

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL MEETING
Monday, March 16, 2020

7:30 P.M.
Council Chambers
10801 Town Square Drive

CALL TO ORDER BY MAYOR RYAN

The meeting was called to order at 7:30 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mayor Tom Ryan, Councilmembers Andy Garvais, Wes Hovland, Julie Jeppson, Richard Paul, and Jess Robertson.

ABSENT: Councilmember Dick Swanson.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Lori Johnson; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Public Services Manager/Assistant City Manager Bob Therres; City Attorney Patrick Sweeney; City Engineer Dan Schluender; Senior Engineering Technician Jason Sundeen; Communications Technician Roark Haver; and City Clerk Catherine Sorensen.

APPROVAL OF MINUTES

Workshop Meeting – February 10, 2020

Workshop Meeting – February 19, 2020

Regular Meeting – February 19, 2020

Council Retreat Workshop Meeting – February 28, 2020 & February 29, 2020

Closed Workshop Pending Litigation and Union Negotiations Meeting – March 2, 2020

Regular Meeting – March 2, 2020

Workshop Meeting – March 2, 2020

Moved by Councilmember Hovland, seconded by Councilmember Robertson, that the Minutes of Workshop Meeting of February 10, 2020, the Minutes of Workshop Meeting of February 19, 2020, the Minutes of the Regular Meeting of February 19, 2020, the Minutes of Council Retreat Workshop Meeting of February 28 & February 29, 2020, the Minutes of Closed Workshop Pending Litigation and Union Negotiations Meeting of

March 2, 2020, the Minutes of the Regular Meeting of March 2, 2020, the Minutes of Workshop Meeting of March 2, 2020 be approved.

Motion adopted unanimously.

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

COMMUNICATIONS

Councilmember Paul discussed the needs of the local food shelves in the community at this time and encouraged residents to consider making a donation. City Manager Wolfe stated she would contact the local food shelves to see how they were doing and report back to the City Council.

OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:32 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:32 p.m.

ADOPTION OF AGENDA

The agenda was adopted as presented.

APPROVAL OF CONSENT AGENDA

Councilmember Jeppson requested the removal of agenda item 9.3.

Councilmember Hovland requested the removal of agenda item 9.4.

Councilmember Paul requested the removal of agenda item 9.5.

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

9.1 Motion 20-41, Schedule of Bills Paid.

9.2 Motion 20-43, Approve Settlement Agreement and Release of Claims Under Minnesota Statutes Section 299A.465 with Michael Bozell for \$57,500.

9.3 Resolution 20-38, Approve Premises Permit for Lawful Gambling Activity for Spring Lake Park Lions Club at Acapulco Mexican Restaurante, 9360 Baltimore Street NE, Blaine.

9.4 Motion 20-42, Authorize Change Order in the Amount of \$145,269.13 for SCADA System Improvements for Additional Work Performed.

9.5 Resolution 20-39, Authorize Installation of Regulatory Signs.

9.6 Resolution 20-40, Receive Petition and Order Public Hearing for Vacation of Drainage Easement on Lot 1, Block 1, Sunset Pond 2nd Addition, Vacation No. V20-03.

Motion adopted unanimously.

9.3 Resolution 20-38, Approve Premises Permit for Lawful Gambling Activity for Spring Lake Park Lions Club at Acapulco Mexican Restaurante, 9360 Baltimore Street NE, Blaine.

Moved by Councilmember Jeppson, seconded by Councilmember Paul, that Resolution 20-38, “Approve Premises Permit for Lawful Gambling Activity for Spring Lake Park Lions Club at Acapulco Mexican Restaurante, 9360 Baltimore Street NE, Blaine,” be approved.

Councilmember Jeppson requested further information regarding the lawful gambling permit being for the Spring Lake Park Lions Club as it was her understanding the Lions Club would be applying for two lawful gambling permits. City Clerk Sorensen discussed the permit in further detail with the Council and noted the Spring Lake Park Lions Club had decided to only apply for one license at this time and therefore would be at the maximum number of allowed licenses if approved.

Motion adopted unanimously.

9.4 Motion 20-42, Authorize Change Order in the Amount of \$145,269.13 for SCADA System Improvements for Additional Work Performed.

Moved by Mayor Ryan, seconded by Councilmember Hovland, that Motion 20-42, “Authorize Change Order in the Amount of \$145,269.13 for SCADA System Improvements for Additional Work Performed,” be approved.

Public Works Director Haukaas stated this change order would add additional scope to the SCADA System Improvements. He explained when the project was planned the needs of the booster station were not originally understood. He commented further on the proposed work that would be completed on the booster station and recommended approval of the change order.

Councilmember Hovland asked how far the City was in completing its work on the City’s SCADA upgrades. Mr. Haukaas reported this work was 80% complete.

Motion adopted unanimously.

9.5 Resolution 20-39, Authorize Installation of Regulatory Signs.

Moved by Councilmember Garvais, seconded by Councilmember Paul, that Resolution 20-39, “Authorize Installation of Regulatory Signs,” be approved.

Councilmember Paul commented on the proposed sign locations and asked if signs would reach the corner. City Engineer Schluender reviewed the sign maps with the Council and described how the City would be adding signs to this area as new development occurs.

Motion adopted unanimously.

7:30 P.M. - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME**10.1 Resolution 20-41, Vacation of Parcel 14A, City of Blaine Highway Right-of-Way Plat No. 3, Vacation No. V20-01.**

Mr. Schluender stated the City received a petition dated December 26, 2019 from Paul Tucci of Oppidan, representing KAMI, Inc. and Gonzalo Medina, requesting the vacation of right-of-way on Parcel 14A, City of Blaine Highway Right-of-Way Plat No. 3. The property was originally acquired via condemnation from an adjacent property by the City as a remnant associated with the Ulysses Street project. The vacation is necessary as the right-of-way is no longer needed and can be used to create a larger parcel. The applicant represents a majority of the affected property abutting this easement. The Engineering Department has reviewed this request and concurs with the vacation.

Mayor Ryan opened the public hearing at 7:41 p.m.

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

Moved by Councilmember Robertson, seconded by Councilmember Paul, that Resolution 20-41, "Vacation of Parcel 14A, City of Blaine Highway Right-of-Way Plat No. 3," be approved.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

None.

ADMINISTRATION**12.1 Resolution 20-44, Extend the Lease Agreement with Fogerty Arena for Aquatore Park and Authorize Execution of Documents Relating to the Fogerty Arena "The Ice House" Refunding Project.**

Moved by Councilmember Robertson, seconded by Councilmember Jeppson, that Resolution 20-44, "Extend the Lease Agreement with Fogerty Arena for Aquatore Park and Authorize Execution of Documents Relating to the Fogerty Arena "The Ice House" Refunding Project," be approved.

Finance Director Huss stated in 2008, the City approved an amended real property lease with Fogerty Arena, which, among other issues, extended the term of the lease to January 1, 2042. In conjunction with a refinancing of current debt, Fogerty and Village Bank, the underwriter of the refinancing debt issue, are requesting an extension of the lease term to January 1, 2055. City staff has conferred with legal counsel and it has been determined that the extension request is reasonable and necessary to the debt issuance.

Motion adopted unanimously.

12.2 Resolution 20-45, Accept Bid from Northwest Asphalt, Inc. in the Amount of \$1,249,051.28 for the 2020 Clover Leaf Parkway Area Street Reconstructions, Improvement Project No.18-18.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Resolution 20-45, "Accept Bid from Northwest Asphalt, Inc. in the Amount of \$1,249,051.28 for the 2020 Clover Leaf Parkway Area Street Reconstructions," be approved.

Mr. Schluender stated bids were received for the 2020 Clover Leaf Area Street Reconstructions, Project No. 18-18. A total of five bids were received ranging from \$1,249,051.28 to \$1,355,438.80. The engineer's estimate for construction and three lowest bidders were reviewed with the Council. It was noted bids have been checked and tabulated, and it has been determined that Northwest Asphalt, Inc. of Shakopee, Minnesota is the lowest bidder. The Engineering Department has worked with Northwest Asphalt, Inc. on previous contracts. Staff recommends the low bid be accepted and a contract entered into with Northwest Asphalt, Inc.

Mr. Schluender explained the Council is also asked to approve a 10% contingency to bring the total project budget to \$1,373,960.00. The funding sources for this project are assessments, the City Public Utility fund, the City Park improvement fund, and the City Pavement Management Program fund, and there are sufficient funds to cover these costs.

Councilmember Hovland stated this was an important stretch of roadway in the City of Blaine and questioned why park funds were being used for a portion of this project. Mr. Schluender explained the Council authorized the replacement of the parking lot at Sunnyside Park and this was being tied into this project.

Motion adopted unanimously.

12.3 Resolution 20-46, Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for Lever Street Improvements, 125th Avenue to 132nd Avenue Alignment, Improvement Project No. 17-07.

Moved by Councilmember Robertson, seconded by Mayor Ryan, that Resolution 20-46, "Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for Lever Street Improvements, 125th Avenue to 132nd Avenue Alignment," be approved.

Mr. Schluender stated Improvement Project No. 17-07 installed trunk sanitary sewer, trunk water main, sanitary sewer lift station, storm drainage improvements, storm water quality management, Class 5 aggregate base, concrete curb and gutter, concrete sidewalk, bituminous trail, asphalt surface, intersection improvements, signage, striping and related and appurtenant construction. The total costs were reviewed with the Council. The total project cost indicated in the Feasibility Report was \$3,947,400. Staff noted the assessment roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$1,703,409.93. The Public Utility Fund will contribute \$1,220,610.69 for trunk water and trunk sewer improvements. Staff recommended the Public Hearing date be left open at this time.

Councilmember Robertson indicated these were large assessment amounts and anticipated the residents would be vocal at the public hearing.

Councilmember Hovland agreed but stated these were for larger parcels of land. Mr. Schluender reported staff would be holding a worksession with the Council prior to the public hearing to remind the Council of the obligations the City had to address within this improvement project. He stated an appraisal/benefit analysis had been completed for those being assessed.

Motion adopted unanimously.

12.4 Resolution 20-47, Extending the Period of a Mayor-Declared Local Emergency in Response to the COVID-19 Pandemic.

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution 20-47, "Extending the Period of a Mayor-Declared Local Emergency in Response to the COVID-19 Pandemic," be approved.

Ms. Wolfe stated staff is requesting the extension of the declaration of a state of local emergency declared by the Mayor on March 13, 2020, in response to the COVID-19 pandemic and the resulting peacetime state of emergency declared by Governor Walz. Per Article II, Sec. 30-35 of the Blaine Code of Ordinances, any declaration of an emergency in excess of three days must receive the consent of the City Council.

Mayor Ryan reported this was the first time in his 34 years with the City that a declaration of emergency was needed in response to a pandemic.

Motion adopted unanimously.

12.5 Motion 20-44, Proposed Leave Policy in Relation to COVID-19.

Moved by Councilmember Hovland, seconded by Councilmember Jeppson, that Motion 20-44, "Proposed Leave Policy in Relation to COVID-19," be approved.

Ms. Wolfe reviewed a proposed leave policy in relation to COVID-19. Staff's recommendation is based on the CDC guidelines, and addresses the following:

- Efforts to limit the spread of the virus
 - If employees have the security of options to work at home if possible or have paid leave, they are much more likely to stay home if ill, exhibiting symptoms, or have been exposed to the virus
- Ability to continue providing essential services by maximizing the number of healthy employees able to report to work or work from home
- A simplified leave bank approach limits the amount of staff time spent on administering and managing various leave banks and policies during a time of local emergency
- During a very stressful time for employees at home and at work, this approach demonstrates that the employer places high value on the health and wellbeing of our employees and their families

Ms. Wolfe discussed how employees may be working different shifts. She reported the City Attorney and employment/labor attorney have reviewed the policy and recommend approval.

Mayor Ryan stated it was important for Blaine residents to know the City was here to help and that measures were in place to provide continuous services. He anticipated that childcare would be key in the coming weeks and months.

Councilmember Garvais recommended the date within the Resolution be changed to March 17, 2020.

Mayor Ryan indicated this was a good time for residents to remember how important local doctors and nurses were to the community. Ms. Wolfe agreed stating the better we can take care of employees the better the City would be at providing a continuum of services.

Motion adopted unanimously.

OTHER BUSINESS

Councilmember Hovland thanked staff for all of their work during this difficult time and encouraged residents not to hoard items during this time of need.

Mayor Ryan stated he appreciated all of staff's efforts as well.

ADJOURNMENT

Moved by Councilmember Robertson, seconded by Councilmember Garvais, to adjourn the meeting at 8:05 p.m.

Tom Ryan, Mayor

ATTEST:

Catherine Sorensen, CMC, City Clerk
Submitted by Minute Maker Secretarial