



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

10801 Town Square Drive  
Blaine MN 55449

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Thursday, October 1, 2015

7:30 PM

Council Chambers

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**1. CALL TO ORDER BY THE MAYOR**

The meeting was called to order at 7:38 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; and City Clerk Catherine Sorensen.

**Present:** 7 - Tom Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**4. APPROVAL OF MINUTES**

**4.-1 [MIN 15-28](#) RECENTLY HELD MEETINGS**

**Moved by Councilmember Swanson, seconded by Councilmember Hovland, that the Workshop Meeting Minutes of September10, 2015; the Regular Meeting Minutes of September 17, 2015; and the Workshop Meeting Minutes of September17, 2015, be approved.**

**Motion adopted 5-0-2 (Mayor Ryan and Councilmember King abstained from the Workshop Meeting Minutes of September 17, 2015 due to their absence).**

**Aye:** 5 - Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember Hovland

**Abstain:** 2 - Mayor Ryan and Councilmember King

**5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**

None.

**6. COMMUNICATIONS**

Councilmember Clark stated construction will start next week on the 109th Avenue at Highway 65 to construct a right access lane.

Mayor Ryan commented there were some traffic concerns with the annual Special Olympics truck convey event that originated from the National Sports Center and that the event will be communicated to local businesses next year.

**7. OPEN FORUM FOR CITIZEN INPUT**

Mayor Ryan opened the Open Forum at 7:42 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:42 p.m.

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

Moved on the agenda to follow agenda item 12.3.

**10. APPROVAL OF CONSENT AGENDA:**

Councilmember Bourke removed agenda item 10.1.

**10.-2 [RES 15-166](#) APPROVE AN OFF-SITE GAMBLING PERMIT FOR SPRING LAKE PARK LIONS AT TPC TWIN CITIES 11444 TOURNMENT PLAYERS PARKWAY**

**Adopted**

**10.-1 [MO 15-123](#) SCHEDULE OF BILLS PAID**

Councilmember Bourke asked how the City is reimbursed for attorney fees and forfeiture towing fees. Police Chief/Safety Services Manager Olson replied all costs related to forfeiture are paid from the Forfeiture Fund, which is self-funding and not paid from the General Fund. He noted vehicles that are forfeited are sold at auction.

Councilmember King asked about the payment to Woodland Development Corporation for construction lots at Sunset Ponds. City Manager Arneson replied this is an escrow refund to the developer.

**Moved by Councilmember Bourke, seconded by Councilmember Herbst that, Motion 15-123, "Schedule of Bills Paid 9/4/15; 9/11/15; and 9/18/15," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11. DEVELOPMENT BUSINESS****11.-1 [RES 15-167](#)**

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR EXTERIOR STORAGE OF VEHICLES AND EQUIPMENT IN THE I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT AT 9937 GOODHUE STREET NE. RAM CONSTRUCTION SERVICES. (CASE FILE NO. 15-0056/LSJ)

Planning and Community Development Director Schafer stated the applicant, RAM Construction Services, is proposing to operate a contractor's yard with outside storage for construction equipment in the rear of the site. He stated the outside storage area will be fenced off and landscaped.

Brian Zubin, Regional Manager and part owner of RAM Construction, stated RAM is a specialty contractor for commercial restoration and water proofing. He stated the company is a Union contractor and currently has 80 employees.

**Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution 15-167, "Granting a Conditional Use Permit to allow for Exterior Storage of Vehicles and Equipment in the I-2 (Heavy Industrial) Zoning District at 9937 Goodhue Street NE," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.-2 [RES 15-168](#)**

GRANTING PRELIMINARY PLAT ONE YEAR EXTENSION FOR SARAH JEAN ESTATES, LOCATED AT 12701 HARPERS STREET NE. SUMMIT LAND. (CASE FILE NO. 14-0050/SLK)

Planning and Community Development Director Schafer stated the applicant held off development due to regional stormwater issues and is now requesting a one-year extension on the preliminary plat approval.

Councilmember King asked if Lots 1A and 2A are reserved for stormwater. Planning and Community Development Director Schafer replied yes.

**Moved by Councilmember Clark, seconded by Councilmember King, that Resolution 15-168, "Granting Preliminary Plat Extension for Sarah Jean Estates located at 12701 Harpers Street NE. Summit Land," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**11.-3 [ORD 15-2326](#) SECOND READING**

REZONING FROM FR (FARM RESIDENTIAL) TO R-1 (SINGLE FAMILY) FOR THE SWANSONS ADDITION DEVELOPMENT LOCATED AT 1040 117TH AVE NE. LARRY SWANSON. (CASE FILE NO. 15-0039/EOW)

Planning and Community Development Director Schafer stated the applicant is proposing to infill development on 117th Avenue. He stated the parcel is 1.14 acres and will consist of four single family lots. He noted there is one existing home that will remain.

**Declared by Mayor Ryan that Ordinance 15-2326, "Rezoning from FR (Farm Residential) to R-1 (SingleFamily) for the Swansons Addition Development Located at 1040 117th Avenue NE. Larry Swanson." be introduced and placed on file for second reading at the October 15, 2015, Council meeting.**

**12. ADMINISTRATION****12.-1 [MO 15-124](#) ACCEPT QUOTE FROM KEVIN CASEY, LLC IN THE AMOUNT OF \$44,994.00 FOR FLOWERFIELD ROAD JD 1-2 CULVERT REPLACEMENT, IMPROVEMENT PROJECT NO. 15-15**

City Engineer Keely stated the culvert under Flowerfield Road has failed causing a sinkhole in the street. She stated Flowerfield Road is jointly owned by the City of Blaine (south half) and the City of Lexington (north half). She stated the City of Lexington agreed to have the City of Blaine lead the project to replace the culvert with a new concrete culvert and repair the road. She noted the costs of the repair will be split between the two cities. She stated staff recommends Council accept the quote from Kevin Casey, LLC of Prior Lake, Minnesota and also approve a 10% contingency.

**Moved by Councilmember Clark, seconded by Councilmember Herbst, that Motion 15-124, "Accept Quote from Kevin Casey, LLC in the amount of \$44,994.00 for Flowerfield Road JD 1-2 Culvert Replacement," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**12.-2 [MO 15-125](#) AUTHORIZE PAYMENT TO ANOKA COUNTY FOR WATER MAIN REPLACEMENT WITH RECONSTRUCTION OF UNIVERSITY AVENUE IN THE AMOUNT OF \$149,434.60, IMPROVEMENT PROJECT NO. 10-09**

City Engineer Keely stated Anoka County's project to reconstruct University Avenue resulted in a large amount of peat removal around 117th Avenue intersection. She stated the removal was unplanned and not identified on the original construction plans. She stated the peat layer goes approximately 14

feet underground and is below the City's cast iron water main. She stated staff is recommending the cast iron water main from 116th Avenue alignment to 118th Avenue be removed and replaced with modern ductile iron water main pipe.

**Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Motion 15-125, "Authorize Payment to Anoka County for Water Main Replacement with Reconstruction of University Avenue in the amount of \$149,434.60," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**12.-3** [ORD 15-2327](#)

**SECOND READING**

REPEALING AND REPLACING CHAPTER 32.00, FLOOD PLAIN OVERLAY DISTRICT OF THE ZONING ORDINANCE OF THE CITY OF BLAINE REFERENCE TO COINCIDE WITH FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REVISED FLOOD INSURANCE RATE MAPS (FIRM) TO BE EFFECTIVE DECEMBER 16, 2015

City Engineer Keely stated the Federal Emergency Management Agency (FEMA) has new Flood Insurance Rate Maps (FIRM) for Blaine and the new maps are revised to reflect new streets, elevations data and air photos, which will be incorporated into Blaine's GIS system. She stated staff is recommending Council approve a code amendment to Chapter 32 of the Flood Plain Overlay Ordinance to update ordinance references to coincide with FEMA.

**Declared by Mayor Ryan that Ordinance 15-2327, "Repealing and Replacing Chapter 32, Flood Plain Overlay District of the Zoning Ordinance of the City of Blaine Reference to Coincide with Federal Emergency Management Agency (FEMA) Revised Flood Insurance Rate Maps (FIRM) to be Effective December 16, 2015" be introduced and placed on file for second reading at the October 15, 2015, Council meeting.**

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

**9.-1** [ORD 15-2325](#)

**FIRST READING**

VACATION OF DRAINAGE AND UTILITY EASEMENTS FOR LARSON ESTATES, VACATION NO. V15-04

City Engineer Keely stated the vacation of drainage and utility easements for Larson Estates is being requested to allow for building expansion on the property.

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

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

**Declared by Mayor Ryan that Ordinance 15-2325, "Vacation of Drainage and Utility Easements for Larson Estates, Vacation No. 15-04" be introduced and placed on file for second reading at the October 15, 2015, Council meeting.**

**9.-2** [RES 15-164](#)

**ADOPTING ASSESSMENT FOR 93RD LANE INDUSTRIAL PARK AREA STREET IMPROVEMENTS, PHASE 3, IMPROVEMENT PROJECT NO. 13-24**

City Engineer Keely stated the project involves 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. She stated the project will be paid from assessments, Public Utility Fund, and Pavement Management Program Fund.

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

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

**Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-164, "Adopting Assessment for 93rd Lane Industrial Park Area Street Improvements, Phase 3," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**9.-3** [RES 15-165](#)

**ADOPTING ASSESSMENT FOR THE PAVEMENT MANAGEMENT PROGRAM - 2015 BITUMINOUS OVERLAY, IMPROVEMENT PROJECT NO. 15-01**

City Engineer Keely stated the project includes 1 ½ inch bituminous overlay, full width and edge milling, spot curb replacement, and appurtenant construction. She stated the assessment roll has been prepared consistent with the feasibility report. She stated the project will be paid from assessments and the Pavement Management Program Fund.

Mayor Ryan opened the public hearing at 8:12 p.m.

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

**Moved by Councilmember Clark, seconded by Councilmember Hovland, that Resolution 15-165, "Adopting Assessment for the Pavement Management Program – 2015 Bituminous Overlay," be approved.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**9.-4** [RES 15-089](#)

**ORDER IMPROVEMENT FOR HARPERS STREET AREA REGIONAL STORM DRAINAGE IMPROVEMENTS, IMPROVEMENT PROJECT NO. 13-12**

City Engineer Keely stated two property owners are not in favor of Council ordering the improvements and one of the developers also confirmed that the project would not be able to move forward.

Mayor Ryan opened the public hearing at 8:14 p.m.

Mayor Ryan closed the public hearing at 8:24 p.m.

**Moved by Councilmember Herbst, seconded by Councilmember King, that Resolution 15-089, "Order Improvement for Harpers Street Area Regional Storm Drainage Improvements," be denied.**

**Motion adopted unanimously.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland

**ADMINISTRATION - continued**

**12.-4** [ORD 15-2328](#)

**FIRST 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 stated staff recommended changes to the animal-related Ordinances. He stated the changes are to update and clarify outdated ordinances (rabies and animal control authority), dangerous dogs and potentially dangerous dogs, and changes to restraint definitions. He noted an update was also made to the ordinance regarding police dogs and other public service dogs.

**Declared 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 introduced and placed on file for second reading at the October 15, 2015, Council meeting.**

**13. OTHER BUSINESS**

Mayor Ryan invited residents who have lived in Blaine for 25 years or longer to an event at City Hall on December 3, 2015, to be recognized.

Mayor Ryan shared information on two upcoming Yellow Ribbon events; one

at Aquatore Park on October 24 and the other at Blaine High School on November 11, 2015, in recognition of Veterans Day.

**Informational.**

**14. ADJOURNMENT**

**Moved by Councilmember Herbst, seconded by Councilmember Bourke, to adjourn the meeting at 8:27 p.m.**

**Aye:** 7 - Mayor Ryan, Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark, Councilmember King and Councilmember Hovland