

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL WORKSHOP
Monday, October 4, 2021

6:00PM
Council Chambers
10801 Town Square Drive

CALL TO ORDER

The meeting was called to order by Mayor Sanders at 6:00PM.

Finance Director Huss introduced newly hired Deputy Finance Director Ali Bong to the council. The council welcomed Ms. Bong to the city.

ROLL CALL

PRESENT: Mayor Tim Sanders, Councilmembers Wes Hovland, Julie Jeppson (participating remotely pursuant to State Statute 13D.02), Chris Massoglia, Richard Paul, Jess Robertson, and Jason Smith.

Adjunct Member Drew Brown.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe (participating remotely); Community Development Director Erik Thorvig; Community Development Specialist Elizabeth Showalter; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Finance Director Joe Huss; Deputy Finance Director Ali Bong; City Engineer Dan Schluender; City Attorney Chris Nelson; Communications Manager Ben Hayle; Director of Administration Cassandra Tabor; and City Clerk Catherine Sorensen.

3.1 Retail Pet Store Ordinance Discussion.

City Clerk Sorensen stated at the July 12, 2021, workshop Councilmember Smith requested council consider a possible ordinance amendment that would restrict the retail sale of pets in the city. After discussion, consensus was to bring the item forward for council consideration and staff direction. She commented further on the pros and cons of a retail pet store ordinance and requested direction from the council on how to proceed.

Councilmember Smith suggested the council move forward with an outright ban. He explained he did not have any problem with the existing pet shop business in Blaine because they properly cared for the animals. He noted he was mostly concerned with the sourcing and treatment of the animals. He believed the federal and state guidelines were inadequate. He preferred that Blaine not participate in this type of business. He understood that there may be good businesses out there, but he struggled with the ethics of how these animals were treated.

Councilmember Robertson requested further information regarding the checks and balances in place regarding the sale of pets. Safety Services Manager/Police Chief Podany discussed the current guidelines in place and explained the police department strictly responds to complaints observed in the store but the Board of Animal Health was the regulatory agency for breeders from which the pets are sourced. He noted the primary concern surrounding pet stores was how the animals were sourced. He stated he has always received full compliance with the store owners whenever the department has been on site then stated it was not the city's role to regulate where the pets come from. City Attorney Nelson added that the USDA does licensing of breeders but noted he was unaware of the conditions. In addition, the Board of Animal Health licenses commercial breeders in the State of Minnesota. He described how the state defines commercial breeders and discussed the minimum care requirements as noted within state statute.

Councilmember Massoglia asked how the banning of retail pets would look in an ordinance. Mr. Nelson stated he would have to look to other jurisdictions that have taken this step, such as Roseville or Eden Prairie. He commented further on the language within these communities' ordinances.

Councilmember Hovland stated the current retail pet store has been in business for the past 50 years in Blaine and understood had been investigated numerous times over the years with no concerns found. He asked if this business has been open to disclose where they get their pets from. Police Chief Podany explained the business is not required by state statute to provide this information to the city. He reported this was not part of the city's process and he did not ask this information of the pet store owners.

Councilmember Hovland questioned if the city could require disclosure of the pet sourcing. Mr. Nelson indicated this could be part of the licensure model, to a degree. He commented some of that information was required to be kept.

Councilmember Hovland indicated he could support the city proceeding in this manner by creating a licensing process. He did not want to put an ordinance in place that put this business out of business. He stated if there were truly a legitimate reason, based on who the pet store was buying from, or the way they treat their animals, then they should not be in

business. He recommended that the council move forward in this manner versus closing down this business.

Councilmember Robertson asked if Blaine currently had any puppy mills located within the city. Police Chief Podany reported the city had no puppy mills.

Councilmember Robertson commented this was a difficult issue because it was emotional but encouraged the council to look at this issue objectively. She stated she could consider pursuing a ban on pet sales once the current location was no longer in business. She indicated there was no in between on this issue and explained she had a difficult time putting this business owner out of business when they were currently following city ordinance. She stated she could support a hybrid option that would require the business owner to provide the city with sourcing information.

Councilmember Smith agreed he did not want to put anyone out of business. He noted there were many pet stores that do not sell pets and hoped the business owner many more years of success selling pet items and food instead of pets. He explained he was not against this owner but preferred this portion of their business be banned in Blaine.

Councilmember Robertson stated she did not disagree if this was proven to be the case, but noted business owners worked to make a profit. She shared concerns that the city would be targeting one business if an ordinance were brought forward.

Councilmember Paul discussed the options available to the city. He explained other cities have banned the sale of pets. He believed the residents of Blaine were asking for a change and noted the council was elected to address items on behalf of the community. He reported he supported the city moving forward with a full retain pet sale ban.

Councilmember Jeppson encouraged the council to keep in mind that all members supported the city banning the inhumane treatment of pets. She explained the city of Blaine does not support puppy mills. She reported stating this business was running a puppy mill was completely inaccurate and disrespectful. She stated this business has held itself to a very high standard as was expected by the city. She encouraged the city to keep this business accountable, transparent and honest in the work they are doing. She recommended a limit be set on one retail pet sale license in the city of Blaine and when this business ceases to operate all pet sales be banned. She questioned if the city should also be taking into consideration the treatment of other pets, such as lizards and birds.

Councilmember Hovland agreed and recommended language be included in the requirements that the pet store disclose their breeders which would allow the city to complete background checks on the breeders' licenses. He questioned how the city would address the private breeding of dogs or cats. Ms. Sorensen stated this would be viewed as the

private sale of pets versus retail sales and commented further on the city's kennel license requirements.

Councilmember Jeppson explained in order to save staff time, if added restrictions were placed in an ordinance, the burden should be placed on the license holder that they were adhering to city restrictions.

Mayor Sanders stated it does not appear there was enough support for an all out ban but there would be support to adjust the licensing model.

Council consensus was to bring forward a licensing model for consideration.

3.2 Discuss Regulations Related to Accessory Dwelling Units.

Community Development Specialist Showalter stated the council discussed Accessory Dwelling Units (ADUs) at the August 2, 2021 workshop and directed staff to move forward with an ordinance to permit ADUs. Based on the workshop discussion staff has prepared a draft ordinance that establishes standards for ADUs in the single family zoning districts. Attached ADUs would be permitted in all single-family districts with a staff issued administrative permit. Detached ADUs would be allowed in most districts through various mechanisms. The standards for both attached and detached ADUs are outlined in the draft ordinance. If the city council is comfortable with the proposed ordinance, a formal process would occur sometime in late fall through the planning commission and city council. Staff commented further on the proposed regulations and requested feedback on how to proceed.

Councilmember Smith asked if an ADU could be constructed above a garage. Ms. Showalter stated this would be allowed and the square footage would be counted twice.

Councilmember Smith commented he appreciated the language brought forward to the council and recommended the utilities be shared.

Councilmember Hovland discussed how the city had previously allowed larger garages in order to provide residents with adequate storage space. He questioned where people would park if their garages or sheds were now used for living space. He recommended the council look into this matter deeper in order to consider the concerns that may arise with ADUs.

Councilmember Robertson asked if mechanisms were in place if a neighbor were to not support an ADU. Ms. Showalter explained attached units would be permitted without any public process and detached units would require a CUP.

Councilmember Robertson stated she supported the utilities being shared.

Mayor Sanders recommended language be included that would require ADUs to be consistent in color and material with the principal structure.

Councilmember Smith reported residents would only be allowed one accessory structure, whether that be a shed or ADU. He recommended the ordinance take into consideration the addition of an ADU to a detached garage.

Community Development Director Thorvig stated staff did not expect to get a large number of requests for ADUs but noted the proposed ordinance would provide residents with an option.

Councilmember Paul questioned if businesses could operate out of the ADU. Ms. Showalter reported the ordinance does address this concern and noted no customers would be allowed to visit the ADU.

Councilmember Hovland asked how mail would be managed with an ADU and if they would have a separate address on the property. Ms. Showalter discussed the requirements for addressing property.

Councilmember Smith stated he was hesitant to provide ADUs with a separate address given the fact the city was not encouraging rentals and the units would have shared utilities with the principal structure. Ms. Showalter reported this recommendation was made based off of feedback received from emergency responders.

Councilmember Massoglia stated he liked the proposed ordinance and suggested the square footage for farm residential and residential estates be increased to allow them to have a larger ADU.

Council consensus was to direct staff to bring forward a draft ordinance to the planning commission in November with council consideration in December.

3.3 Proposed 2022 Facilities Management Fund Budget.

Mr. Huss stated in 2019, as part of the city's efforts to stabilize its general levy and provide a mechanism for ensuring long-term funding of facilities improvements is in place, the city council authorized the creation of an internal service fund to account for Facilities Management. Internal service funds are used to account for the financing of goods and services provided by one department or activity to other departments or activities of the government on a cost reimbursement basis.

Mr. Huss reported the facilities managed under this fund include city hall and attached garages, Public Works and cold storage facility, the Police training facility, Mary Ann Young Center, and the former Fire Station #5. As activity in this fund was previously accounted for in

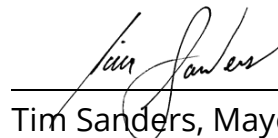
the General Fund, Council authorized a transfer from the General Fund to the Facilities Fund in 2019 to provide the new fund with a start-up balance of \$250,000. This funding provided a contingency reserve for emergency or unforeseen repairs that might be needed before the fund has had sufficient time to build reserves. Staff reviewed the facilities budget in further detail and asked for comments or questions.

Councilmember Smith asked if the charging stations would be for fleet vehicles or for anyone visiting city hall. Mr. Huss explained this was being proposed for fleet vehicles then noted there was no date associated with this improvement.

Councilmember Massoglia questioned what technology upgrades would be made to the training rooms. Public Works Director Haukaas explained the training room for Public Works was installed in 2008 and was still using the original technology and needed to be updated. He noted the proposed enhancements would bring this training room up to date with current technology and the room could serve as a backup emergency operations center.

Councilmember Smith suggested the city budget more money each year for technology enhancements or upgrades.

The Workshop was adjourned at 7:27PM.



Tim Sanders, Mayor

ATTEST:



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