearing at 7:45 p.m.

There being no public input, Mayor Ryan closed the public hearing at 7:45 p.m.

Moved by Councilmember Swanson, seconded by Councilmember Garvais, that Ordinance 18-2418, "Amending Appendix D – Fee Schedule of the Municipal Code of the City of Blaine," be approved.

Motion adopted unanimously.

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

10.-3 [RES 18-239](#)

PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 18-2418 AMENDING APPENDIX D - FEE SCHEDULE OF THE MUNICIPAL CODE OF THE CITY OF BLAINE

Ms. Sorensen stated Minnesota Statute 412.191, Subd. 4, provides for publication of the title and summary of an ordinance in the case it is lengthy, if the City Council determines that publication of the title and a summary would clearly inform the public of the intent and effect of the ordinance. As Ordinance 18-2418 is lengthy, staff is recommending adoption of the proposed summary resolution. The entire ordinance with fee schedule is available for inspection during regular office hours at City Hall and can be forwarded upon request.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 18-239, "Publication of the Title and Summary of Ordinance 18-2418 Amending Appendix D – Fee Schedule of the Municipal Code of the City of Blaine," be approved.

Motion adopted unanimously.

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

10.-4 [RES 18-227](#)

OPENING STREET CONNECTION BETWEEN NORTH OAKS PONDS EAST AND SANCTUARY PRESERVE ON 114TH LANE NE. SANCTUARY PRESERVE 3RD ADDITION. (CASE FILE NO. 16-0037/LSJ)

Planning and Community Development Director Schafer stated the final plat of Sanctuary Preserve 3rd Addition contained the new street section of 114th Lane providing the connection between the existing neighborhood of North Oaks Ponds East and the new lots created by Sanctuary Preserve 3rd Addition. As part of that approval in July of 2016, the City Council discussed how and when to open the street connection between the two neighborhoods and determined, in part to guarantee that no construction traffic would use the existing street in North Oaks Ponds East as an access, that the street would be temporarily blocked by barricades. The exact language from the Sanctuary Preserve 3rd Addition Final Plat resolution is as follows:

114th Lane connection from Sanctuary Preserve to North Oaks Ponds East, once constructed by the developer, to be closed by street barricade for a period of two (2) years from date of initial street completion. City Council to review, with hearing, whether the street should be opened or remain closed for additional time.

Mr. Schafer reported the street was constructed by the developer and accepted by the City on November 3, 2016. Given that the two years have now elapsed, the item has been noticed for a hearing and Council action.

Mayor Ryan opened the public hearing at 7:47 p.m.

Brian Koehler, 4132 114th Lane, explained a barricade has been in place for several years. He thanked the Council for the barricade and commented on how the neighborhoods have joined to create a large walking loop. He requested the City Council allow the barricade to remain in place.

There being no additional public input, Mayor Ryan closed the public hearing at 7:50 p.m.

Councilmember Clark stated he supported leaving the barricade in place and encouraged support of this amendment.

Councilmember Garvais requested comment from staff regarding the plans Anoka

County has for this intersection. City Engineer Schluender stated the County has an application to expand Lexington Avenue from a four-lane roadway to a six-lane roadway. He described how this would change 114th Lane to a right-in/right-out only. He estimated work on this project would begin in 2022.

Councilmember Garvais stated he supported the amended motion made by Councilmember Clark to leave the barricade in place for future reconsideration. He asked if the Public Safety Department supported these neighborhoods having two points of entry. Police Chief/Safety Services Manager Podany reported he could support the barricade remaining in place but explained the barricade could create delays.

Councilmember Garvais indicated he looked forward to revisiting this matter once Anoka County receives funding for the Lexington Avenue project.

Councilmember Hovland reported the Council had discussed this matter with the County regarding full access to Lexington Avenue. He stated he did not see any reason to open the barricade at this time. He explained the neighborhood could put a petition together if they would like to have sidewalks installed.

Moved by Councilmember Clark, seconded by Councilmember King, that Resolution 18-227, "Street barricade to remain in place and considered for removal by the City Council when the traffic control and development access changes on Lexington Avenue or when commercial development occurs on the northwest corner of 109th Avenue and Lexington Avenue," be approved.

Councilmember Clark stated he supported leaving the barricade in place and encouraged support of this amendment.

Amended motion adopted unanimously.

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

10.-5 [RES 18-228](#)

ADOPT 2019 TAX LEVY

Finance Director Huss stated Council conducted a public hearing for the proposed 2019 General Fund budget and proposed property tax levy on December 13. Pursuant to statutory requirements, a public hearing is again scheduled for tonight at which the City Council will consider public input and adopt a final levy and budget. The first item of action will be to adopt the 2019 tax levy. Council will also adopt the 2019 General Fund Budget. This will be done under a separate resolution following the public hearing and adoption of the 2019 property tax levy.

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

There being no public input, Mayor Ryan closed the public hearing at 8:02 p.m.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution 18-228, "Adopt 2019 Tax Levy," be approved.

Motion adopted 5-1 (Councilmember King opposed).

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

Nay: 1 - Councilmember King

Councilmember King thanked staff for all of their efforts on the levy. He expressed concern with how the City was managing road assessments and the fact that these funds were not reflected in the general fund. He stated he would prefer the levy to go back to the 2017 amount. He indicated he supported the Pavement Management portion of the levy being removed from the 2019 levy.

Councilmember Swanson stated the Council has not signed off on a new Pavement Management Policy and for this reason could not support a change to the 2019 tax levy.

Councilmember Clark commented he would like to encourage the future Council to look at the total cost of pavement projects and not the expense. He stated he was pleased the City was able to keep the tax rate flat and would still be able to complete road projects. He recommended the new Council address this matter further in 2019.

Mayor Ryan agreed the Council needed to further discuss the City's overall plan for its streets.

Councilmember Clark supported the Council changing its assessment policy keeping in mind the total cost of government.

Moved by Councilmember King to amend the 2019 Tax levy removing the Pavement Management Portion of the levy. Motion failed for lack of a second.

10.-6 [RES 18-229](#)

ADOPT THE 2019 GENERAL FUND BUDGET

Mr. Huss stated Council conducted a public hearing for the proposed 2019 General Fund budget and proposed property tax levy on December 13. Pursuant to statutory requirements, a public hearing is again scheduled for tonight at which the City Council will consider public input and adopt a final levy and budget. The proposed resolution reflects adjustments made since the December 13 public hearing, and is recommended for adoption.

Mayor Ryan opened the public hearing at 8:13 p.m.

There being no public input, Mayor Ryan closed the public hearing at 8:13 p.m.

Councilmember Clark requested Council and staff work on ways to address the increased number of package thefts that have occurred in the City.

Moved by Mayor Ryan, seconded by Councilmember Garvais, that Resolution 18-229, "Adopt the 2019 General Fund Budget," be approved.

Motion adopted unanimously.

11. DEVELOPMENT BUSINESS

11.-1 [ORD 18-2419](#) SECOND READING

GRANTING A REZONING FROM FR (FARM RESIDENTIAL) TO DF (DEVELOPMENT FLEX) FOR APPROXIMATELY 40 ACRES AT 13045 LEVER STREET. MILL POND (CASE FILE NO. 18-0012/SLK)

Mr. Schafer stated currently, the property has an existing zoning designation of FR (Farm Residential) and is guided in the Comprehensive Plan as LDR (Low Density Residential). The property is within the MUSA (Metropolitan Urban Service Area) which indicates it is intended to be served with City sewer and water. The project zoning is proposed to be DF (Development Flex) to cover the residential use. With the DF zoning, housing products and neighborhood design issues will require and be regulated by a Conditional Use Permit (CUP). Staff provided further comment on the rezoning and recommended approval.

Moved by Councilmember King, seconded by Councilmember Hovland, that Ordinance No. 18-2419, "Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for Approximately 40 Acres at 13045 Lever Street," be approved.

Motion adopted unanimously.

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

11.-2 [RES 18-230](#) GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE APPROXIMATELY 40 ACRES INTO 93 LOTS AND TWO OUTLOTS TO BE KNOWN AS MILL POND AT 13045 LEVER STREET. (CASE FILE NO. 18-0012/SLK)

Mr. Schafer stated the preliminary plat proposal consists of subdividing approximately 40 acres into a subdivision with a total of 93 new dwelling units and two outlots. The preliminary plat includes outlots for ponds, drainage, and wetlands. This application proposes single-family homes. Because the developer is proposing different housing styles with different design issues, platting requirements, lot sizes, markets and price ranges, the DF (Development Flex) zoning is proposed to establish the minimum standards for each of these areas. Staff commented on the home styles that would be constructed and recommended approval of the request.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Resolution No. 18-230, "Granting Preliminary Plat Approval to Subdivide Approximately 40 Acres into 93 Lots and Two Outlots to be known as Mill Pond at 13045 Lever Street," be approved.

Motion adopted unanimously.

11.-3 [RES 18-231](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF 93 SINGLE FAMILY HOMES (65 FOOT WIDE LOTS) IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT 13045 LEVER STREET. MILL POND. (CASE FILE NO. 18-0012/SLK)

Mr. Schafer stated the Mill Pond development is proposed to contain the following: 93 - 65-foot Single-Family Lots. Initially, access will be provided by one public street connection on Lever Street. As other properties to the north and south develop, street connections will be extended to provide multiple access points. All streets will be public and will (except for the two cul-de-sac sections) have sidewalks on one side for pedestrian access throughout the development. The single-family lots are proposed to be 65 feet in width, and the typical depth being 135 feet. These homes will be enhanced with impressive exterior architectural details. The homes will include brick, stone, Hardie/LP (fiber cement) siding on the front elevation, and varying gables and hip rooflines. Staff commented further on the request and recommended approval of the Conditional Use Permit.

Moved by Councilmember King, seconded by Councilmember Garvais, that Resolution No. 18-231, "Granting a Conditional Use Permit to Allow for the Construction of 93 Single Family Homes (65 Foot Wide Lots) in a DF (Development Flex) Zoning District at 13045 Lever Street," be approved.

Motion adopted unanimously.

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

11.-4 [RES 18-232](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE APPROXIMATELY 60 ACRES INTO 5 SINGLE FAMILY LOTS AND ONE OUTLOT TO BE KNOW AS RADISSON WOODS ON MAIN LOCATED ON THE NORTHEAST CORNER OF RADISSON ROAD AND 125TH AVENUE. SHADE TREE CONSTRUCTION (CASE FILE NO. 18-0030/LSJ)

Mr. Schafer stated on December 6, the City Council approved the preliminary plat and the rezoning for Radisson Woods on Main. The applicant wishes to get the final plat approved in 2018 so the final plat is being presented for Council approval. The final plat contains five lots on 60 acres. The lots are large in size compared to other lots zoned R-1AA due to the amount of wetlands on these lots. The wetland boundaries have been determined and agreed to and the developer has placed the house pads on the upland portion of the lots. It is unlikely that these lots will be further subdivided in the future due to the wetland constraints. The smallest lot being platted is 3.17 acres and the largest being platted is 12.18 acres.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution No. 18-232, "Granting Final Plat Approval to Subdivide Approximately 60 Acres into Five (5) Single Family Lots and One (1) Outlot to be known as Radisson Woods on Main located on the Northeast Corner of Radisson Road and 125th Avenue," be approved.

Motion adopted unanimously.

11.-5 [RES 18-218](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE APPROXIMATELY 14.8 ACRES INTO 4 SINGLE FAMILY LOTS AND THREE OUTLOTS TO BE KNOWN AS SPRINGBROOK 3RD ADDITION, LOCATED AT 129th LANE NE/CORAL SEA STREET NE. SPRINGBROOK LAND, LLC. (CASE FILE NO. 18-0069/SLK)

Mr. Schafer stated the final plat proposal consists of subdividing approximately 14.8 acres into a subdivision with a total of 4 new single-family lots and 3 outlots for future development, drainage, and wetlands. The proposed plat is located along the alignments of 129th Avenue and Coral Sea Court NE. Because of the extensive grading effort that was required for this development to meet the market demand for walk-out and look-out style homes there was significant tree removal. Tree replacement, based on 20 acres, would require planting 160 trees (8 trees per acre). This is best achieved by requiring as part of the DF zoning approval the planting of 3 trees per lot (12 trees in this plat). The remaining trees will be planted in other phases. Staff commented further on the request and recommended approval of the Final Plat.

Moved by Councilmember Clark, seconded by Councilmember King, that Resolution No. 18-218, "Granting Final Plat Approval to Subdivide Approximately 14.8 Acres into Four (4) Single Family Lots and Three (3) Outlots to be known as Springbrook 3rd Addition located at 129th Lane NE/Coral Sea Street NE," be approved.

Motion adopted unanimously.

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

11.-6 [RES 18-219](#)

GRANTING FINAL PLAT APPROVAL TO SUBDIVIDE APPROXIMATELY 11.3 ACRES INTO 25 SINGLE FAMILY LOTS AND ONE OUTLOT TO BE KNOWN AS SPRINGBROOK 4TH ADDITION, LOCATED AT 129TH LANE/FLANDERS COURT NE. SPRINGBROOK LAND, LLC. (CASE FILE NO. 18-0070/SLK)

Mr. Schafer stated the final plat proposal consists of subdividing approximately 11.3 acres into a subdivision with a total of 25 new single-family lots. The proposed plat is located along the alignments of 129th Lane NE and Flanders Court NE. The existing detached accessory building located on proposed Lot 3 and 4 Block 3 will need to be removed prior to the release of the plat for recording with Anoka County or the lots that the accessory building is located on will need to be platted as an Outlot and the accessory building removed by June 30, 2019. Because of the

extensive grading effort that was required for this development to meet the market demand for walk-out and look-out style homes there was significant tree removal. Tree replacement, based on 20 acres, would require planting 160 trees (8 trees per acre). This is best achieved by requiring as part of the DF zoning approval the planting of 3 trees per lot (77 trees in this plat). Staff commented further on the request and recommended approval of the Final Plat.

Moved by Councilmember Clark, seconded by Councilmember Garvais, that Resolution No. 18-219, "Granting Final Plat Approval to Subdivide Approximately 11.3 Acres into 25 Single Family Lots and One (1) Outlot to be known as Springbrook 4th Addition located at 129th Lane/Flanders Court NE," be approved.

Motion adopted unanimously.

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

12. ADMINISTRATION

12.-1 [ORD 18-2421](#) SECOND READING

ARTICLE III. - PUBLIC RIGHT-OF-WAY MANAGEMENT, SEC. 70-62. - DEFINITIONS., SEC. 70-71. - ISSUANCE OF PERMIT; CONDITIONS., AND SEC. 70-72. - ACTION ON SMALL WIRELESS FACILITY PERMIT APPLICATIONS.

Public Works Director Haukaas stated as part of the small wireless legislation passed in 2017 that allows small cell wireless equipment to be placed on City-owned infrastructure in the right-of-way, staff is suggesting amendments to the Public Right-of-Way Management portion of City Code as outlined in the Ordinance.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Ordinance 18-2421, "Article III. -Public Right-of-Way Management, Sec. 70-62. -Definitions., Sec. 70-71. -Issuance of Permit; Conditions., and Sec. 70-72. -Action on Small Wireless Facility Permit Applications," be approved.

Motion adopted unanimously.

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

12.-2 [MO 18-156](#) APPROVE 2019 WATER TREATMENT CHEMICAL BIDS

Mr. Haukaas stated staff received three bids for 2019 water treatment chemicals. The companies who submitted were DPC Industries Inc., Hawkins Inc. and Shannon Chemicals. Hawkins was the sole low bidder for all of the water treatment plant chemicals this year. The chemicals are: Hydrofluorosilicic Acid, Chlorine, Polyphosphate, Zinc Orthophosphate, Sulfur Dioxide and Sulfuric acid 40%. The total chemical bid from Hawkins for 2019 is \$220,432.50. Last year's

total chemical bid was \$206,151.00 for an increase of 14,815.00 from 2018 to 2019.

Moved by Councilmember Hovland, seconded by Councilmember King, that Motion 18-156, "Approve 2019 Water Treatment Chemical Bids," be approved.

Motion adopted unanimously.

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

12.-3 [MO 18-157](#)

ADOPTING OF THE 2019 - 2023 FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR PARK DEVELOPMENT FUNDS

Public Service Manager/Assistant City Manager Therres stated the City maintains a five-year capital improvement plan for park development funds. The capital improvement plan is a flexible plan based upon long-range physical planning and financial projections. Flexibility is achieved through an annual review and revisions as necessary. All improvements listed in the plan are proposed and must come back to the Park Board for review and recommendation to the City Council. The City Council then makes all final decisions on capital improvements. Revenue for the capital improvement plan comes from park dedication fees required of all new residential (approved 2019 \$4,449/unit), commercial (\$8,704/acre), and industrial (\$6,702/acre) development. The residential fee will go back to 65% going to parks and 35% of the fee going to open space in 2019. All Commercial and industrial fees go to parks. Revenue from park dedication fees can only be used for development of new parks and trails, for new improvements to community parks used by all residents and for improvements to neighborhood parks that serve new growth. It cannot be used for park maintenance.

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Motion 18-157, "Adopting of the 2019-2023 Five Year Capital Improvement Plan for Park Development Funds," be approved.

Motion adopted unanimously.

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

12.-4 [MO 18-158](#)

ADOPTING OF THE 2019 - 2022 PARKS AND TRAILS LEVY PLAN

Mr. Therres stated in 2018, the City Council began to levy for existing parks and trails to replace the expiring CIF fund that the City used to maintain parks and trails. Carry over projects from 2018 include the pedestrian bridge at Happy Acres Park (\$120,000) and Blaine Baseball Complex Miracle League Field (\$25,000).

Mayor Ryan asked if \$50,000 had been designated for the Miracle Field in 2019. Mr. Therres reported this was the case.

Mayor Ryan stated at some point in the future, he would like to see this field made

a part of the City's park system. He commented further on how this field assists special needs children in the community.

Councilmember Swanson encouraged future Councils to study how these funds can and cannot be used once the park system was fully built out.

Moved by Mayor Ryan, seconded by Councilmember Clark, that Motion 18-158, "Adopting of the 2019-2022 Parks and Trails Levy Plan," be approved.

Motion adopted unanimously.

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

12.-5 [MO 18-159](#)

APPROVE 2019 FLEET PURCHASE

Police Chief/Safety Services Manager Podany stated in the adoption of the 2019 Capital Budget, Council appropriated funding for certain pieces of equipment in the Capital Equipment Plan. Pursuant to the City Charter, Sec. 6.05, staff is now requesting Council approval for the purchase of the vehicles listed below. The actual purchase of the vehicles will be in 2019 and the vehicles will be purchased from various vendors using the State Cooperative Purchasing Program. Due to the ordering process for these vehicles and to avoid delivery dates late into the year it is necessary to make specific purchases as close to the beginning of the year as possible. The purchase of these vehicles is the first step in preparing them for use. The subsequent steps include the purchase and installation of the equipment. While the purchase of equipment and vehicle setup will occur at a later time, the entire cost of the vehicles is included in the 2019 budget appropriations. This request includes both the purchase of the vehicles and purchase of equipment, set-up and installation.

Mayor Ryan asked if the CSOs would have ¾ ton pickup trucks. Police Chief/Safety Services Manager Podany explained the fleet purchases had been changed to ½ ton pickup trucks.

Moved by Councilmember King, seconded by Councilmember Hovland, that Motion 18-159, "Approve 2019 Fleet Purchase," be approved.

Motion adopted unanimously.

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

12.-7 [RES 18-233](#)

ACCEPT BID FROM KILLMER ELECTRIC COMPANY, INC. IN THE AMOUNT OF \$3,174,278.00 FOR THE SCADA SYSTEM IMPROVEMENTS, IMPROVEMENT PROJECT NO. 18-11

Mr. Haukaas stated bids were received at 10:00 AM, December 11, 2018 for Project No. 18-11. A total of 2 bids were received ranging from \$3,174,278.00 to \$3,336,530.00. The Engineer's Estimate and the two lowest bidders were

reviewed with the Council. Bids have been checked and tabulated, and it has been determined that Killmer Electric Company, Inc. of Crystal, Minnesota is the lowest bidder. The Engineering Department has worked with Killmer Electric Company, Inc. on previous contracts. Staff recommends the low bid be accepted and a contract entered into with Killmer Electric Company, Inc. City Council is also asked to approve a 10% contingency to bring the total project budget to \$3,491,706.00. The funding sources for this project are the Water and Sewer Utilities Fund, and there are sufficient funds to cover these costs.

Moved by Mayor Ryan, seconded by Councilmember Swanson, that Resolution 18-233, "Accept Bid from Killmer Electric Company, Inc. in the Amount of \$3,174,278 for the SCADA System Improvements," be approved.

Motion adopted unanimously.

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

12.-6 [MO 18-160](#)

AGREEMENT FOR COLLECTION OF SOFT RECYCLABLES WITH SIMPLE RECYCLING

Mr. Arneson stated the City had been approached by Simple Recycling to collect soft recycling goods (clothing and household goods) in Blaine. Simple Recycling is a company in Ohio that provides free year-round curbside textile collection on the same day as our regular recycling pickup. Waste Zero markets the program in the Twin Cities metro area. There is no cost to the City for the program. The City will be paid \$20 per ton of material collected.

Councilmember Garvais asked if residents had to call for a pickup. Mr. Arneson reported the City's recycling routes would be followed for pickup.

Councilmember Garvais stated he did not anticipate there would be a great deal of participation in this program. Paul Gardner, Waste Zero representing Simple Recycling, provided further information on how haulers would pick up clothing items from the City of Blaine. He discussed the marketing efforts that would be followed to keep residents engaged in this program. He commented further on products the recycled material was turned into.

Councilmember Swanson asked if the agreement with Simple Recycling had a termination clause. Mr. Gardner discussed the termination clause was included in the agreement and noted he had not had a City terminate an agreement.

Councilmember Clark questioned why Simple Recycling needed an agreement with the City for this service. Mr. Gardner stated there was a benefit to having a partnership and bi-monthly pickups in the City.

Councilmember Clark inquired if this was a good idea given the fact Simple

Recycling would be using the City's brand for its benefit. He stated he did not see the benefit of the City having a contract with Simple Recycling and questioned why an RFP was not completed for this work. Mr. Gardner reported he has completed an RFP for other cities and noted there were no other vendors providing a similar curbside pickup service.

Councilmember Clark stated he would be voting against this item. He was of the opinion residents could manage their own clothing donations and did not believe this had to be managed by the City.

Councilmember Hovland agreed with Councilmember Clark. He supported Simple Recycling work with the Salvation Army to gather their materials versus from the general public. Mr. Gardner reported the Salvation Army and Goodwill have more materials than they know what to do with and have not been interested in working with Simple Recycling.

Councilmember Swanson supported this item being postponed to a future workshop meeting for further discussion. Communications Technician Haver commented on the benefits of the proposed contract stating it would provide the public with the opportunity to recycle soft/clothing goods from their curbside.

Councilmember King recommended this item be discussed further at a workshop in January or February. He anticipated this service could reduce the tonnage the City was paying for in refuse fees.

Councilmember Clark agreed this item should be postponed and further discussed by the Council.

Moved by Councilmember Clark, seconded by Councilmember Garvais, to postpone action on the Agreement for Collection of Soft Recyclables with Simple Recycling to a future workshop meeting.

Motion adopted unanimously.

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

12.-9 [RES 18-235](#)

ADOPT THE 2019 WATER AND SEWER UTILITY ENTERPRISE FUND BUDGETS

Mr. Huss stated Council has reviewed the 2019 proposed budgets for the Water and Sanitary Sewer Funds at a previous workshop and per the following summaries has directed staff to bring forth the budgets as presented for formal adoption.

Moved by Councilmember Hovland, seconded by Councilmember Garvais, that Resolution 18-235, "Adopt the 2019 Water and Sewer Utility Enterprise Fund Budgets," be approved.

Motion adopted unanimously.

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

12.-8 [RES 18-234](#)

AUTHORIZE INSTALLATION OF NO PARKING SIGNS ON WEST 35W SERVICE DRIVE

Mr. Schluender stated the City of Blaine has received numerous complaints about the number of semis and trailers being parked along this stretch of the West 35W Service Drive. Upon inspection by the Blaine Police and Engineering Departments the only way to keep the area clear and restore the shoulders is to prohibit parking within the right of way. Installation of regulatory stop, yield and no parking signs requires authorization by City Council. The regulatory signs proposed meet warrants established in the Minnesota Manual of Uniform Traffic Control Devices. The proposed Council action will prohibit parking on the West 35W Service Drive from the 35W onramp to 85th Avenue.

Mayor Ryan asked if this was an actual City street. Mr. Schluender reported this was the case.

Moved by Councilmember Hovland, seconded by Councilmember Swanson, that Resolution 18-234, "Authorize Installation of No Parking Signs on West 35W Service Drive," be approved.

Motion adopted unanimously.

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

12. [RES 18-236](#)
-10

AMEND CONTRACT WITH WALTERS RECYCLING AND REFUSE, INC. FOR SOLID WASTE AND RECYCLING PROCESSING

Mr. Huss stated at the October 11, 2018 Workshop, representatives from Walters Recycling and Refuse updated the City Council on a number of issues that are occurring in the solid waste and recycling field, including the collapse of recycling markets for material collected and processed in the United States. These changes in the recyclables markets have forced Walters to pay a substantial commodity charge to offload collected recyclable materials. At the December 13 Workshop, Council discussed and considered Walters' request to reopen and revise the current agreement to better align the agreement with the realities of the recycling market.

Mayor Ryan reported the Great River Energy plant will be closing as of January 1, 2019.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 18-236, "Amend Contract with Walters Recycling and Refuse, Inc. for Solid Waste and Recycling Processing," be approved.

Motion adopted unanimously.

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

12. [MO 18-161](#)
-11

APPROVE 4-YEAR SUPPORT AND MAINTENANCE AGREEMENT
WITH OPENGOV SYSTEMS

Mr. Huss stated Council is asked to approve a Software and Maintenance Agreement with OpenGov, Inc. for support and maintenance of the OpenGov Open Town Hall, Story Builder and Performance Measures modules. OpenGov is a cloud-based performance management system that will provide Blaine with the tools to enhance its public communications and internal reporting capabilities. The products have been tested by Blaine staff and have proven to be cost effective and would enhance the communication efforts that the City is currently undertaking. The modules to be purchased will integrate with the City's Financial Reporting and Transparency and Budgeting modules and allow for enhanced communication with residents. The agreement would run from January 1, 2019 through December 31, 2022. First year costs would include deployment of the software with the annual price locked for the remaining three years of the contract. The annual costs were reviewed and staff recommended approval.

Councilmember Garvais requested comment from OpenGov regarding their software platform. Nate Olson, OpenGov representative, described how OpenGov's budgeting and finance software would be utilized by the City of Blaine. He discussed how this program would assist with gathering financial and performance data. He commented on how this information would assist department heads with creating future budgets.

Charlie Francis, OpenGov representative, explained this program would change the way the Finance Department would do business and would allow the City to better engage with the community. He stated he looked forward to having a positive relationship with the City moving forward.

Moved by Councilmember Swanson, seconded by Councilmember King, that Motion 18-161, "Approve 4-Year Support and Maintenance Agreement with OpenGov Systems," be approved.

Motion adopted unanimously.

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

12. [RES 18-237](#)
-12

APPROVE PAYMENT TO SOFTWARE HOUSE INTERNATIONAL FOR
MICROSOFT ENTERPRISE AGREEMENT ANNUAL LICENSING
RENEWAL AND AUTHORIZE AMENDING THE 2018 GENERAL FUND
BUDGET

Mr. Huss stated Council is asked to approve the 2018 payment of \$32,307 for the referenced contract pursuant to the Blaine City Charter section 6.05, which requires City Council approval of all purchases or contracts in excess of \$20,000. With regard to the agreement, the City is completing the third year of a three-year

Enterprise Agreement with Microsoft, and is now, per the agreement, required to pay for additional licenses obtained in the three years of the contract. The licensing includes PC operating system support, Microsoft Office, network connectivity licensing, server licenses, as well as other specific licensed products. Sufficient funds are on hand to pay for this licensing.

Moved by Councilmember King, seconded by Councilmember Hovland, that Resolution 18-237, "Approve Payment to Software House International for MicroSoft Enterprise Agreement Annual Licensing Renewal and Authorize Amending the 2018 General Fund Budget," be approved.

Motion adopted unanimously.

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

12. [RES 18-238](#)

APPROVING THE 2019 COMPENSATION PLAN

-13

Mr. Arneson stated the proposed Resolution provides for a mileage rate of 54.5 cents per mile, or until a new rate is established by the IRS. Staff reviewed a Resolution approving the 2019 Compensation Plan provides a 3.00% wage adjustment for non-union personnel.

Moved by Councilmember Swanson, seconded by Councilmember Garvais, that Resolution 18-238, "Approving the 2019 Compensation Plan," be approved.

Motion adopted unanimously.

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

12. [ORD 18-2420](#)

SECOND READING

-14

AMENDING CHAPTER 58 - PERSONNEL, ARTICLE II. - LEAVE, SEC. 58-52. - VACATION LEAVE. AND SEC. 58-53. - SICK LEAVE.

Mr. Arneson stated in August of this year department heads began a review of the City's vacation and sick leave ordinance to determine if Blaine was competitive in terms of compensation to other metro area cities of similar demographics with the goal of bringing forward a revised policy for your review. After a review of 13 peer cities, a draft policy was prepared and reviewed at a Council workshop on November 8. Staff provided the Council with a summary of the recommendations and recommended approval.

Moved by Councilmember King, seconded by Mayor Ryan, that Ordinance 18-2420, "Amending Chapter 58 – Personnel, Article II. -Leave, Sec. 58-52. -Vacation Leave. and Sec. 58-53. -Sick Leave be approved.

Motion adopted unanimously.

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

12. [MO 18-162](#)
-15

VACATION AND SICK LEAVE POLICY ADOPTION

Mr. Arneson stated Council has reviewed the proposed policy at two previous workshops on November 8 and December 13. Pursuant to Council direction from these workshops, a number of changes have been integrated into the policy. Staff reviewed the proposed changes to the policy with the Council and recommended approval.

Councilmember Clark stated while there were some changes he supported, there were items he opposed within the proposed vacation and sick policy. For this reason, he would not be offering his support to the policy. He explained he would like to see the City encourage employees to take vacation versus banking their vacation time.

Councilmember Hovland agreed and stated he would not support this item.

Moved by Councilmember King, seconded by Councilmember Garvais, that Motion 18-162, "Vacation and Sick Leave Policy Adoption," be approved.

Motion adopted 4-2 (Councilmember Clark and Councilmember Hovland opposed).

Aye: 4 - Mayor Ryan, Councilmember Swanson, Councilmember King and Councilmember Garvais

Nay: 2 - Councilmember Clark and Councilmember Hovland

12. [ORD 18-2422](#)
-16

SECOND READING

ARTICLE II. - CITY COUNCIL SEC. 2-33. - RULES OF ORDER AND PROCEDURE.

Ms. Sorensen stated with new Councilmembers taking office in January, Council meeting days and times were reviewed at the December 6, 2018, workshop in the event any changes were desired. After discussion consensus was to amend workshop times to begin at 5:30 p.m. and regular Council meetings at 7:00 p.m. but that more review was needed to realize impacts of any day change. After review of current Board, Commission, and other agency meetings, staff's recommendation is to retain the regular Thursday meeting dates at this time. As any change requires an ordinance amendment, the change would not occur until after second reading and publication, likely March 2019, which will allow ample time to communicate the time change with the public. Staff is also recommending a minor housekeeping amendment deleting the requirement that Orders of Business are adopted by resolution as historically they are adopted each year by motion at the first meeting of the year.

Councilmember Hovland stated he could support moving the workshop meeting time up to 6:00 p.m., but could not make a 5:30 p.m. start time work.

Councilmember Swanson anticipated that if the Council meeting start time was moved to 7:00 p.m. he would like to see the workshop meeting start time moved to 5:30 p.m. He commented the new Councilmembers supported this change.

Councilmember Clark suggested this item be further discussed with the new Council in order to have input from all members.

Councilmember Hovland stated another concern of his was what items were being brought forward for discussion at workshop meetings. He suggested the introduction of this Ordinance be postponed to allow for further discussion with the new Councilmembers.

Councilmember Swanson supported the first reading being held tonight and noted the Council could discuss this item with the new Councilmembers prior to holding the second reading.

Mayor Ryan requested staff place this item on a future workshop agenda to allow the new Council to further review meeting dates and times.

Declared by Mayor Ryan that Ordinance No. 18-2422, "Article II. -City Council Sec. 2-33. -Rules of Order and Procedure," be introduced and placed on file for second reading after further review at a Council workshp.

13. OTHER BUSINESS

Councilmember King stated he would like to see a three-term limit to allow more residents the ability to serve their community.

Councilmember Garvais stated he could support this suggestion so long as it was limited to three full terms.

Councilmember Swanson supported the Charter Commission reviewing this matter with the understanding the item would be going for a vote at a General Election. He stated he recalled this matter had been discussed previously and at the time a concern was raised regarding the possibility of violating constitutional rights by setting term limits.

Councilmember Clark stated he opposed term limits. He indicated there was a system in place already that put Councilmembers in place through local elections and questioned if the City should place limits on an individual to three terms or four. He stated he did support the Charter Commission providing comment on this matter though.

Mayor Ryan commented that the City Council had very little contact with the

Charter Commission.

Councilmember Garvais stated he supported the City reviewing the Charter regarding this matter. Ms. Sorensen commented on how the Council could proceed with this item in conjunction with the Charter Commission.

Councilmember Hovland indicated he was unsure at the moment with respect to this matter but said he was not entirely opposed to term limits. He explained those serving on the City Council were not in it for the money but to help build a great community. He supported this item being further discussed at a future workshop meeting.

Councilmember Garvais suggested the Council hold a joint meeting with the Charter Commission.

Mayor Ryan reported the City Council has not met with the Charter Commission in the past 32 years.

Councilmember Clark asked for comment from the City Attorney regarding this possibility. City Attorney Sweeney stated he would conduct some research on this and report back to the City Council.

Moved by Councilmember King, seconded by Councilmember Clark, to propose that the Charter Commission consider an Amendment to Section 2.03 to limit the number of terms served by a member of Council to three terms for a question on the next General Election.

Amended motion adopted unanimously.

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

Councilmember Hovland reported another alternative would be for the Council to propose a change to the Charter at an upcoming election. Ms. Sorensen stated the Council could bring this forward through a different process.

Amendment moved by Councilmember Clark, seconded by Councilmember Garvais, to review with Charter Commission potential term limit amendments, to limit the number of terms served by City Councilmembers and define a process for public input process.

Councilmember King requested a roll call vote.

**Councilmember Clark – aye
Councilmember Garvais– aye
Councilmember Hovland – aye
Councilmember King – aye
Councilmember Swanson – aye
Mayor Ryan – aye**

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

Mayor Ryan thanked City staff for their dedicated service to the community in 2018 and wished everyone a Merry Christmas and Happy New Year.

14. ADJOURNMENT

Moved by Councilmember Clark, seconded by Councilmember King, to adjourn the meeting at 9:45 p.m.

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