



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

Blaine City Hall
10801 Town Square Dr NE
Blaine, MN 55449

Thursday, December 17, 2015

7:30 PM

Council Chambers

1. CALL TO ORDER BY THE MAYOR

The meeting was called to order at 7:32 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 Jason Sundeen; 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 15-39](#) RECENTLY HELD MEETINGS

Moved by Councilmember Herbst, seconded by Councilmember Swanson, that the Workshop Meeting Minutes of December 3, 2015, and the Regular Meeting Minutes of December 3, 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

None.

6. COMMUNICATIONS

Mayor Ryan noted the road closure on Ulysses Street should be completed by December 22, 2015.

7. OPEN FORUM FOR CITIZEN INPUT

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

There being no input, Mayor Ryan closed the Open Forum at 7:34 p.m.

8. ADOPTION OF AGENDA

Adopted as presented

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

Moved on the agenda to follow agenda item 12.11.

10. APPROVAL OF CONSENT AGENDA:

Moved by Councilmember Herbst, seconded by Councilmember King, that the following be approved:

Motion adopted unanimously.

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

10.-1 [MO 15-143](#) SCHEDULE OF BILLS PAID

Approved

10.-2 [MO 15-144](#) APPROVE 2016 WATER TREATMENT CHEMICAL BIDS

Approved

10.-3 [ORD 15-2336](#) SECOND READING

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

Includes corrected plumbing permit fee

Adopted

11. DEVELOPMENT BUSINESS

11.-1 [RES 15-206](#) GRANTING APPROVAL OF CERTIFICATE OF PLAT CORRECTION

FOR SANCTUARY PRESERVE, AT LEXINGTON AVENUE/114TH AVENUE NE. PULTE GROUP. (CASE FILE NO. 15-0014/LSJ)

Planning and Community Development Director Schafer stated two mathematical and description errors were discovered in the plat for a few of the lot and out lot boundaries on the final plat for the Sanctuary Preserve. He stated a resolution and Certificate of Plat Correction are needed to correct the plat for the Anoka County Surveyor's office. He noted the plat correction does not impact any of the previous plat approvals.

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Resolution 15-206, "Granting Approval of Certificate of Plat Correction for Sanctuary Preserve, at Lexington Avenue/114th Avenue NE. Pulte Group," be approved.

Motion adopted unanimously.

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

11.-2 [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.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, 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 approved.

Motion adopted unanimously.

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

12. ADMINISTRATION

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 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.

Moved by Councilmember Clark, seconded by Councilmember Herbst, 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 approved.

Motion adopted unanimously.

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

12.-2 [MO 15-145](#)

ADOPTING THE 2016 - 2018 CIF INTEREST FUND PLAN FOR NEIGHBORHOOD PARK IMPROVEMENTS

Public Services Manager Therres stated Council approved funding for five years for improvements to existing neighborhood parks. He noted staff is proposing to add the Blaine Baseball Complex Miracle League Field to the list of parks for improvement.

Moved by Councilmember Swanson, seconded by Councilmember Herbst, that Motion 15-145, "Adopting the 2016 – 2018 CIF Interest Fund Plan for Neighborhood Park Improvements," be approved.

Motion adopted unanimously.

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

12.-3 [MO 15-146](#)

APPROVE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$18,476.99 FOR THE CONSTRUCTION OF HARPERS PARK, IMPROVEMENT PROJECT NO. 15-06

Public Services Manager Therres stated during construction of Harpers Park, Dunaway Construction discovered areas of unsuitable soil in the trail alignment that required removal and replacement. He stated additional retaining walls were also required as the final grades changed. He stated the final quantity measurements exceeded bid quantities and the 10% contingency.

Councilmember Clark asked about the landscaping change requiring a retaining wall. Public Services Manager Therres replied the landscaping changed the land elevation and that a retaining wall became necessary. He noted the plan was approved by the Building Department.

Moved by Councilmember King, seconded by Councilmember Herbst, that Resolution 15-146, "Approve Change Order No. 1 in the Amount of \$18,476.99 for the Construction of Harpers Park," be approved.

Motion adopted unanimously.

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

12.-4 [RES 15-207](#)

INITIATE PROJECT AND ORDER PREPARATION OF FEASIBILITY REPORT FOR THE PAVEMENT MANAGEMENT PROGRAM - 2016 STREET RECONSTRUCTIONS IMPROVEMENT PROJECT NO. 16-07

City Engineer Keely stated staff is proposing to reconstruct various streets throughout the City. She stated the streets are all rural section roads with ditches and are rated and identified as needing reconstruction. She stated the reconstruction will consist of reclaiming the existing pavement and repaving. She noted the addition of ribbon curb on Baltimore Street and 97th Avenue and any drainage issues will be corrected.

Moved by Councilmember Clark, seconded by Mayor Ryan, that Resolution 15-207, "Initiate Project and Order Preparation of Feasibility Report for the Pavement Management Program – 2016 Street Reconstructions," be approved.

Motion adopted unanimously.

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

Councilmember Swanson left the dais at 7:52 p.m.

12.-5 [RES 15-208](#)

INITIATE PROJECT AND ORDER PREPARATION OF FEASIBILITY REPORT FOR RECONSTRUCTION OF HASTINGS STREET FROM 85TH AVENUE TO CUL-DE-SAC, IMPROVEMENT PROJECT NO. 15-22

City Engineer Keely stated staff is proposing to reconstruct Hastings Street from 85th Avenue to the cul-de-sac. She stated the project will fully reconstruct Hastings Street to an urban section with concrete curb and gutter.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Resolution 15-208, "Initiate Project and Order Preparation of Feasibility Report for Reconstruction of Hastings Street from 85th Avenue to Cul-de-sac," be approved.

Motion adopted 5-0-1 (Councilmember Swanson abstained).

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

Abstain: 1 - Councilmember Swanson

Councilmember Swanson returned at 7:53 p.m.

12.-6 [RES 15-209](#)

INITIATE PROJECT AND ORDER PREPARATION OF FEASIBILITY REPORT FOR RECONSTRUCTION OF 91ST AVENUE FROM JEFFERSON STREET TO ABLE STREET, IMPROVEMENT

PROJECT NO. 15-20

City Engineer Keely stated staff is proposing to reconstruct 91st Avenue from Jefferson Street to Polk Street. She stated the project will fully reconstruct 91st Avenue to an urban section with concrete curb and gutter.

Councilmember Swanson stated the traffic on this road comes from the school and asked if the school would be assessed. City Engineer Keely replied the entire parcel of the school will be assessed.

Mayor Ryan asked about storm drainage issue. City Engineer Keely replied staff is looking at the storm drainage issue and it will be brought into the design.

Councilmember Clark asked if a sidewalk will be included in the improvement. City Engineer Keely replied staff is recommending a sidewalk as part of the improvement.

Councilmember Swanson commented the neighborhood has made it clear that a sidewalk is not wanted on this street.

Councilmember Bourke suggested making the road wider for people to walk or bike to school.

Council consensus that no sidewalk will be included in the road improvement unless requested by the neighborhood.

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Resolution 15-209, "Initiate Project and Order Preparation of Feasibility Report for Reconstruction of 91st Avenue from Jefferson Street to Able Street," be approved.

Motion adopted unanimously.

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

12.-7 [RES 15-210](#)**AUTHORIZE APPROVAL AND EXECUTION OF THE AMENDED AND RESTATED JOINT POWERS AGREEMENT FOR THE NORTH TRUNK HIGHWAY 65 COALITION**

City Manager Arneson stated the Joint Powers Agreement is to create an organization where the members may jointly and cooperatively plan and maximize opportunities for sub-regional transportation and transit development, quality growth and diversification along TH65 through a system of collaboration, pursuant to Minnesota Statute.

Councilmember Clark asked how many members are in the coalition. Mayor Ryan replied there are 14 members in the coalition.

Councilmember Clark commented annual dues are not enough to pay for a person to travel to Washington, D.C. for any lobbying efforts. Mayor Ryan noted the organization currently has \$20,000 available from dues.

Councilmember Clark asked who will attend the meetings to represent the City. Mayor Ryan replied one elected official, and the City Manager or staff person as alternate.

City Manager Arneson said he would recommend City Eingeer Jean Keely be the staff person delegate.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that Resolution 15-210, "Authorize Approval and Execution of the Amended and Restated Joint Powers Agreement for the North Trunk Highway 65 Coalition," be approved.

Motion adopted unanimously.

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

12.-8 [ORD 15-2335](#)

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 as well as other minor housekeeping items. She clarified changes made from first reading which included additional allowed containers for off-sale as allowed in Statute, specific hours for off-sale, and a typographical correction. She said all other elements are the same from first reading, including definitions, minimum food requirement 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.

Moved by Councilmember Bourke, seconded by Councilmember Herbst, that Ordinance 15-2335, "Ordinance Amending Chapter 6, Alcoholic Beverages, Article II. – Intoxicating Liquor and 3.2 Percent Malt Liquor," be approved.

Motion adopted unanimously.

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

12.-9 [RES 15-211](#)

PUBLICATION OF THE TITLE AND SUMMARY OF ORDINANCE 15-2335 AMENDING CHAPTER 6 - ALCOHOLIC BEVERAGES ARTICLE II. - INTOXICATING LIQUOR AND 3.2 PERCENT MALT LIQUOR

City Clerk Sorensen stated Minnesota Statute provides for publication of the title and summary of Ordinance 15-2335. She noted the entire ordinance is

available for inspection during regular office hours at City Hall and can be forwarded upon request.

Moved by Councilmember Swanson, seconded by Mayor Ryan, that Resolution 15-211, "Publication of the Title and Summary of Ordinance 15-2335 Amending Chapter 6 – Alcoholic Beverages Article II. – Intoxicating Liquor and 3.2 Percent Malt Liquor," be approved.

Motion adopted unanimously.

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

12. [MO 15-147](#)
-10

APPROVE 2016 ANNUAL LICENSE RENEWALS

City Clerk Sorensen stated staff received the 2016 license renewal applications for amusement centers, amusement devices, automobile reduction yard, garbage haulers, massage enterprise, massage individual, pawnbroker/secondhand goods dealer, and tobacco. She noted all City Code requirements have been met and renewal fees have been deposited with the City. She stated liquor licenses will be renewed in June.

Councilmember Bourke asked about pawn shop fees. City Clerk Sorensen replied the pawn shop has had no issues and the fee is at the lowest fee level.

Councilmember Bourke commented the pawn shop fee should be lowered to \$1,000. Police Chief/Safety Services Manager Olson replied staff had conducted a review of staff time involved in pawn shop renewals and while he could not recall all the criteria at the moment he felt the fee properly reflected the staff time involved.

Councilmember Bourke requested the pawn shop fee be lowered to \$1,000. Police Chief/Safety Services Manager Olson replied staff could do an analysis on staff costs and bring it forward for Council consideration.

Councilmember Clark commented an ordinance change would be needed to lower the fee and requested a workshop in May 2016 to review this fee.

Moved by Councilmember Clark, seconded by Councilmember King, that Motion 15-147, "Approve 2016 Annual License Renewals," be approved.

Motion adopted unanimously.

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

12. [RES 15-212](#)
-11

APPROVING THE 2016 COMPENSATION PLAN

City Manager Arneson stated this resolution is to authorize the mileage rate of \$0.575 cents per mile or until a new rate is established by the IRS; approve the 2016 Compensation Plan of 2.0% wage adjustment for non-union

personnel; and approve nine paid holidays, one floating holiday, and one floating holiday to be designated by the City Manager. He noted the number of holidays for non-union employees is consistent with the police and public works employees and the City Manager's designated holiday for non-union personnel is November 25, 2016.

Councilmember Clark asked about \$1,050 for the City's health insurance and how much it will increase for 2016. City Manager Arneson replied the \$1,050 is for the staff cafeteria plan and the cost went up \$30.00. He stated City's contract with the current health care provider ends in 2016 and that review will occur then.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Motion 15-212, "Approving the 2016 Compensation Plan," be approved.

Motion 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 (continued)

9.-1 [RES 15-213](#)

ADOPT 2016 TAX LEVY

Finance Director Huss stated the Council held the annual truth in taxation public hearing on December 10, 2015. He stated the proposed 2016 Tax Levy is 35.824%, which is equal to the tax rate of 2015.

Mayor Ryan opened the public hearing at 8:20 p.m. Being no comments, Mayor Ryan closed the public hearing at 8:20 p.m.

Moved by Mayor Ryan to amend the motion to levy an additional \$83,000 to be used for non-union staff wage increases of 3% instead of the proposed 2% increase.

Mayor Ryan stated staff will have an 11% increase in insurance and only a 2% increase in wages. He stated staff does a great job which includes the Building Department who bring in revenue.

Councilmember Swanson commented he supports the amendment but will not second the motion because he knows it will be voted down.

Councilmember Clark stated he has heard from residents in the past that staff receives higher raises than residents and noted the wage increase is fair.

Amendment failed for lack of a second.

Moved by Councilmember Herbst, seconded by Councilmember Bourke, that Com. 15-04, "Adopt 2016 Tax Levy," be approved.

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

Motion adopted 5-1.

Aye: 5 - Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Nay: 1 - Mayor Ryan

9.-2 [RES 15-205](#)

ADOPT THE 2016 GENERAL FUND BUDGET

Finance Director Huss stated the Council held the annual truth in taxation public hearing on December 10, 2015. He stated the proposed 2016 General Fund budget will use a \$280,000 draw from unrestricted reserves as a balancing mechanism.

Mayor Ryan opened the public hearing at 8:23p.m. Being no comments, Mayor Ryan closed the public hearing at 8:23 p.m.

Moved by Councilmember King, seconded by Councilmember Bourke, that Com. 15-205, "Adopt the 2016 General Fund Budget," be approved.

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

Motion adopted 5-1.

Aye: 5 - Councilmember Swanson, Councilmember Bourke, Councilmember Herbst, Councilmember Clark and Councilmember King

Nay: 1 - Mayor Ryan

13. OTHER BUSINESS

Councilmember Herbst left the dais at 8:26 p.m.

Councilmember Clark stated a public hearing was held; although there was not a good turnout to the hearing. He stated the hearing did not accomplish what the Council anticipated. He stated this project should be looked at in the spring of 2016 and public input on the project is needed.

Mayor Ryan suggested the workshop be held in March as staff has no new information to share with the residents. Mayor Ryan commented attendees at the public hearing could not hear the discussion. City Manager Arneson replied CDs had been made available to meeting attendees.

Councilmember Clark stated if the project goes through there should be a ready market on the north side of the road.

Mayor Ryan commented he would like to hear from Paxmar. Councilmember Clark replied that the Council discussion is not dependent on Paxmar's position.

City Manager Arneson clarified the discussion is about the utilities north of Main Street. He noted that Paxmar would need to be included in that discussion.

Councilmember Clark replied the conversation is about the utilities in the vicinity.

Councilmember King clarified that the Council needs to have an internal discussion and not a public hearing. Councilmember Clark agreed, stating this would be a workshop discussion so the Council can agree on the process moving forward before any public hearing.

Moved by Councilmember Clark, seconded by Councilmember Bourke, that the Council discuss the Lever Street sanitary sewer project process at a workshop meeting in January or February 2016.

Motion adopted 4-0-1 (Councilmember Herbst abstained).

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

Abstain: 1 - Councilmember Herbst

Councilmember Herbst returned at 8:31 p.m.

Councilmember Swanson requested the budgeting process be reviewed prior to next year as he would prefer to identify City needs instead of focusing on a budget amount.

Councilmember Clark stated he is unsatisfied with using a wish list to start the budgeting process. Council discussion on how and when to start the annual budgeting process.

14. ADJOURNMENT

Moved by Councilmember Herbst, seconded by Councilmember Bourke, to adjourn the meeting at 8:35 p.m.

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