



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: ORD 15-2316, Version: 3

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**PUBLIC HEARING-** *Cathy Sorensen, City Clerk*

### SECOND READING

#### **CHAPTER 12. - MISCELLANEOUS AND TRANSITORY PROVISIONS SEC. 12.06. - VACATION OF STREETS.**

The Charter Commission met on May 12, 2015, to review a proposed ordinance which would amend the City Charter to allow the process of vacation of streets to be completed through resolution instead of ordinance. The Blaine City Charter dictates that vacations are granted by ordinance, and while this mechanism produces the same result the time and cost involved in the process can be prohibitive. Additional benefits to this proposed process are outlined below:

- Vacations are location-specific and would be better recorded by resolution and not codified within the City Charter, which is in effect our local “constitution”.
- Approximately 10 vacation easements are granted per year
  - Considered routine with no issue and usually appear on Consent Agenda after the public hearing
- Streamlines process
  - Reduces time frame from 90-120 days to 30-40 days
- Decreases staff time and costs
  - 1 less Council item created for consideration
  - No need to publish ordinance in official newspaper; recording the resolution is sufficient
- Expedites process for developers
  - Depending on timing a project can be delayed an entire construction season
- Public hearing process would remain unchanged
  - Notice will still appear once in the official newspaper at least 2 weeks before public hearing
  - Notice will be posted
  - Written notice will be sent to affected property owners at least 10 days prior to public hearing
  - Utility companies will receive notice

- Proper recording with Anoka County would remain unchanged

The Charter Commission voted unanimously to recommend that Council adopt the proposed Charter amendment, and as outlined per Minnesota Law a public hearing was published and held on June 4, within one month of receiving the recommendation. State Law also outlines that the City Council must vote on the proposed amendment within one month of the public hearing but due to some absences during that timeframe the process needed to begin again. The Charter Commission met on July 14 and again recommended unanimously that the proposed ordinance be considered; the public hearing notice was published and held on August 6 and continued to August 20. Consideration of adoption is being requested at this time.

Staff recommends Council ask for further public comment, close the public hearing, and vote on the proposed amendment if a full Council is present. Charter Amendment adoption must be unanimous.

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

**Sec. 12.06. - Vacation of streets, alleys, public grounds, public way, easement, or any part thereof.**

The council may by [~~ordinance~~] resolution approved [~~by at least five (5) members of the council~~] as outlined in Minnesota Statutes 412.851 vacate any street, [~~or~~] alley, public ground, public way, easement, or part thereof within the city. Such vacation may be made only after published and written notice and an opportunity for affected property owners and the public to be heard, and upon such further terms and by such procedure as the council by ordinance may prescribe. A notice of completion of such proceedings shall be filed with the proper county officers in accordance with law.

*(Ord. No. 474, 11-20-1975)*

**INTRODUCED AND READ** in full the 6<sup>th</sup> day of August, 2015.

**PASSED** by the City Council of the City of Blaine this 20<sup>th</sup> day of August, 2015.