



City of Blaine

City Council

October 2, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

AGENDA

1. Call to Order by the Mayor

2. Pledge of Allegiance

3. Roll Call

4. Awards - Presentations - Organizational Business

- 4.1.** 2023-332 Proclamation Declaring October as National Domestic Violence Awareness Month
Sponsors: City Council

5. Communications

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

7. Adoption of Agenda

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 8.1.** 2023-467 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

- 8.2.** 2023-457 Approval of Minutes

Sponsors: Cathy Sorensen, City Clerk

8.3. 2023-454 Approve a Temporary On-Sale Intoxicating Liquor License for Giesenbrau Bier Co., for a Special Event at Thorne Bros., 10091 Central Avenue NE
Sponsors: Cathy Sorensen, City Clerk

8.4. 2023-473 Approve a Tobacco and Tobacco Product License for Fleet Farm of Green Bay LLC dba Fleet Farm
Sponsors: Cathy Sorensen, City Clerk

8.5. RES 23-152 Resolution Granting Final Plat Approval for Pheasant Ridge West Third Addition at 3925 Pheasant Ridge Drive NE. (Case File No. 23-0072/SAS)
Sponsors: Sheila Sellman, City Planner

8.6. RES 23-157 Resolution Declaring Surplus Property and Authorizing Sale, Donation, and/or Disposal Thereof
Sponsors: Shawn Smith, Assest Mgmt. Project Coordinator

8.7. 2023-434 Authorize an Amended Professional Services Contract with Barr Engineering Co. for the Water Treatment Plant 1 Underdrain Design and Iron/Manganese Filter Pilot Project, Improvement Project No. 23-21
Sponsors: Nick Fleischhacker, Public Works Director

8.8. 2023-435 Authorize an Amended Professional Services Contract with Barr Engineering Co. for the Water Treatment Plant 2 Preventative Maintenance and Minor Process Improvements Project, Improvement Project No. 23-20
Sponsors: Nick Fleischhacker, Public Works Director

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

9.1. 2023-441 Approve On-Sale and Sunday Intoxicating Liquor Licenses for LGLE Enterprises LLC dba On the Green, Indoor Golf located at 12571 Central Avenue NE
Sponsors: Cathy Sorensen, City Clerk

10. Development Business

10.1. ORD 23-2531 First Reading
Ordinance Granting a Rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) at 8888 Xylite Street NE. Stinson Electric (Case File No. 23-0067/EES)
Sponsors: Sheila Sellman, City Planner

- 10.2.** ORD 23-2530 First Reading
Interim Ordinance Extending the Study Period and Moratorium for the Northtown Area. Ordinance 23-2524. City of Blaine (Case File No. 23-0040/SAS)
Sponsors: Sheila Sellman, City Planner

11. Administration

- 11.1.** 2023-465 Motion to Approve Contract Amendment with TKDA for Professional Engineering Services toward the TH 65 Access Improvements, Improvement Project No. 21-01
Sponsors: Daniel Schluender, Director of Engineering
- 11.2.** RES 23-158 Resolution Accepting a Bid from Municipal Builders, Inc. in the Amount of \$1,073,453.00 for the Water Treatment Plant 2 Preventative Maintenance and Minor Process Improvements, Improvement Project No. 23-20.
Sponsors: Nick Fleischhacker, Public Works Director
- 11.3.** RES 23-140 Resolution Adopting Agenda Format for City Council Meetings Regarding Rules of Order and Procedure and Addendum
Sponsors: Cathy Sorensen, City Clerk

12. Other Business

13. Adjournment



City of Blaine Staff Report

File Number: 2023-332

Agenda Date

October 2, 2023

Status

In Control

City Council

File Type

Proclamation

Awards - Presentations - Organizational Business - City Council

Agenda Item # 4.1

Proclamation Declaring October as National Domestic Violence Awareness Month

Executive Summary

Background

Strategic Plan Relationship

Board/Commission Review

Financial Impact

Public Outreach/Input

Staff Recommendation

Attachment List

1. Proclamation



CITY OF BLAINE, MINNESOTA

PROCLAMATION

DECLARING OCTOBER AS NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, the community problem of domestic violence has become a critical public health and welfare concern in Anoka County; and

WHEREAS, domestic violence is a crime, the commission of which will not be tolerated in Anoka County and perpetrators of said crime are subject to prosecution and conviction in accordance with the law; and

WHEREAS, over thousands of women and children have and will continue to access assistance from Alexandra House, Inc., a domestic violence service provider; and

WHEREAS, domestic violence will be eliminated through community partnerships of concerned individuals and organizations working together to prevent abuse while at the same time effecting social and legal change; and

WHEREAS, October is ***National Domestic Violence Awareness Month***; and

WHEREAS, during ***National Domestic Violence Awareness Month***, Anoka County organizations will inform area residents about domestic violence, its prevalence, consequences and what we, as a concerned community, can do to eliminate its existence.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Blaine hereby proclaims October 2023 to be ***National Domestic Violence Awareness Month*** in the City of Blaine.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Blaine to be affixed this 2nd day of October 2023.

Tim Sanders, Mayor



City of Blaine Staff Report

File Number: 2023-467

Agenda Date

October 2, 2023

Status

In Control

City Council

File Type

Motion

Approval of Consent Agenda: - Jason Zimmerman, Finance Director

Agenda Item # 8.1

Schedule of Bills Paid

Executive Summary

Council is asked to approve the Schedule of Bills Paid.

Background

Per Council policy, approval of Bills Paid is presented for Council approval.

Strategic Plan Relationship

N/A

Board/Commission Review

Not required

Financial Impact

N/A

Public Outreach/Input

N/A

Staff Recommendation

Approve the list as presented.

Attachment List

1. September 15, 2023 Bills Paid
2. September 15, 2023 Subset of Bills Paid

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 10/2/2023 FOR PAYMENTS THE WEEK OF 9/15/2023**

Vendor Name	Description	Amount
ALL APPLIANCE DISPOSAL	Disposal of Electronics	\$ 220.00
ALL SAFE GLOBAL INC	CH fire extinguisher maintenance	\$ 125.51
ALLINA HEALTH	Medical Supplies - Naloxone Supply	\$ 585.36
AMAZON CAPITAL SERVICES	Computer risers, wall hooks	\$ 38.71
AMAZON CAPITAL SERVICES	Otterbox case for cell phone	\$ 54.99
AMAZON CAPITAL SERVICES	Credit	\$ (19.99)
AMAZON CAPITAL SERVICES	iPhone case for Jason Zimmerman	\$ 29.99
AMAZON CAPITAL SERVICES	Cylinder rack/Charger for e-bike	\$ 412.67
AMAZON CAPITAL SERVICES	Picture Frame	\$ 15.34
AMAZON CAPITAL SERVICES	PW Laptop bags	\$ 31.89
AMAZON CAPITAL SERVICES	Lockout Tools for CSOs	\$ 653.85
AMAZON CAPITAL SERVICES	ear plugs	\$ 131.45
AMAZON CAPITAL SERVICES	2024 Calendars/Planners	\$ 106.95
AMAZON CAPITAL SERVICES	2 pack computer stand riser drawer	\$ 27.99
AMAZON CAPITAL SERVICES	Lamp for Erik Thorvig's desk	\$ 16.99
AMAZON CAPITAL SERVICES	MAYC water filter cartridge	\$ 86.98
ANGELES ANNI JOSSELIN LIRA	performance at WorldFest	\$ 400.00
ANOKA COUNTY	2023 Mortgage Recordings	\$ 46.00
ANOKA COUNTY	2023 County Recordings	\$ 46.00
ANOKA COUNTY	2023 County Recordings	\$ 46.00
ANOKA COUNTY	2023 Mortgage Recordings	\$ 92.00
ANOKA COUNTY	2023 County Recordings	\$ 46.00
ANOKA COUNTY	2023 County Recordings	\$ 92.00
ANOKA COUNTY TREASURY DEPARTMENT	2nd Qtr Signal Maintenance	\$ 11,367.18
AT&T MOBILITY	Cell Phones for PD	\$ 7,080.27
AUTO AIR AND ACCESSORIES INC	Evaporator Core for 5221	\$ 1,745.10
AUTOWASH SYSTEMS INC	Car Wash Chemicals	\$ 536.97
BARNUM COMPANIES INC	CH main turn door broken springs	\$ 3,702.90
BARR ENGINEERING COMPANY	WTP #4, Construction Admin	\$ 5,279.32
BARR ENGINEERING COMPANY	WTPs 1-3 Upgrade Project	\$ 1,607.50
BARR ENGINEERING COMPANY	General Engineering Services	\$ 583.00
BCA-CHAU RECORDS	Liquor License Background check	\$ 66.50
BEALKE ROBERT	DJ for Worldfest	\$ 600.00
BILL'S GUN SHOP & RANGE NORTH	Range Fees	\$ 40.00
BILL'S GUN SHOP & RANGE NORTH	Range Fees	\$ 40.00
BILL'S GUN SHOP & RANGE NORTH	Range Fees	\$ 40.00
BILL'S GUN SHOP & RANGE NORTH	Range Fees	\$ 40.00
BLAINE BROTHERS INC	Engine Repair of 1162	\$ 2,808.04
BLUE AND BROWN BACKGROUNDS	Background investigation class	\$ 300.00
BLUE AND BROWN BACKGROUNDS	Background investigation class	\$ 300.00

BOLTON & MENK INC	SW Area Street Reconstruction	\$	21,304.50
BOLTON & MENK INC	89th & Davenport St	\$	38,336.00
BOLTON & MENK INC	Lift Station 1 Force Main	\$	667.00
BOLTON & MENK INC	Sod Replacement Project Services	\$	1,050.00
BOLTON & MENK INC	Ulysses/117th Improve	\$	1,055.50
BOLTON & MENK INC	Ulysses & 117th Ave	\$	16,203.00
BOULDER CONTRACTING LLC	Escrow Refund - 13084 Marmon Ct NE	\$	5,000.00
BOYER TRUCKS - LAUDERDALE	Horn/Support Assy - 1200	\$	227.60
BOYER TRUCKS - LAUDERDALE	Horn/Support Assy - 1200	\$	15.33
BOYER TRUCKS - LAUDERDALE	Horn/Support Assy - 1200	\$	293.40
BOYER TRUCKS - LAUDERDALE	Truck for Engineering	\$	62,015.63
BRAUN INTERTEC CORPORATION	Trail Pavement Assessment Services	\$	417.75
BRAUN INTERTEC CORPORATION	Aquatore Bandshell Inspection & Testing	\$	2,397.40
CAPITAL ONE TRADE CREDIT	Crane Truck parts - Sewer	\$	44.46
CAPITAL ONE TRADE CREDIT	Saw Blades for Water	\$	177.88
CENTURYLINK	Telephone Service	\$	8.39
CENTURYLINK	Telephone Service	\$	86.06
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$	213.70
CITYWIDE SERVICE CORPORATION	Towing fees	\$	443.75
CLEMONS STEVE	Alpacas for WorldFest	\$	300.00
COMCAST	Internet for Public Wi-Fi	\$	164.90
COMCAST	PW Cable TV	\$	21.04
COMCAST	Cable TV	\$	35.97
COMO LUBE & SUPPLIES INC	Disposal fees	\$	548.95
CONFITREK INC	Training software annual fee	\$	7,008.00
COON CREEK WATERSHED DISTRICT	Escrow - Sunrise Park Pond	\$	2,290.00
COURT SURFACES & REPAIR INC	Pickleball Lines at LAC	\$	600.00
COVERT TRACK GROUP INC	GPS service for trackers (Yearly)	\$	1,131.03
DELEGARD TOOL COMPANY	Small tool: Recip saw kit	\$	315.49
DURAND CHRISTOPHER LAWRENCE	Softball Umpire Fees	\$	470.00
ECM PUBLISHERS INC	Advertisement for Bid	\$	112.87
ECOWATER	Permit Refund B23-01454	\$	60.00
ETERNITY HOMES LLC	Escrow Refund - 4915 130th Ct NE	\$	4,900.00
FACTORY MOTOR PARTS COMPANY	Brake Rotors for PW Stock	\$	656.34
FACTORY MOTOR PARTS COMPANY	Antenna for 5275	\$	46.16
FERGUSON WATERWORKS #2518	New Locator - water	\$	972.08
FERGUSON WATERWORKS #2518	Vactor Probe/Locator/Hydrant wrench	\$	895.94
FETTIG BRANDON	Expense report for gas for squad	\$	28.83
FIRE MARSHALS ASSOCIATION OF MN	2023 FMAM Conference - Anttila	\$	165.00
FIRESIDE HEARTH AND HOME	Permit Refund B23-01031	\$	60.00
FLAGSHIP RECREATION	Sunrise Pond Park	\$	182.16
GRAINGER	WTP 1 V-Belts for Water	\$	227.60
GRAINGER	Barbed hose end - 1221	\$	119.64
GS DIRECT INC	Plotter Printhead	\$	245.75
HAWKINS INC	Chlorine Gas Head - Water	\$	2,958.44
HAYLE BENJAMIN	Conference Travel Expenses	\$	60.79
HOLIDAY COMPANIES	Car Washes - PD	\$	545.00

HOLIDAY COMPANIES	Car Washes - Comm. Stds.	\$	15.00
HUDSON JOAN	Park/Rec Refund	\$	250.00
HYDRAULIC SPECIALTY INC	Fittings for chain saws	\$	22.16
INNOVATIVE OFFICE SOLUTIONS	Copy Paper	\$	351.60
INSIGHT PUBLIC SECTOR INC	USB expansion modules for Toughbooks	\$	1,331.20
INSIGHT PUBLIC SECTOR INC	HP Laptops and Docking Stations	\$	1,238.61
INSIGHT PUBLIC SECTOR INC	Cisco Switch Cables	\$	72.82
INSIGHT PUBLIC SECTOR INC	HP Laptops and Docking Stations	\$	211.68
INSIGHT PUBLIC SECTOR INC	HP Laptops and Docking Stations	\$	1,238.61
INSIGHT PUBLIC SECTOR INC	ArcGIS Azure Hosting	\$	1,345.82
JUST-RITE FENCE INC	Fence Repair	\$	1,020.00
KATH FUEL OIL SERVICE COMPANY	Bulk Oil for Fleet	\$	5,471.60
LARSON REGINALD	Boarding Fees for K9 Hector	\$	277.45
LAWSON PRODUCTS INC	Mechanic shop supplies	\$	808.01
LEAGUE OF MN CITIES INSURANCE	Property/Casualty Insurance Premiums	\$	162,540.00
LOWE'S HOME CENTERS INC	Red Mulch for Service Break	\$	28.44
LRS PORTABLES OF MINNESOTA	Satellite Rental - Parks	\$	487.50
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	1,217.00
MARTIN MARIETTA MATERIALS	Patching Material - Parks	\$	74.15
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	1,208.28
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	300.25
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	942.92
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	910.93
MC TOOL & SAFETY SALES	Headset, Hammer, Pipe Wrench	\$	1,208.57
MCCLUSKY WHITNEY	performance at WorldFest	\$	900.00
MENARDS - BLAINE	Patrol general supplies	\$	85.35
MENARDS - BLAINE	Patrol general supplies	\$	6.99
MENARDS - BLAINE	Patrol general supplies	\$	71.90
MENARDS - BLAINE	Patrol general supplies	\$	8.98
MENARDS - BLAINE	Patrol general supplies	\$	16.35
MENARDS - BLAINE	PVC Cap - WTP 1	\$	63.96
MENARDS - BLAINE	Teflon/ball valve for WTP 3	\$	29.92
MENARDS - BLAINE	Mailbox repair	\$	36.98
METRO AREA MANAGEMENT ASSOCIATION	Aug 24 MAMA Session	\$	25.00
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	3,972.00
METROPOLITAN COUNCIL	Discharge Permit Fees - WTP 4	\$	475.00
MICKMAN BROTHERS INC	CH landscape	\$	17,564.16
MINIKUS DAVE	Well Interference Reimbursement	\$	2,084.25
MINNESOTA DEPARTMENT OF HEALTH	STATE WATER TESTING FEE	\$	53,637.39
MINNESOTA VALLEY TESTING LABS #2778	Water testing at Lakeside Park	\$	83.60
MN DEPARTMENT OF LABOR AND INDUSTRY	State operators license	\$	40.00
MN DEPARTMENT OF LABOR AND INDUSTRY	State operators license	\$	200.00
MN DEPARTMENT OF LABOR AND INDUSTRY	State operators license	\$	10.00
MN DEPARTMENT OF LABOR AND INDUSTRY	State operators license	\$	20.00
MN LANDCO/AREP LEXINGTON WATERS LP	Escrow - Lexington Waters	\$	280,000.00
MOREM EMALEE	performance at WorldFest	\$	500.00
MTI DISTRIBUTING INC	Cover/valve for 2389	\$	260.78

MTI DISTRIBUTING INC	Mower Wheels/Clutch/switch	\$	545.44
MTI DISTRIBUTING INC	Mower Wheels/Clutch/switch	\$	1,079.83
MTI DISTRIBUTING INC	Mower Wheels/Clutch/switch	\$	28.50
NARDINI FIRE EQUIPMENT CO INC	Fire monitoring at LAC	\$	353.00
NARDINI FIRE EQUIPMENT CO INC	Credit	\$	(264.78)
NEW LOOK CONTRACTING INC	89th Ave & Davenport Street	\$	1,577,186.58
NORTHERN SANITARY SUPPLY CO INC	PW Hand Soap	\$	252.44
NORTHLAND CAPITAL EQUIPMENT FINANCE	Fitness Equipment Lease	\$	832.43
NRH PLUMBING	Permit Refund B23-04802	\$	60.00
PARK CONSTRUCTION COMPANY	2023 SE Area Street Reconstruction	\$	989,200.91
PEASE STEVE	Softball Umpire Fees	\$	64.00
PERFORMANCE LAWN CARE	Lawn mowing - contracted for violation	\$	130.92
PHANCY FACE PAINTING AND	facepainting and spin art for WorldFest	\$	1,008.00
PHASOR ELECTRIC COMPANY	Traffic Signal Repair; 109/65	\$	260.00
PHASOR ELECTRIC COMPANY	Repair Luminaire; Radisson Rd/35W	\$	200.00
PHASOR ELECTRIC COMPANY	WTP 1; Add Circuit/Receptacle	\$	1,170.00
PIONEER RIM AND WHEEL CO	Brake parts for Trailer 2419	\$	539.18
PRINT CENTRAL	Business Cards - Grode	\$	39.00
RICHARD ALAN PRODUCTIONS	Entertainment-Harvest Dinner/MAYC	\$	250.00
SCHMOLKE THOMAS	B2 Commercial Building Inspector Test	\$	290.00
SEABASS PLUMBING	Permit Refund B23-03418	\$	201.00
SHRED-IT C/O STERICYCLE INC	July/August shred	\$	170.16
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	25.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	100.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	100.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	100.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	25.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	100.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	100.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	25.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	25.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	100.00
STATE OF MINNESOTA	Hazardous Chemical Fees - Water	\$	100.00
STEWART PLUMBING INC	Permit Refund B23-02129	\$	200.00
STREICHER'S	.380 ammo	\$	648.00
STREICHER'S	Sim rounds	\$	1,984.50
STREICHER'S	Clipboards, Duty Bags	\$	1,049.75
STREICHER'S	Safety Glasses	\$	59.80
SUBURBAN TIRE WHOLESALE INC	Tires for 5324	\$	600.00
SUBURBAN TIRE WHOLESALE INC	Tires for PD 5029	\$	473.04
TACTILOGIX LLC	Shatterball and Magnetic Mounts	\$	1,445.00
THORSTAD ANNA	Park/Rec Refund	\$	94.00
TRANS UNION LLC	Credit Reports-Employee background	\$	111.36
US BANK	Fiscal Agent Fees - Bond 2016A	\$	500.00
VANG MICKIE	performance at WorldFest	\$	1,200.00
WATER DOCTORS WATER TREATMENT CO	Permit Refund B23-00047	\$	60.00
WATERMARK TITLE AGENCY	Special Assessment Overpayment	\$	38.36

WEATHERSPOON IRA KENNETH	performance at WorldFest	\$	800.00
WHITE CAP LP	Crack Sealer supplies	\$	1,313.50
WITHROW MATTHEW	Steel Toe Boot Reimbursement	\$	200.00
WOLFF ROBERT	VMware Conference Expenses	\$	1,323.43
WSB & ASSOCIATES INC	Hidden Oaks Area Reconstruction	\$	561.00
WSB & ASSOCIATES INC	99th Ave/Baltimore St Roundabout	\$	481.00
WSB & ASSOCIATES INC	Sod Replacement Project	\$	6,907.50
WSB & ASSOCIATES INC	Professional Design & Construction	\$	15,510.60
YELLOW DOG UPHOLSTERY	Seat Repair #1239	\$	300.00
		\$	3,367,425.45

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 10/2/2023 FOR PAYMENTS THE WEEK OF 9/15/2023**

Vendor Name	Description	Amount
BOLTON & MENK INC	SW Area Street Reconstruction	\$ 21,304.50
BOLTON & MENK INC	89th & Davenport St	\$ 38,336.00



City of Blaine Staff Report

File Number: 2023-457

Agenda Date

October 2, 2023

Status

In Control

City Council

File Type

Motion

Approval of Consent Agenda: - Cathy Sorensen, City Clerk

Agenda Item # 8.2

Approval of Minutes

Executive Summary

Background

Strategic Plan Relationship

Board/Commission Review

Financial Impact

Public Outreach/Input

Staff Recommendation

Attachment List

1. August 14, 2023 City Council Workshop Minutes
2. August 21, 2023 City Council Workshop Minutes
3. August 21, 2023 City Council Minutes
4. August 31, 2023 Special Meeting Minutes

5. September 6, 2023 City Council Workshop Minutes
6. September 6, 2023 City Council Minutes
7. September 11, 2023 City Council Workshop Minutes
8. September 18, 2023 City Council Workshop Minutes
9. September 18, 2023 City Council Minutes
10. September 25, 2023, City Council Budget Workshop Minutes



City of Blaine

City Council Workshop

August 14, 2023 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order at 5:30 PM by Mayor Sanders followed by Roll Call.

PRESENT: Mayor Tim Sanders, Councilmember Tom Newland, Councilmember Lori Saroya, Councilmember Jess Robertson, Councilmember Terra Fleming, Councilmember Chris Massoglia, Councilmember Leslie Larson

ABSENT: None.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Communications Manager Ben Hayle; Utility Billing Supervisor Kyle Howard; Finance Analyst Jenna Trittin; Public Works Director Nick Fleischhacker; and City Clerk Catherine Sorensen

2. New Business

- 2.1.** 2023-369 Request for Future Workshop Agenda Item: Consideration of Car Wash Moratorium
Sponsors: Michelle Wolfe, City Manager

City Manager Wolfe stated Councilmember Saroya has requested council consider a moratorium on car washes to allow further study on where and how many should be constructed in Blaine. Blaine has several major redevelopment projects, such as Northtown and 105th, and Councilmember Saroya would like to make sure the city is looking at the big picture and making strategic decisions on how the city will look in the future.

Councilmember Saroya supported the council discussing a moratorium on car washes given the number of car washes that have been coming before the council, especially in Ward 1.

She stated she wanted the council to look at the big picture and be strategic when considering these requests. With the new Silverstar carwash in a prime location, one of the first things visitors to Blaine will see when they enter Blaine is a car wash. Car washes take up a lot of acreage, something that Blaine is already limited on. There have also been concerns from residents around noise and traffic involving car wash projects very close to their homes.

Community Development Director Thorvig commented on how a moratorium would be a preemptive action taken by the council that would allow staff to study car washes and how to address the zoning code. He noted if there was support for the moratorium, he would suggest this item come to the council on August 21. He stated the quicker the council could take action on a moratorium the better. He indicated there was a developer that was planning to bring a concept plan with mini storage and a car wash in the Northtown area to the council in September.

Councilmember Newland stated he was not supportive of implementing moratoriums and supported market demand regulating businesses in the community. He indicated he would not support a moratorium moving forward.

Councilmember Larson asked how long the moratorium would be in place. Mr. Thorvig stated the moratorium would be in place for six months to allow for the study and could be extended for up to a year if the time was needed by staff.

Councilmember Robertson indicated she did not support targeted moratoriums either but did not want to see as many car washes constructed either. She understood that a moratorium was put in place to further study storage units, but in this case she did not support a moratorium. She believed the city had more control through zoning and land use than with a moratorium.

Councilmember Fleming agreed the council should look at the zoning.

Councilmember Massoglia supported looking further at the zoning as well. Mr. Thorvig explained the moratorium would allow staff time to review city code regarding car washes without the pressure of further applications.

Councilmember Larson indicated she supported the moratorium going forward.

Council consensus was to schedule formal consideration of a moratorium surrounding car washes for the August 21 regular city council meeting for first reading.

2.2. 2023-371 Radisson Road and 109th Avenue Corridor Intersections Study
Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated Anoka County and their consulting engineering firm, Short, Elliot, Hendrickson (SEH), will provide an update on the study of the intersections on Radisson Road from 105th Avenue to Cloud Drive and 109th Avenue from Tournament Players Parkway to Town Square Drive. The update will include the public comments that have been received to date on these corridors through the public engagement process and where they are at in the study timeline.

Jack Forslund, Anoka County, introduced himself to the council and noted Erin Jordan with SEH would be presenting further information regarding the intersection study for Radisson Road and 109th Avenue.

Erin Jordan, SEH, presented an update to the council regarding engagement rounds held with Blaine residents and input received regarding the intersections study for Radisson Road and 109th Avenue. She explained the study includes 11 total intersections. She indicated Cloud Drive was a brand new signal on Radisson Road and noted the Blaine Master Plan has been absorbed into this study. She commented on the four main goals for the corridor study which were to maximize overall safety, management access, improve operations for future demand, and maintain and improve corridor facilities for all transportation modes. She reported they were currently conducting the second round of public engagement then reviewed feedback received along with the preliminary concept plans for the corridor. She commented further on the proposed roundabout at Radisson Road and Tournament Players Parkway. She understood people were invested in this area and were providing great comments to assist in improving safety. The pedestrian/bicycle options for the corridor were further discussed. She encouraged the council to complete the corridor survey and noted she was available for comments or questions.

Councilmember Massoglia asked how work on this corridor was being coordinated with the TH65 improvements. Mr. Schluender explained this study would prioritize these intersections and not all of the work on this corridor would be implemented prior to work beginning on TH65. Mr. Forslund discussed how this study would assist the county in pursuing grant or federal safety funding for the proposed corridor improvements. He stated he understood the timing of these intersection improvements would be critical given the fact this corridor ran parallel with TH65.

Mayor Sanders thanked Ms. Jordan for the detailed presentation.

2.3. 2023-367 Utilities Enterprise Funds and Rate Study
Sponsors: Alison Bong, Deputy Finance Director

Finance Analyst Jenna Tritten stated enterprise funds account for public services which the city provides to residents and commercial properties. The city operates four enterprise funds: water, sanitary sewer, garbage and recycling, and stormwater. The water, sanitary sewer, and stormwater funds will be discussed in this item. Enterprise funds operate by charging user fees for services provided by the city. In return, the city provides clean drinking water, sewage collection and treatment, and stormwater management. These fees are used to cover the costs associated with the fund. Enterprise funds operate independently of each other. Fees collected from these services should cover the enterprise's total cost, including all operations, maintenance, capital outlay, and debt payments. To ensure the city collects enough fees to cover each utility's costs, it is recommended and good practice was to evaluate the fees charged yearly and conduct a rate study every five years. The last rate study the city contracted for was conducted in 2018, and this rate study only focused on water utility rates. In 2022, the city contracted with Baker Tilly to perform a rate study for the water, sanitary sewer, and stormwater funds.

Ms. Tritten explained the city has grown significantly over the past few decades and continues toward full development. In kind, the utility systems' infrastructure has expanded to match the current needs of the city. As our enterprise infrastructure systems age, the city must maintain and replace them accordingly. This requires shifting the focus from development to asset preservation and sustainability. This is accomplished through ongoing maintenance and replacement projects. Failure to maintain these assets increases the city's risk of asset failure or impact on the quality of service. This shift of focus will require more capital outlay expenditures and a greater focus on long-range planning in the city's budget process. Past discussion indicated that the council supports a standard service level that provides fully treated water for normal consumption periods and very low rates of untreated water (10-25% max) on the highest consumption days as the city continues to grow. She reviewed the utility rates currently being charged by the city and noted Baker Tilly had representatives in attendance to review the findings from the rate study.

Doug Green and Matt Stark, Baker Tilly, provided the council with a presentation on the water, sewer and stormwater enterprise funds along with the findings from the rate study. The proposed rate increases were discussed, along with the major capital projects proposed for each utility.

Councilmember Massoglia asked what other funding mechanisms could be utilized, other than rate increases, to assist with covering the expense of future infrastructure improvements. Ms. Wolfe explained the strategic priorities fund would be an option. She noted ARPA dollars had also been set aside for several projects. She reported smaller cities can apply for grants. These were not always available to larger cities, but staff could look into this further. She indicated staff could look at spreading these projects out further in order to lessen the impact on utility rates along with the need to borrow.

Councilmember Newland questioned if the city's utility rates would remain on the low end going forward, when compared to neighboring cities. Ms. Tritten explained even at the highest proposed utility rates, Blaine would not be at the top of the list. Mr. Green commented on how all cities would have to approve minor increases over time in order to cover rising costs. Ms. Wolfe reported all cities would have the same inflationary pressures as Blaine, along with rising costs for chemicals and from the Metropolitan Council.

Councilmember Newland inquired if the city was to the point where residential properties should be billed every other month versus quarterly. He asked if commercial properties were using a great deal more water than residential properties. Public Works Director Nick Fleischhacker reported there were only a few businesses in Blaine that used large amounts of water. However, there was a certain portion of residents who watered their lawns heavily during the summer.

Councilmember Newland questioned if commercial properties paid different rates for water and sewer than residential properties. Mr. Fleischhacker reported businesses are paying the same rate for water and a different rate (flat rate) for sewer.

Councilmember Massoglia asked if this study considered a tiered rate structure for utility rates. Mr. Stark stated Blaine had a tiered rate system in place.

Councilmember Larson inquired if car washes had water limitations during the summer

months. Mayor Sanders stated it was his understanding newer car washes had the ability to recycle a large portion of their water.

Council directed staff to bring this item back for discussion on October 9, 2023 to allow for further review of budgets and capital programs.

2.4. 2023-363 2024-2028 Transportation Capital Improvement Program (CIP)
Sponsors: Alison Bong, Deputy Finance Director, Daniel Schluender, Director of Engineering

Ms. Tritten and Mr. Schluender provided the council with a presentation on the Transportation Capital Improvement Program. It was noted Public Works and Engineering staff have collaborated with the Finance Department to prepare the five year Transportation Capital Improvement Program (CIP) for 2024-2028. The transportation program covers road preservation, road construction, and traffic signal preservation. The program is vetted annually by staff and projects are programmed based on staff expertise, data including current pavement conditions, and council guidance. Projects in the out-years (2025-2028) may be delayed, accelerated, moved forward in priority based on regular budget and program discussions, emergent conditions, and other factors including economic pressures. Staff reviewed the 2024 through 2028 transportation CIP in further detail with the council and asked for feedback.

Councilmember Massoglia asked staff what the plans were for Ulysses Street and 117th Avenue. Mr. Schluender stated this project was approved within the 2023 budget and would be constructed in 2024.

Councilmember Newland asked if the frontage road at TH65 and 99th Avenue was closing on Monday. Mr. Schluender reported this was the case, noting a roundabout was being installed. He stated this would be a 12-13-week project.

Council generally supported the CIP program as presented. It was noted the Transportation CIP will be placed on the October 16 city council agenda.

2.5. 2023-372 Trunk Highway 65 Update
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender provided the council with an update on the TH65 project, including status of funding, public outreach, project design, project delivery, and schedule. It was noted the project was fully funded at \$195 million. He stated a \$4 million earmark had been requested and staff would be provided an update on this request in September. He noted the estimate for this project was based on a 30% plan. He reported construction would begin on this project in 2025 or 2026 once design plans and right of way acquisitions were complete. It was noted MNDOT would be taking over the design work for this project.

Mayor Sanders asked if the city could begin working on the west side service road. Mr. Schluender stated the first step in this project would be to begin acquiring right of way.

Councilmember Robertson thanked staff for the update on this project. She stated she understood a number of the funding mechanisms were tied to specific portions of the project. Mr. Schluender reported this was the case, noting some dollars were only to be used for bridges or specific portions of the project.

Councilmember Robertson requested staff update the city's website with regard to how the project schedule and timeline has changed.

Councilmember Newland asked how long this project would take to complete. Mr. Schluender estimated the project would take three years to complete (2026-2028).

Councilmember Saroya questioned if staff has communicated with businesses on how this project would impact them. Mr. Schluender commented there were two issues that could impact businesses along TH65 which were right of way takings and the change in access. He stated the city would be holding public engagement meetings in September, which included an open house. He stated projects of this size look to engage a public relations group to work with the businesses throughout the entire project.

Mayor Sanders thanked staff for their efforts on this project.

2.6. 2023-274 Rules of Order and Procedure
Sponsors: Cathy Sorensen, City Clerk

Ms. Wolfe explained this item originally came to the council in April. She stated the original changes originated out of the implementation of the new agenda process and from questions that arose out of the orientation process. Since that time, there has been additional comments and questions. She indicated staff has worked exhaustively on this item and has attempted to provide information to support this discussion. She hoped the governance presentation from last week would assist with this discussion. She reported staff investigated how other cities address agenda items and noted there were a wide variety of practices and procedures. She stated the main concern for this council to consider was how they wanted to conduct business moving forward. She urged the council to consider the city charter, state statute, customs and past practices, Roberts Rules or Order and the City's mission statement. She encouraged the council to consider the problem that was trying to be solved because then staff could begin working with the council to achieve the right outcome. She stated Blaine was a top 10 city that would continue to grow and the items before the council would continue to be numerous. It was her hope the council could move forward and find a solution for the rules of order and procedure.

City Clerk Cathy Sorensen stated with implementation of CivicClerk and continued efforts toward meeting efficiency and public transparency, staff had recommended updates to the rules of order and procedure annually adopted by council. At the April 25 workshop, council began review of the proposed amendments along with the council code of conduct and requested both topics be brought back for further discussion. Due to time constraints, staff would be bringing forward potential amendments to the code of conduct, (which was adopted December 2022), to a future workshop. In researching meeting minutes and

resolutions, council rules of order and procedure have changed over time, beginning in 1976. The last resolution for order and procedure was adopted in 1999 and included an addendum that is reviewed by council for amendments and adopted at the first business meeting of each year. Over the years, the addendum (rules of order) changed often. The most recent version was reviewed by staff. Going forward, staff is suggesting a full new resolution is adopted instead to provide clearer history for current and future councils and to recognize and identify how processes have evolved over time as councils and city managers have changed over time. In addition, council annually adopts a resolution affirming council/staff responsibilities. This annual resolution affirming the work of both council and staff began in 1986 and directed that each year it be presented as the first order of business to pledge that our sole purpose is to serve the public interest. At the May 21, 2021 retreat, council discussed the topic "Council Requests for Agenda Items". The result of that discussion was the creation of the current practice for council-directed items. Staff commented further on a short summary of proposed changes to the rules of order and procedure and requested feedback from the council.

Councilmember Massoglia asked why adoption of the agenda was recommended to be included when formally adopting the agenda was something the council should have been doing all along. Ms. Sorensen stated while included on the agenda past practice had resulted in not formally adopting the agenda and was being recommended for inclusion again.

Councilmember Massoglia questioned why this was taken off the rules and procedures in 2021 and was now being added. Ms. Sorensen indicated she did not recall the action being formally removed and was recommending more text be added to the addendum regarding agenda adoption.

Councilmember Massoglia recalled that Mayor Sanders took this item off the agenda in 2021.

Mayor Sanders stated approval of the agenda has remained on the agenda since 2021 but it was his understanding this was an informal item. He explained he had spoken to former Mayor Tom Ryan about matter and was told action was only taken on this item very rarely. He stated he would be fine adding this language back in and taking formal action at each meeting to adopt the agenda.

Councilmember Saroya noted the city council follows Roberts Rules of Order and was concerned with changes only being presented by the city manager and then discussed and approved by the governing body.

Mayor Sanders reported this has to do with the hierarchy of motions and asked for city attorney input. City Attorney Tom Loonan stated Roberts Rules of Order does set a specific procedure for agenda approvals. He stated that under state statute and city charter both specifically delegate the council's ability to determine how meetings are conducted which supersedes Roberts Rules of Order. He explained under Roberts Rules of Order there are procedures defined but does not make requirements on how agendas are set. He stated the body could choose to have an item on the agenda to adopt the agenda or the body could choose not to. He reported he was uncertain with how things were done prior to 2021, but staff was seeking clarity about what these rules should be going forward.

Mayor Sanders explained through the city charter, Blaine was created as a city manager led form of government.

Councilmember Fleming questioned what the original document looked like and what language has been changed. Ms. Sorensen reviewed the staff recommended language.

Councilmember Massoglia explained in 2020, the council adopted the amended rules removing adoption of agenda.

Ms. Wolfe reported the proposed language was staff's attempt to address questions from Council and was not based on past practice. She noted this new language was attempting to balance the requests of the council.

Councilmember Newland stated what he is hearing is that between the city clerk, city manager and city attorney, their expertise is far greater in this area than any of the councils and indicated he fully supported the recommendation from staff. He explained he would rather adopt this entire document than adopting only portions. He noted the council would have the flexibility to make changes to this document going forward.

Councilmember Larson reviewed the former language noting it states "this is the proper time for the mayor or councilmembers to add, delete or change the agenda" and why the previous language referred to proper time. She indicated the current language states changes should only be brought up in extreme necessity. Ms. Sorensen stated this was the recommendation of staff based on the need for public transparency and open meeting law requirements. Staff was suggesting items not be added to an agenda the night of meeting, unless out of extreme necessity. Mr. Loonan commented on procedural requirements per city charter for ordinances and resolutions.

Mayor Sanders commented on how the city of Blaine was transitioning from a small city to the 9th largest city in the state of Minnesota and his desire to have the council be very reliable in its processes and procedures.

Ms. Wolfe indicated she was really struggling with this issue and noted staff has one goal, which is clarity moving forward. She reported staff was making its best recommendation on how to move forward based on its knowledge and the volume of work that was coming in. She stated it feels like there is a lack of trust in staff which was incredibly distressing. She hoped the council could find something that works that the body could move forward with. She commented on how agendas were at times handled more informally in years past and staff would like clarity on this procedure.

Mayor Sanders discussed how meeting processes had changed during COVID in 2020 and 2021. He noted there were a lot of shifts and changes, and the city was already in a transitional period by having a new mayor and new city manager.

Councilmember Massoglia stated he was on the council when this language was removed and he didn't think much of it because he was told during orientation that councilmembers could email the city manager and have something added to an agenda, by a certain time and day. He supported the council adopting the agenda and allowing any councilmember or

the mayor to add or delete an item from the agenda. He anticipated this policy wouldn't be needed if two councilmembers could email an item to the city manager for the agenda going forward. He recommended the super majority language be deleted regarding suspension of rules to add items.

Mayor Sanders commented he believed this conflicted with open meeting law, public notice and public transparency. He was of the opinion the council had a practice that was working and items should come to workshop prior to being placed on a council meeting agenda for formal consideration. He believed it was the council's job to bring the public with them. He explained the council was a legislative body and the council needed to be deliberate and think through things. He indicated the council had walked through some embarrassing situations when trying to do things quickly and fixes were later needed. He reported any member of the council can bring an item forward to a workshop, which is like a committee process and allows staff time to present information. He supported the council having real information presented with public participation prior to making sound decisions on items. He believed process mattered and was willing to invest the time that this takes in order to have good public policy. He wanted the council to be reliable and consistent.

Councilmember Robertson stated she supported the recommended language from staff and that it required a super majority. She explained when she received her orientation prior to City Manager Wolfe being hired she was told only the mayor or city manager could add items to the agenda. She commented on how she wants the council to do their jobs well but this could only be done by having strong staff support. In addition, she wanted the council to have a good working relationship with staff. She did not believe there was an undertone that the council did not trust staff. She supported the council doing better to ensure staff does not feel this way, even when they have to provide the council with information they do not want to hear. She hoped the council could come together and bring its strength to the residents of Blaine. She explained she wanted councilmembers to bring their ideas forward and have items discussed at workshop before moving forward to a city council meeting. She stated she did not want to see further erosion and mistrust between staff and council.

Councilmember Fleming discussed what she has experienced in the last seven months. She believed the same procedure should continue as she supported the council having longer discussions at workshop meetings before items move onto a city council agenda and was of the opinion the current process worked. She asked why a supermajority was required to place an item on the agenda versus a simple majority. Mr. Loonan stated under Roberts Rules of Order a supermajority is required to suspend the rules.

Councilmember Saroya stated she was confused with how the council could bring items to meetings. She supported the council being able to place an item on the agenda with a supermajority vote as this would allow for council discussion. She explained each member on the council had an equal vote and did not believe it always felt this way. She feared there were hurdles in place and not all councilmembers had the same access to information and opportunities. She commented further on the lengthy process that must be followed in order to get an item on the agenda which was a disservice to the community and questioned why workshop meetings were not recorded and open to the public. She stated she didn't mind having a debate on some items in front of the public and wanted to show more inclusion and openness at the council level.

Mayor Sanders reported workshop meetings are recorded and open to the public. Ms. Sorensen confirmed workshop meetings were audio recorded and regular meetings were video recorded but the public record for all meetings are the minutes and there was no requirement to record meetings.

Mayor Sanders stated the council has continued holding workshop meetings in the same manner as Mayor Ryan and Mayor Tinklenberg. He noted workshop meetings were used as a committee or work session to allow the council to do its work. He reiterated that the public is able to attend these meetings, along with developers. He stated he did not believe it was a fair characterization to state staff was not available for all members of the council.

Councilmember Saroya explained she was concerned about her level of access to staff and frustrated that new councilmembers were not appointed to serve on any committees or commissions. She indicated the councilmembers who serve on these committees should be reporting back to the council.

Councilmember Larson stated she did not like the supermajority requirement then questioned what the fear seemed to be, adding she followed the proper procedure regarding adding the 114th Avenue barricade issue to an agenda.

Councilmember Robertson said she feared that work culture was being eroded and staff no longer knew what to expect from the council. She stated, based on City Manager Wolfe's comments, staff feels trust has been broken and this could not happen. She discussed how she valued structure and explained she supported the council being able to discuss items more freely and informally at workshop meetings.

Councilmember Larson explained she did not see a concern because items were not being brought forward under Other Business for council consideration.

Mayor Sanders indicated the council was trying to establish a process that all members understood and followed. He did not believe it was good policy to have two councilmembers placing an item on an agenda for discussion and supported having a process that was predictable for new items. He stated he wanted to provide as much transparency and consistency as possible for the public before items were placed on an agenda then commented further on how the legislature addressed matters in a reliable and consistent matter.

Councilmember Massoglia stated this body was a council and not the state legislature. He explained the vast majority of Minnesota cities require only two councilmembers to place an item on a council agenda and for timeliness there was great benefit to this. He discussed how the Mayor's process requires more staff time and creates a lengthier timeline for approval. He commented on how the city's wards were set up and stated it may be difficult to have discussions on items that were important to a specific ward if an item did not receive support from four members of the council.

Ms. Sorensen reviewed the ways in which the council could add an item to an agenda. She explained staff is recommending this to allow sufficient time in order to provide the best information and recommendation to the council prior to the council taking formal action. She commented on how staff wanted to ensure they were working on behalf of the entire

council through council consensus.

Mr. Loonan emphasized the second bullet point, noting if an item was important to two councilmembers, this would allow two councilmembers to bring an item forward at a regular meeting under Other Business. He stated whether or not staff resources should be allocated to this item would be determined by the entire council.

Councilmember Fleming stated she would not want something to come up in chambers that she had to vote on that night as she needed time for due diligence and prepare for meetings before voting properly.

Councilmember Massoglia asked if this would still apply to a matter such as the pet store ordinance. Councilmember Fleming noted without four people supporting the matter, the topic would not be brought forward which would show how the council felt about a particular topic.

Councilmember Saroya indicated she would be happy to bring the humane pet store ordinance forward so the item could receive a vote. She commented on the amount of research she was doing for the humane pet store ordinance and how she wanted this item to be properly presented to council in order to gain support at a workshop meeting. She believed there were too many hurdles in place currently for items to be considered by the council.

Ms. Wolfe commented on the time that was involved in the proposed process and stated she understood a certain amount of time was involved in order to allow staff to complete the necessary work to prepare for meetings. She noted there was a lot of business before this council and that it was extremely challenging to set the council's schedule given the volume of work. She discussed how making decisions on the fly can cause additional concerns for staff and council if not all areas of city code and zoning code were properly investigated.

Councilmember Larson stated she would like the council to discuss a cannabis moratorium. Ms. Wolfe stated this item was being brought forward for council consideration.

Mayor Sanders encouraged the council to think through the lens of governing philosophy. He supported the council following the same rules for each item and with each applicant in order to build consensus. He understood this can be a messy process but the council had to find the best process to follow for Blaine residents and businesses.

Councilmember Massoglia stated he wanted wards to be able to bring items to the council for consideration without needing the support of four councilmembers. He believed this was a right each councilmember should have without having to go to a workshop meeting. Mayor Sanders commented he appreciated the input but noted part of bringing items forward was building consensus. He discussed how placing an item on an agenda and forcing a vote was not building consensus.

Councilmember Massoglia indicated he would continue to advocate for the council being able to bring items forward on a council agenda and hoped the council would not be afraid to have tough conversations in the council chambers.

Mayor Sanders questioned how the council could have good conversations without proper information and recommendations from staff. Mr. Loonan commented further on the processes and procedures that have to be followed for resolutions, ordinances and moratoriums. He stated in many cases, the council would not be able to bring an item for formal action without further action being required from staff.

Councilmember Fleming urged the council to not consider that only their items were important. She commented on the number of items that are brought to staff each month and the staff time that was required to investigate these items prior to bringing them forward for council consideration. She encouraged the council to be mindful of the process that has to be followed.

Councilmember Massoglia indicated he did not support putting something on the city manager but supported the city council setting policy. He did not like the fact the council could not add something to an agenda and have it be discussed and voted on. He believed this was a basic right for councilmembers.

Mayor Sanders commented on how the volume of work for the council was not going away and if the council continued to add items to agendas, other items would be postponed. He explained Blaine was still growing and there were a large number of items on each agenda that, by law, the council has to take action on. He supported the council having a governing policy in place on how to move things forward.

Councilmember Fleming stated she did not want to be called on to make votes without proper information as she believed this would be a disservice to residents.

Councilmember Newland supported following the lead of the city attorney, city clerk and the city manager. He noted the council believes everything is fine, but it clearly is not. He suggested the council embrace the recommendation from staff and noted this matter could be revisited in January as part of the annual adoption of rules and procedure.

Ms. Wolfe commented on the orientation information that was presented to the council with respect to how items are placed on the agenda. She stated it was her understanding councilmembers could not email or call making this request. She explained after reviewing addendums with the city clerk she concluded that the information has been inconsistent over the years as far as what was in writing. She indicated she was starting to receive emails from councilmembers requesting items be escalated in the schedule and that this was becoming unmanageable. She reported she wanted the council to have a policy in place that would establish how items move through the process with majority support.

Ms. Sorensen further reviewed the presentation on the Rules of Order and Procedure and spoke to how public comment is conducted.

Councilmember Saroya supported the city being open to public comment as she believed residents could be able to speak at any time during a meeting. She did not want to see a disparity when it comes to public speaking. She understood applicants were allowed to speak at meetings but those opposed to a request may not and believed this was unfair. In addition, she supported the public being able to speak at workshop meetings.

Councilmember Larson stated she was opposed to changing the public comment process. She commented on her experience at school board meetings and noted she was very frustrated that she was not being heard. She asked that the council allow the public to speak. Ms. Wolfe explained staff was not proposing any changes except for a public comment card, which would assist staff with responding to public comments and questions.

Mayor Sanders reported the city follows the Minnesota Mayor's and League of Minnesota Cities recommendations when it comes to public comment. He stated the charge at city council meetings was to conduct the business of the city. He commented on the other manners in which the public can engage with city council. He supported members of the public speaking during open forum in a timely manner, and recommended residents in attendance that wish to speak at a public hearing speak at the public hearing and not under public comment.

Councilmember Saroya reiterated that she does not support this policy. She supported the public being able to speak to the council regardless of the circumstances and supported the public being able to speak on development business items if they had a concern.

Councilmember Robertson explained she had a large number of residents calling or emailing her to speak with her about agenda items. She indicated not all residents want to get up and speak at a meeting in order to have their voices heard.

Council consensus was to eliminate the words "or on items that have previously had a public hearing" from Public Comment.

Ms. Sorensen commented on the proposed changes for the consent agenda and asked for feedback from the council.

Councilmember Robertson and Councilmember Newland supported the changes.

Councilmember Massoglia indicated he did not support CUPs being placed on the consent agenda. Mr. Thorvig stated if the council had benign items that received unanimous support from the planning commission and no public objection, staff was recommending they be placed on the consent agenda for meeting efficiency. He noted this would assist with reducing staff presentation time and overall meeting time. He reiterated the council could always remove an item from the consent agenda for further discussion.

Councilmember Saroya stated the perception of this change could be a concern and would be hesitant to place CUPs on the consent agenda.

Councilmember Fleming did not support this change either.

Mayor Sanders explained staff was asking for this change in order to assist in reducing workload. He reported conditional uses were allowed, the council was simply considering the conditions that should be put in place. He anticipated the council could have to have a deeper conversation about this matter in the future.

Ms. Sorensen noted a staff report is prepared for each consent agenda item and that

council can always contact staff prior to a meeting with any clarifying questions they may have on a consent agenda item prior to or during a council meeting.

Councilmember Saroya believed it was too subjective to put some CUPs (those without objection) on the consent agenda and others not then indicated she would remove all CUPs from the consent agenda for further consideration if adopted. She believed it was more transparent to have CUPs and variances considered under Development Business.

Council consensus was to only place final plats and development agreements on the consent agenda.

Further discussion ensued regarding agenda approval and how items are placed on the agenda.

Mayor Sanders stated he was not aware of any specific items that were not being brought up or were being avoided by the city council.

Councilmember Massoglia indicated he wanted the right to have a conversation at a city council meeting, even if an item was not on the agenda.

Mayor Sanders explained his concern with this was that the outcome would not be in the city's best interest because staff would not be able to research the item and provide the council with a informed recommendation.

Councilmember Saroya feared that there were too many hurdles in place at this time and she did not feel like she was included or invited to meetings that were occurring. She wanted to have more of a say as to the things that were happening in her ward and questioned why the council was afraid of having conversations in public.

Mayor Sanders expressed concern with the fact that council would only be hearing one side on an issue and then be asked to vote on an item. He commented on how acting on the fly would not end with good public policy. He reiterated that the city council was elected to conduct city business and that he wanted to do this by having the best information possible in order to make the best decisions for the city. He was opposed to adding things to the agenda to just see what the outcome would be as it did not lead to good public policy.

Councilmember Massoglia stated if an item were brought up, staff could then research matters further. He discussed how having these conversations in the chambers would allow for direction to be provided to staff from the council. He stated there was nothing wrong with having conversations if two councilmembers supported this action.

Councilmember Fleming indicated this could be done under Other Business. She noted this was not being taken away.

Councilmember Massoglia commented a motion could not be made on items under Other Business, rather these items would have to be brought back to a workshop.

Mayor Sanders reported city charter does not allow the council to introduce and take action on a resolution at the same meeting.

Councilmember Massoglia questioned what if he wanted to amend the transportation capital improvement plan for example and that this should be his right as a councilmember.

Councilmember Saroya believed there were benefits to the council initiating items and did not understand what the fear seemed to be.

Mayor Sanders understood this to be his right, but he feared this differed from his experience of making the best public policy that is transparent to the public. He wanted the council to remain consistent and reliable in the eyes of the public.

Councilmember Robertson spoke to how each councilmember had different leadership styles. However, she supported the council having a process or tools in place to remain consistent. She reported she did not like to be surprised when it came to items on council agendas.

Further discussion ensued regarding how emergency matters were managed by the city council through tools such as special meetings.

Councilmember Newland stated he supported the language presented by staff regarding agendas and how to place an item on the agenda.

Councilmember Robertson and Mayor Sanders also agreed.

Councilmember Massoglia indicated he did not support this language because a supermajority would be required to change or add an item to the agenda. He anticipated the public would understand if an item needed action in a timely manner.

Mayor Sanders stated for transparency purposes he did not support changing the language.

Councilmember Robertson commented there may be other times where it may not be best practice to the council, staff or public to bring items forward.

Ms. Wolfe stated the current process was becoming difficult for staff and believed an orderly way of conducting business was needed. She commented on how difficult it was staff to serve seven different people and that staff was not gatekeeping information for any one, two or three councilmembers. She stated she served seven individual councilmembers and that each member mattered to her and that she felt the need to address comments that implied staff was working for one or two councilmembers and not for all members.

Council consensus was to place the item on a regular meeting agenda for formal consideration.

3. Other Business

Ms. Wolfe asked the council to provide staff with dates that would work for the upcoming budget sessions.

Safety Services Director/Police Chief Podany commented on the numerous legislative updates that occurred in 2023 and how new restrictions being placed on school resource officers (SROs) regarding use of physical holds when needed on students would negatively impact their ability to serve in schools. He explained he has met with the school districts and they are equally concerned. He reported a letter has been sent to Governor Walz from the Minnesota Chiefs Association and that he would keep the council posted on this topic.

4. Adjournment

The meeting adjourned at 10:33PM.



City of Blaine

City Council Workshop

August 21, 2023 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order at 5:00 p.m. by Mayor Sanders.

PRESENT: Mayor Tim Sanders, Councilmember Tom Newland, Councilmember Lori Saroya, Councilmember Jess Robertson, Councilmember Terra Fleming, Councilmember Chris Massoglia, Councilmember Leslie Larson

ABSENT:

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Finance Analyst Jenna Tritten; Communications Manager Ben Hayle; Public Works Director Nick Fleischhacker; and City Clerk Catherine Sorensen. Also present Finance Director Appointee Jason Zimmerman.

2. New Business

- 2.1. 2023-306 Lakes Parkway and Zest Street Extension Cost Share Options
Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated HJ Development previously presented their potential development at the southwest corner of 125th Avenue/Lexington Avenue. The subject property is 37.15 acres. The property, along with others to the south, were rezoned in 2021 to B-5 Town Commercial. The city council created this zoning district specifically for this area to encourage retail, restaurants, office, and other high quality commercial development. HJ Development has been analyzing potential development for approximately 12 months. The site is challenging due to a large wetland in the middle of the

property. Most of the due diligence that has occurred is understanding development options and the associated development costs. They have also been trying to secure an anchor grocer. The developer is close to securing an agreement with an anchor grocer.

Mr. Schluender explained over the last 18 months, there has been discussion about the timing and financial responsibility of future roads and infrastructure in this area. On January 10, 2022, staff presented information on five different corridors where the city could be proactive in constructing infrastructure, independent of development. Typically, developers are responsible for paying for and constructing all public infrastructure within their developments. The five corridors identified would be difficult for development to construct as they are larger roadways with limited development potential surrounding them. Both the Lakes Parkway extension from the existing Lakes Parkway going east to Lexington Avenue and the Zest Street extension between 125th Avenue and the future Lakes Parkway were presented and discussed. Of the five corridors discussed, these two roadways had the most support to explore further.

Mr. Schluender indicated staff is preparing the following options to discuss and review:

- Option 1, is to advance the project with standard assessments of the improvements based on the city's assessment policy. Under this scenario, the benefiting properties would be assessed at 100% of the project cost.
- Option 2, is to advance the project with standard assessments of the improvements based on the city's assessment policy, with council ordering that the assessments be deferred until such time as the parcels being assessed are developed.
- Option 3, is to advance the project with an offset of the assessments (50%) and the use of the city's Municipal State Aid funds (50%).
- Option 4, is to advance the project with no assessments using the city's Municipal State Aid funds (100%).

City Attorney Loonan explained Options 3 and 4 would deviate from the city's assessment policy and may set a precedent in the future. He indicated this could be challenged by future property owners. He recommended the city council draft findings if a deviation were to occur from current policy. He reported if a deferment were pursued, the assessments would have to be paid no later than 30 years of being levied.

Mr. Schluender requested the council speak about which option they would like to move forward with and if these two roadways should be constructed.

Councilmember Newland supported the construction of the two roadways. He noted the development would benefit from the construction and the city should participate.

Councilmember Massoglia agreed noting it would be important to connect to Lexington Avenue. He fully supported the city participating in the roadway extension.

Councilmember Fleming agreed.

Mayor Sanders also agreed. He asked if the council had a preferred assessment option based on the information presented by staff.

Councilmember Massoglia stated he would support the 50/50 option (Option 3). He indicated he would be hesitant to do a deferment as he believed this would be unfair.

Councilmember Newland indicated Option 2 would be his preferred option. He questioned if State Aid dollars have been used before to construct a new roadway. Mr. Schluender stated State Aid dollars were used to resurface a roadway last year and noted these dollars have never been used to construct a new roadway.

Councilmember Fleming asked why these dollars have never been used to construct a roadway in the past. Mr. Schluender commented the rationale was because new development pays for roadway expansions. He stated these two corridors were unique because they were limited on what could develop on each side of them.

Councilmember Robertson questioned if assessments were the only option to assist with infrastructure costs. Community Development Director Thorvig explained TIF dollars could be used, but they were focused on other projects in the city.

Councilmember Robertson inquired if Option 2 would have a timeline put in place. Mr. Schluender indicated the deferment would allow the city to assess the parcel and the owners would not be responsible for the cost until the property sells or in 30 years.

Councilmember Robertson commented she had concerns about using the PMP dollars given the projects the city had planned for the next five years. She indicated she could support the deferment option, if allowed by state statute. Mr. Loonan reported this would be allowed by statute and the council would have to determine an interest rate.

Councilmember Massoglia stated he had concerns with Option 2 because deferments were not allowed for non-profits or farmers. Mr. Schluender explained these deferments were denied because the properties were already on improved roadways and this project was for raw land and new roadways. Mr. Loonan reported this was the case and stated a deferment took into consideration unimproved properties and the development that would come.

Councilmember Fleming commented it made sense the city should move forward with Option 2.

Councilmember Saroya noted she supported Option 3.

Mayor Sanders indicated he could support Option 2 or 3.

Chris Moe, HJ Development, spoke to the council regarding the timeline for this project. He anticipated this project would begin in early 2025 due to some endangered species on the site.

Council supported further exploration of Option 3 to advance the project with an offset of the assessments (50%) and the use of the city's Municipal State Aid funds (50%) at a future workshop meeting.

2.2. 2023-381 Council Small Groups Follow-Up and General Budget Updates
Sponsors: Jenna Trittin, Finance Analyst

Finance Analyst Jenna Tritten stated councilmembers participated in small group discussions between July 19 and July 31 during which staff presented initial General Fund budget information. Council had the opportunity to provide feedback, topics for future council workshops, and to ask questions. In response, staff has produced a final copy of the presentation from the small group meetings which includes a list of council proposed topics. General budget updates were reviewed by staff along with 2024 initial department requests under consideration.

Councilmember Saroya asked if water treatment facility upgrades should be considered then commented on her water concerns for Ward 1. City Manager Michelle Wolfe explained staff has prepared the preliminary general fund budget and the water treatment facility would be addressed under the utilities budgets when they come forward.

Councilmember Saroya reported she would also like a bigger investment for snow plowing in Ward 1.

Councilmember Newland commented on how the model for the fire department has shifted based on the feedback being received from the firefighters.

Ms. Tritten described how charitable gambling funds can be utilized by the city then reviewed key dates and schedule for the 2024 budget.

Mayor Sanders encouraged councilmembers to reach out to staff with questions regarding the budget as the council moves through the approval process.

Communications Manager Ben Hayle commented on the proposed communications budget for 2024. He discussed how it was important to increase engagement with the public in order to strengthen the city's brand and to improve public trust. He stated he was also interested in creating an internship program as well.

Public Works Director Nick Fleischhacker discussed his request for additional dollars for dead and diseased trees in the community. He stated at this time the city was falling behind on the number of dead/diseased trees in the city. He described how regular tree trimming was also necessary in order to keep sight lines clear on city streets. He explained \$300,000 was in the budget for dead and diseased trees and noted he would be requesting an additional \$300,000 to address tree trimming. He stated he would be seeking \$1 million in 2025 to accelerate ash tree removal. He reported this expense would stop at some point once all of the ash trees were removed. He indicated his last request would be to address weed control within the city's parks in order to improve the quality of the turf.

Ms. Tritten explains there has been a request to increase the fireworks expense by \$5,000 to \$40,000. She noted the last time there was an increase was in 2016. She indicated the charitable gambling fund could support this increase. She asked if the council had any comments or questions regarding the information that was presented.

Councilmember Massoglia stated he would like to better understand how the proposed utility rates, with a 9% increase over the next three years, would impact the utility fund balances.

Councilmember Saroya questioned if the city would be considering adding a deputy director or grant writer on staff. Ms. Wolfe stated this request has not been brought forward. She indicated two police officers had been proposed in the budget and there was a list of other potential positions that were being considered.

- 2.3.** 2023-380 Closed Session Pursuant to MN Statute 13D.05(3)(c)(3) - Discuss Property Acquisition of Parcel PID 21-31-23-24-0016
 Sponsors: Erik Thorvig, Community Development Director

Motion by Councilmember Newland, seconded by Councilmember Massoglia, to enter into closed session to discuss property acquisition of parcel.

Motion adopted unanimously.

3. Other Business

None.

4. Adjournment

The meeting adjourned at 7:04PM.



City of Blaine

City Council

August 31, 2023 | 9:00 AM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The special meeting was called to order at 9:00AM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: Councilmember Chris Massoglia.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; City Attorney Tom Loonan; Communications Manager Ben Hayle; and Senior Management Analyst Lisa Derr.

4. Awards - Presentations - Organizational Business

None.

5. Communications

None.

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that

follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 9:02AM.

There being no input, Mayor Sanders closed the Open Forum at 9:02AM.

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

None.

9. Public Hearing and Items Published for a Certain Time

None.

10. Development Business

None.

11. Administration

11.1. RES 23-150 Contract Policing Services in Blaine Schools

Sponsors: Brian Podany, Safety Services Manager/Police Chief

Safety Services Director/Police Chief Podany stated Minnesota Statutes Chapter 121A governs student rights, responsibilities, and behavior. In 2023, the Minnesota Legislature included multiple provisions in the education bill that affect school resource officers and other officers providing contracted services to public schools, such as working at a football, basketball, or hockey game, or school dance. The statutory changes affect how and when use of force may be used in situations involving student restraint or preventing bodily harm or death to the student or another. Various interpretations have emerged from different associations and entities, as well as the Minnesota Attorney General's Office. Despite the iterations that have resulted, there remains confusion and considerations for the Minnesota Legislature. He presented further information regarding what the law reads as well as what has transpired since then.

Chief Podany explained the City of Blaine currently provides contract policing services, including school resource officers, to three school districts within the city's limits. This includes the Anoka Hennepin School District (AHSD), Centennial School District (CSD), and

Spring Lake Park School District (SLPSD). Currently, the AHSD and SLPSD contracts are school year to school year and have not yet been signed for the 2023-2024 school year. The CSD contract is currently a three-year contract and the city is entering the second year of the contract. The CSD contract has a 90-day termination clause, but the city is in discussions about a potential contract suspension until the issue is addressed adequately. He commented on the discussions he had with the Attorney General and explained he had urged Governor Walz to call a special session to address this matter. He then reviewed letters received from the Anoka County Attorney and legal counsel Eckberg Lammers. He explained he participated in an event at the Capitol yesterday where he was seeking ways to address the concern and stated as a parent and a police officer he was struggling with this. He requested the council suspend its contract for policing services with the schools until issues have been addressed adequately.

Mayor Sanders thanked Police Chief Podany for all of his efforts to address this concern and for being proactive. He reported this was a safety matter and he was disheartened by the fact the State took a one size fits all approach because this would have large unintended consequences. He appreciated how Police Chief Podany has been working to find a solution with the school districts, because everyone wants schools to be safe. He agreed there should be a special session to address this matter because nothing was more important than children and their safety. He did not support emboldening lawless behavior. He explained SROs are not restraining or confining students unnecessarily, but when situations arise where that type of force is necessary, officers have to be able to respond according to state law and their training and there is nothing worse than ambiguity and confusion around the rules of engagement for our officers and the public.

Motion by Councilmember Robertson, seconded by Councilmember Newland to adopt Resolution No. 2023-150, suspending the contract for policing services with the Centennial School District and to not renew contracts with the Spring Lake Park School District and Anoka Hennepin School District until issues have been addressed adequately.

Motion adopted unanimously.

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adjourn the meeting at 9:28AM.

Motion adopted unanimously.



City of Blaine

City Council

August 31, 2023 | 9:00 AM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The special meeting was called to order at 9:00AM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: Councilmember Chris Massoglia.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; City Attorney Tom Loonan; Communications Manager Ben Hayle; and Senior Management Analyst Lisa Derr.

4. Awards - Presentations - Organizational Business

None.

5. Communications

None.

6. Open Forum

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follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 9:02AM.

There being no input, Mayor Sanders closed the Open Forum at 9:02AM.

7. Adoption of Agenda

The agenda was adopted as presented.

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None.

9. Public Hearing and Items Published for a Certain Time

None.

10. Development Business

None.

11. Administration

11.1. RES 23-150 Contract Policing Services in Blaine Schools

Sponsors: Brian Podany, Safety Services Manager/Police Chief

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Spring Lake Park School District (SLPSD). Currently, the AHSD and SLPSD contracts are school year to school year and have not yet been signed for the 2023-2024 school year. The CSD contract is currently a three-year contract and the city is entering the second year of the contract. The CSD contract has a 90-day termination clause, but the city is in discussions about a potential contract suspension until the issue is addressed adequately. He commented on the discussions he had with the Attorney General and explained he had urged Governor Walz to call a special session to address this matter. He then reviewed letters received from the Anoka County Attorney and legal counsel Eckberg Lammers. He explained he participated in an event at the Capitol yesterday where he was seeking ways to address the concern and stated as a parent and a police officer he was struggling with this. He requested the council suspend its contract for policing services with the schools until issues have been addressed adequately.

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Motion adopted unanimously.

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adjourn the meeting at 9:28AM.

Motion adopted unanimously.



City of Blaine

City Council Workshop

September 6, 2023 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order at 5:30PM.

PRESENT: Mayor Tim Sanders (arrived at 5:43 PM), Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Police Captain Russ Clark; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; Senior Parks and Recreation Manager Jerome Krieger; City Attorney Tom Loonan; and City Clerk Catherine Sorensen.

2. New Business

- 2.1.** 2023-386 Zoning Discussion for 8643 Central Avenue NE.
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the subject site is comprised of three parcels that contain a commercial building (Uram Insurance) and vacant land. The existing building was built in 1972. The three properties are under the same ownership. One property (8628 Central Avenue) is zoned R-1 (Single Family Residential) and guided Low Density Residential in the Comprehensive Plan. The property does not have street frontage and is only developable when combined with the parcel that fronts the Central Avenue frontage road. The property at 8634 Central Avenue is split between two zoning classifications, B-2 (Community Commercial) and R-1, but is entirely guided Community Commercial. The third property

abuts the Central Avenue frontage road and is zoned B-2 and guided Community Commercial. The property to the north is developed with a multi-tenant commercial building (Batteries Plus and a salon) and the parcel to the south is also developed with a commercial building (Caliber Collision). The parcels to the west are single-family residential. Staff explained the applicant was proposing self storage for these properties and requested feedback from the council on how to proceed.

Scott Uram, property owner, explained he has been in this building since 1996 and was born in Blaine. He stated he was trying to do something different with this space, while trying to appease Blaine. He reported he was proposing to use solar, recycle water and offer electric charging stations.

Josh McKinny, development consulting firm representative, thanked staff for the presentation. He understood there was some consternation regarding self-storage and car wash uses. He commented on the uses that would be allowed on site which included a pet daycare. He asked the council to consider if self-storage was an appropriate use in the B-2 zoning district for this property. He explained they were not proposing a one-story building that would be surrounded by chain link fencing but a high quality self-storage product.

Councilmember Larson asked if the storage facility would be multi-level. Mr. McKinny reported this was the case. He commented further on the architectural plans for this facility and noted a similar climate-controlled self-storage facility exists on Central Avenue north of this project.

Councilmember Robertson questioned what the current and applicable uses would be for this site. Ms. Sellman reviewed the permitted uses for this property which included a salon, dry cleaning, professional offices, fitness, art studio, retail, banks, brew pubs, repair services, medical, cannabis dispensary, along with a list of conditional uses.

Mr. Uram stated the list of uses was not feasible from a marketability standpoint. He reported he looked at a hotel, but the site's shape and layout didn't lend itself to that use.

Councilmember Newland questioned how much of the city was zoned B-2. Ms. Sellman indicated the majority of the properties along Highway 65 were zoned B-2 or B-3, along with the properties along 125th.

Councilmember Newland stated by changing the allowed uses for the B-2 zoning district, this would make self-storage an allowed use up and down the TH65 corridor and along 125th. He explained this was the reason the zoning code was amended to limit self-storage to the heavy industrial zoning district. He reported it was the desired intent of the past city council to not allow self storage in the B-2 and B-3 zoning districts and he supported this recommendation going forward.

Councilmember Massoglia thanked the developer for his presentation and for sharing his thoughts with the council. He commented on how the council was working to elevate the TH65 corridor. He reported he would be more favorable to the conditional uses for this B-2 property and would not support self storage. He stated he wanted to help the developer find a use but noted now was not the time to add a use back into the B-2 zoning district.

Councilmember Saroya indicated she was new to the council and explained she lived not too far from this area. She asked if Mr. Uram's office would be removed from the development. Mr. Uram explained his office would be moved to the front of the proposed self-storage building.

Councilmember Saroya questioned if the applicant had looked into putting a restaurant on this site. Mr. Uram stated he had and noted this was not the right site for a restaurant.

Councilmember Saroya inquired if this property would work for a coffee shop. Mr. McKinny reported because this property did not have direct or right-in/right-out access to TH65 a coffee shop would be challenging. Mr. Uram noted 3.3 acres was quite large for a coffee shop.

Councilmember Saroya suggested the applicant consider creating a co-working space with a coffee shop noting there was a large number of Blaine residents working from home now. Mr. Uram commented on how he has been evaluating uses for this property since 2021 and has been unable to identify other uses.

Councilmember Newland indicated he supported the secondary use as a car wash. Mr. Uram commented he was proposing a full service car wash that would accommodate larger vehicles that would also have EV stations. He stated he would like to keep a business in Blaine, given the fact he has had his business in Blaine since the 1990s.

Councilmember Fleming reported this was a unique and difficult piece of land to develop. She explained she was new to the council. She stated she appreciated the fact the storage would go deeper into the site and not be visible from TH65, but rather the frontage along the corridor would be professional and office-like. She indicated she was not against car washes, but supported them when put in appropriate places.

Councilmember Larson questioned if the self storage would be in an "L" shape. Mr. Uram reported this was the case. He commented further on the proposed self-storage site plan, noting the location of the uses, existing trees and adjacent homes.

Councilmember Saroya stated it appears self-storage was a quiet use, which would be nice given the fact this property abuts residential homes. Mr. Uram indicated this was the case.

Councilmember Saroya asked if self-storage was allowed in this area, would it have to be allowed on all B-2 properties. Ms. Sellman explained if the council approved an ordinance amendment, self-storage would be allowed on all B-2 properties in Blaine. She reported the only way to allow self-storage on this property would be to rezone it Heavy Industrial (I-2A).

Mr. McKinny encouraged the council to consider allowing self-storage as a conditional use. He explained this would allow the city council to put parameters in place regarding the use. Mr. Uram commented on the numerous restrictions that were placed on Caliber Collision when approved as a conditional use.

Mayor Sanders questioned how the council should move forward with this item. Ms. Sellman questioned if there was consensus of the council to support changing the B-2 zoning district to allow self-storage.

Councilmember Robertson indicated she was the only councilmember on the council when the zoning was changed along TH65. She stated there was an influx of requests for mini storage and the city was getting push back from residents. She reported the only mechanism the council has in place to steer development was zoning. She stated she would not be in favor of amending the zoning code at this time because it would open up the entire TH65 corridor for self-storage.

Mayor Sanders thanked the applicant for bringing forward a proposal that would elevate Blaine. He explained he appreciated the applicant's investment in Blaine over the years. However, he reported the consensus of the council was not to support an amendment to the B-2 zoning district at this time.

Council consensus was to not support amending the ordinance to allow public storage facilities for the B-2 Community Commercial zoning district.

2.2. 2023-385 Zoning Ordinance Discussion for Northtown Redevelopment Area (Part 1)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the city council has discussed land use in the Northtown area at various workshop meetings this year. The land use plan guides at a high level the type of development (commercial, residential, mixed use, etc), and the zoning ordinance specifically identifies what uses are allowed and the bulk zoning requirements (setbacks, height, etc). The adopted Northtown Redevelopment Vision Plan provides actions steps. One of the short-term action steps (1-5 years) is to "Change Zoning to Mixed-Use" and states "Existing zoning in the study area is predominately defined as Regional Commercial (B-3). The city should act to change the zoning in the district to allow a greater mix of land uses, including residential, commercial, and civic." Staff noted the discussion of the council should focus on uses and development parameters so staff can draft a new mixed use district for the Northtown Area.

Councilmember Newland asked how the new mall ownership was responding to the proposed changes surrounding the Northtown Mall. Ms. Sellman explained she spoke with the new owners and they do have an idea of what they would like to do in the Northtown area. She noted they would like to keep the Community Commercial zoning in place, along with quick service restaurants as well as a hotel and convenience store without gas.

Further discussion ensued regarding the allowed and conditional uses for areas guided commercial in the the Northtown Area. Staff described how they were proposing to create a whole new zoning ordinance for the Northtown Area, similar to what was done for the 105th Redevelopment Area.

Councilmember Massoglia supported the city creating a new zoning district for the whole mall area, with the outlying areas being zoned to line up with the comp plan. Ms. Sellman reported in order to remain consistent with the plan that was adopted for the Northtown Area, the zoning would have to be changed for the outlying areas.

City Attorney Loonan discussed how all current businesses would be allowed to remain in operation as legal non-conforming uses and would only cease to operate if the business stopped for one year.

The council supported general retail, banks, brew pubs, restaurants, personal services (including massage), dry cleaning and laundry, repair (excluding vehicle repair), business and professional offices (including medical), personal instruction services and fitness (4,000 square feet), portrait and art studio, medical cannabis dispensary, tap room, amusement and recreation, gas station without car wash, bowling alleys, dance hall, daycare centers, specialized educational uses (tutoring), meeting and event space, hotels, private clubs, restaurants with live entertainment, off sale liquor stores, places of worship, and skating rinks in the Northtown Area.

The council did not support animal hospital, vehicle sales lot, minor auto repair, boat sales and display, car washes, contractors yard, schools or charter schools, manufactured home sales lot, recreational vehicle lot and sales office, small equipment rental, adult uses, domestic animal uses, major auto repair, funeral homes, vehicle rental with 15 cars onsite, and vocational/trade schools in the Northtown Area.

Mayor Sanders stated he supported smaller gym type uses in the Northtown Area but wanted to move away from the larger fitness uses.

Councilmember Massoglia expressed concern with the fact the council was not supporting minor auto repair and car dealerships for this area. He supported some of the outlying properties allowing for auto repair.

Mayor Sanders stated he was thinking long term and wanted to see elevated uses in this area that supported the vision for the Northtown Area. He hoped the entire area would have more mixed use and retail that was amenity driven over the next 30 years.

Councilmember Newland supported removing auto uses for now and noted the council could bring this back in the future if it made sense.

Councilmember Larson indicated she could support an Aveda trade school in the Northtown Area and noted this type of use would create additional commerce for the area. Ms. Sellman stated she would look at the language to see how it could be amended to support non-industrial trade schools.

Council provided feedback on uses for the new zoning district and directed staff to compile responses for further review at the next workshop.

3. Other Business

City Manager Wolfe shared updates and calendar invitations with the council. She explained the painting of the freedom rock in Veterans Memorial Park would occur over the next several weeks. She then welcomed new Finance Director Jason Zimmerman to the city of Blaine.

Council reviewed agenda order of items for the upcoming council meeting.

4. Adjournment

The Workshop was adjourned at 6:56 PM.



City of Blaine

City Council

September 6, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The meeting was called to order at 7:03 PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Police Captain Russ Clark; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; Senior Recreation Manager Jerome Krieger; City Attorney Tom Loonan; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

None.

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-

up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 7:06PM.

Kevin Brown, 9712 6th Street NE, requested the proposed three-story apartment project approval on 99th Avenue be denied based on reasons such as increased traffic along President Street and due to the adverse impacts this would have on the Alexendra House. He said he preferred the construction of townhomes and requested preservation of as many trees as possible.

Sandra Connor, 516 98th Lane NE, agreed with the concerns raised about the proposed apartment project. She stated she had concerns regarding increased traffic, water quantity concerns, noise, pollution, wear and tear on parks, and that the project would not be a good fit to the environment and surrounding neighborhood.

Deb Goers, 111 99th Avenue NE, stated she was weary of hearing about the complaints and requested the property be allowed to be developed just like all of the surrounding property was allowed to develop many years ago.

Sue Langenbrunner, 9873 7th Street NE, recommended the proposed apartment project be lower profile. She indicated she had traffic concerns given the proximity of the school and feared traffic would only get worse if the proposed apartment project were constructed.

Mr. Brown commented on the large electrical box that serves his neighborhood and stated he has concerns about how this would be affected by the proposed apartment building.

There being no further input, Mayor Sanders closed the Open Forum at 7:15PM.

7. Adoption of Agenda

The agenda was adopted as amended moving Items 10.6 and 10.7 after Item 10.2.

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

Councilmember Newland noted he would be abstaining from approval of schedule of bills paid.

Moved by Councilmember Newland, seconded by Councilmember Robertson, that the consent agenda be approved in its entirety.

Motion adopted 6-0-1 (Councilmember Newland abstained).

8.1. 2023-408 Schedule of Bills Paid

Sponsors: Michelle Wolfe, City Manager

Approved; Councilmember Newland abstained.

8.2. 2023-410 2024-2029 Assessing Agreement With Anoka County

Sponsors: Michelle Wolfe, City Manager

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

None.

10. Development Business

10.1. RES 23-128 Resolution Granting a Conditional Use Permit to Construct a 40 Foot by 59 Foot Detached Accessory Building, for a Total of 2,984 Square Feet of Accessory Building Space in an FR (Farm Residential) Zoning District at 3651 125th Avenue NE. Jesse Orr (Case File No. 23-0061/EES)

Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the applicant is requesting a Conditional Use Permit (CUP) for 2,948 square feet of accessory building to construct a pole building. This is a conditional use in the FR zoning district. Staff commented on the request further and reported the planning commission recommended approval with conditions.

Moved by Councilmember Massoglia, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit to Construct a 40 Foot by 59 Foot Detached Accessory Building, for a Total of 2,984 Square Feet of Accessory Building Space in an FR (Farm Residential) Zoning District at 3651 125th Avenue NE.

Motion adopted unanimously.

10.2. RES 23-131 Resolution Granting a Conditional Use Permit for a Minor Auto Repair with Shared Access in the B-2 (Community Commercial) Zoning District at 10857 University Avenue NE. Valvoline Instant Oil Change (Case File No. 23-0055/SLK)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) for a minor auto repair and shared access. Staff commented on the request further and reported the planning commission recommended approval.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Conditional Use Permit for a Minor Auto Repair with Shared Access in the B-2 (Community Commercial) Zoning District at 10857 University Avenue NE.

Motion adopted unanimously.

10.3. ORD 23-2527 Second Reading

Adopt Ordinance for an Amendment to the 105th Avenue Redevelopment District to Allow Drive-Thrus on the South Side of 105th Avenue (Limited to One Drive-thru Per Parcel), as a Conditional Use. South Side Entertainment District (Case File No. 23-0056/SAS)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman requested the council consider an ordinance amendment to the 105th Avenue Redevelopment District to allow drive-thrus on the southside of 105th Avenue limited to one drive-thru per parcel, with a conditional use permit. Staff commented further on the proposed history of this project and explained the developer has a tenant identified for this project.

Moved by Councilmember Fleming, seconded by Councilmember Larson, to approve the second reading and adopt the ordinance for an amendment to the 105th Avenue Redevelopment District to allow drive-thrus on the south side of 105th Avenue (limited to one drive-thru per parcel), as a conditional use.

Councilmember Newland reported he did not support a drive-thru within this development. He explained this project was to be part of the destination entertainment district with unique amenities and restaurants for visitors to the National Sports Center and golf course. He believed the drive-thru was counterintuitive to the plan and intent for this area. He urged the council to stay with the original vision for this area.

Councilmember Fleming stated she understood Councilmember Newland's concerns. However, she noted this restaurant would not be strictly a drive-thru but would have 1,200 square feet of restaurant space with both indoor and outdoor seating. She indicated there were no other coffee uses in this area and she believed this was a good fit for the entertainment district. She questioned if this coffee use were to fail would the council have any type of recourse to have the drive-thru removed. Mr. Thorvig explained the action before the council would change the zoning ordinance, which would change the regulations. He stated if this project did not happen or if the coffee shop goes away, the council could revert back to the previous language.

Councilmember Larson indicated she disagreed with Councilmember Newland's perspective. She noted she has five children and visits the hockey facility and soccer fields on a daily basis. She believed it would be beneficial to have a coffee shop in this area for the parents visiting the NSC. She discussed how visitors to the coffee show would drive-thru and stay in the area. She asked if it was always in the developers' plans to have a drive-thru.

Michael Breese, Pinpoint Community Development, explained this was always in the plan. He stated that after having the right-in, right-out approved, the drive-thru was more enabled. He reported he secured a tenant for this space in May. He stated the proposed coffee shop within his development was a desired, regional chain with multiple locations

that was financially stable.

Councilmember Larson supported the developer having a drive-thru given the time and money he spent on his plans, which included a tenant with a drive-thru.

Councilmember Saroya explained she agreed with Councilmember Larson. She anticipated families with children would appreciate having a drive-thru coffee shop this close to the NSC. She questioned if there were any other drive-thrus that would be allowed in the 105th redevelopment area. Ms. Sellman indicated the way the ordinance was written, drive-thrus would not be allowed on the north or south side of 105th. She stated the proposed ordinance would allow for one drive-thru on the south side of 105th. She commented further on the vision for 105th which did not include drive-thrus.

Councilmember Saroya indicated she supported drive-thrus on both sides of 105th.

Councilmember Newland thanked Councilmember Larson for sharing her perspective. He commented further on the differences between the expenditures of this developer and other developers, noting this was not a fair comparison because drive-thrus were not allowed on this property. He explained if dollars were expensed specific to the drive-thru this was driven by the need for a change to the zoning code for the developer. He stated he would still oppose the drive-thru.

Councilmember Robertson commented similar to the process being followed for Northtown, the plans for the 105th redevelopment area stemmed from resident concerns. She explained residents did not want to see more gas stations, drive-thrus or national chains in the 105th area. She reported 99% of this project was bringing new amenities and restaurants to the community, which was the intent of this zoning district. She indicated she was thrilled with this project and reiterated that the EDA supported this project so much it offered \$1.5 million in assistance. However, she feared this one tenant was a square peg that was trying to fit into a round hole. She hoped the council would consider the impact of this decision and noted she did not support the drive-thru within this zoning district.

Councilmember Fleming asked if the second phase of this project could have a drive-thru. Ms. Sellman commented the way the text was written within the ordinance was that one drive-thru would be allowed per parcel. She indicated Mr. Breese's project was a three acre parcel on the corner and future expansion would be done on a separate parcel, which would allow for another drive-thru if it was zoned 105th Avenue Redevelopment District.

Councilmember Fleming questioned who owned the adjacent parcel.

Mayor Sanders noted this parcel was owned by MAC.

Councilmember Fleming stated she believed the coffee shop was a great fit for this development given the fact there were no coffee shops in this area.

Councilmember Larson commented on how this coffee shop would benefit visitors to Blaine, as well as the residents of Blaine.

Mr. Breese stated the other thing to consider with this coffee shop was that it would be

available to residents driving to work. He explained that all but two tenants within this development have residency in Blaine. He explained of the two that do not live in Blaine, one lived in Anoka County and the other lived in Forest Lake. He commented on how signage and visibility would be limited on this site. He discussed how he believed the coffee traffic would drive additional traffic to the new businesses.

Councilmember Massoglia indicated he has been on the fence regarding this issue and a part of him wanted to stick with the original vision. However, because the developer received approval for the right-in right-out, he could now support one drive-thru on the parcel. He questioned if the developer had another tenant lined up, in the event the ordinance was not approved. Mr. Breese stated he did not have another tenant lined up. He further discussed the water retention changes that occurred on the site after having a wet winter/spring and noted he would be absorbing those costs. He reported these expenses were making the proposed coffee tenant much more valuable to the development and would assist in keeping the development viable.

Councilmember Massoglia stated he did not believe this would be a terrible place for a drive-thru, nor would it change the intent of the entertainment district.

Motion adopted 5-2 (Councilmembers Robertson and Newland opposed).

- 10.4.** RES 23-111 Resolution Granting a Conditional Use Permit for a Drive-Thru on the Southern Portion of Building Two in the RD (105th Redevelopment District) Zoning District at 2030 105th Avenue NE. South Side Entertainment District (105th Blaine Business Park, LLC) (Case File No. 23-0059/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a conditional use permit for a drive-thru on the south side of proposed building two, a site plan amendment to include the drive-thru and signage plan for the development. Staff commented further on the request and recommended approval.

Moved by Councilmember Fleming, seconded by Councilmember Larson, to adopt a Resolution Granting a Conditional Use Permit for a Drive-Thru on the Southern Portion of Building Two in the RD (105th Redevelopment District) Zoning District at 2030 105th Avenue NE.

Motion adopted 5-2 (Councilmembers Robertson and Newland opposed).

- 10.5.** RES 23-134 Resolution Granting a Signage Plan for National Sports Village (South Side Entertainment) at 2030 105th Avenue NE. (Case File No. 23-0059/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated as part of the 105th Redevelopment Zoning District, a signage plan must be approved by the city council. Staff reviewed the proposed signage plan in further detail and noted the plan meets requirements for the district.

Mayor Pro Tem Robertson reported Mayor Sanders stepped out of the council chambers. She asked for a motion on this item.

Moved by Councilmember Fleming, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Signage Plan for National Sports Village (South Side Entertainment) at 2030 105th Avenue NE.

Councilmember Newland explained he supported the proposed signage and thanked the developer for bringing forward a solid plan.

Motion adopted 6-0-1 (Mayor Sanders absent for vote).

- 10.6.** 2023-414 Motion to Approve or Deny a 12-Month Extension to a Conditional Use Permit to Construct a 111-Unit Apartment Building in a DF (Development Flex) Zoning District at 111 99th Avenue NE. Blaine Apartments LLC (Case File No. 22-0048/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a 12-month extension to the conditional use permit to construct a 111-unit apartment at 111 99th Avenue NE. She reviewed the history of this project, noting construction had not commenced after one year, and therefore the developer was requesting a one-year extension. She indicated the developer continues to meet with lenders and contractors.

Director of Engineering Schluender spoke to the traffic study that was completed for this neighborhood. He explained the study addressed cut through traffic/speeding and to identify issues that may arise from the proposed apartment. He reported in late February a traffic consultant was hired and in March a neighborhood meeting was held. He noted the traffic study was complete and the information was available online. He indicated a meeting would be held with the neighborhood next Thursday to discuss mitigation options and this will be further addressed by the council in October.

Ms. Sellman commented on what would occur should the council approve the extension of the CUP. She reported that if the extension were denied, the applicant would have until December 5, 2023 to begin construction. She reviewed the two motion options for the council to consider which were to approve or deny the CUP extension.

Community Development Director Thorvig explained the intent of the discussion this evening was only to talk about the extension and not to debate approval of the project.

City Attorney Loonan commented on the memo he sent to the council and reported the matter before the council was to consider approving or denying a CUP extension.

Councilmember Newland thanked the city attorney for the memo, noting this addressed many of the questions he had. He understood there was precedent for granting the extension. He stated the addition of time would not change the project. He indicated he

would be supporting the CUP extension.

Councilmember Larson stated she understood the city has generally approved CUP extensions in the past, but asked if there were any extensions that have been denied. Ms. Sellman indicated the council has not denied any CUP extension requests. She reported some projects have gone forward and some have not, to their own accord.

Councilmember Larson questioned why this project had not moved forward and was now requesting an extension. Ms. Sellman deferred this question to the developer.

The developer outlined reasons for the extension request stating this was based on changing capital markets, difficulty in securing financing and increased interest rates that had changed since their original application that was denied and subsequently approved. He explained he was ready for construction once financing was secured. He hoped to have financing secured by the summer of 2024.

Councilmember Saroya requested further information regarding the HyVee project approval and extension process. Ms. Sellman explained the HyVee project was approved and later granted an extension. She noted the developer did some site work and ended up withdrawing an additional extension request.

Councilmember Fleming stated she has reviewed this item extensively. She indicated she wanted to honor the work the developer has put into this project and noted she supported a six month extension.

Councilmember Saroya reported she was not on the council when this project was originally approved. She indicated her father was a developer and understood having to deal with city councils. She commented on the tremendous amount of development that was coming to the city of Blaine. She stated this was no longer the former council. While she supported growth and development in the community, she was concerned with extending approval as she felt the project should not have been approved in the first place due to traffic, noise, and other impacts.

Moved by Councilmember Saroya, seconded by Councilmember Larson to Deny a 12-Month Extension from December 5, 2023, to a Conditional Use Permit to Construct a 111-Unit Apartment Building in a DF (Development Flex) Zoning District at 111 99th Avenue NE.

Councilmember Massoglia asked where the developer was with the site work. The developer explained he was ready for construction once the financing was in place. He reported the architectural drawings were at 50%, the engineering work was completed along the soil borings. In addition, a construction team has been selected.

Mayor Sanders questioned when the developer would be closing on financing for the project. The developer stated developers typically do not close projects from November to March, due to the inclement weather. He anticipated he would have financing in place by June of 2024.

Councilmember Newland inquired if six months would be an ideal timeline for the project to begin. The developer indicated he hoped the project would begin in six months but would

like for the CUP extension to be for one year. He commented on how there may be relief from the federal government during the second part of 2024, which would assist with interest rates.

Councilmember Newland asked how the city defined construction of a project beginning. Ms. Sellman stated commencement of a project was defined by an applicant having a watershed permit, applying for a building permit, grading, and tree removal.

Councilmember Massoglia noted he voted against this project both times. He indicated he was in favor of the extension given the time and money the developer has put into the project. He believed it was fair to grant the extension given the changes that have occurred in the financial market. He stated he would be in favor of a six month extension.

Councilmember Larson expressed concern with the rental rates that would be charged to future tenants given the rising costs for financing. For this reason, she favored denying the extension request.

Councilmember Robertson stated she would be voting against the denial. She commented on how the federal government impacted tree removal this year. She appreciated the time staff spent completing a traffic study and communicating with the neighbors. She indicated she wanted to respect the time and money the developer has put into this project and would therefore not be supporting the denial of the CUP.

Councilmember Robertson called the question.

Motion failed 2-5 (Councilmembers Fleming, Massoglia, Newland, Robertson and Mayor Sanders opposed).

Moved by Councilmember Robertson, seconded by Councilmember Newland to Approve a 12-Month Extension from December 5, 2023, to a Conditional Use Permit to Construct a 111-Unit Apartment Building in a DF (Development Flex) Zoning District at 111 99th Avenue NE.

Councilmember Massoglia presented a friendly amendment to the motion on the floor for a 6-month extension from the current December deadline.

Councilmember Robertson did not accept the friendly amendment as presented. She feared that six months may not be enough time for the developer to get all of the necessary permit approvals and financing in place. She encouraged the council to honor the time and money the developer has invested in this project.

Councilmember Massoglia withdrew his friendly amendment.

Motion amendment moved by Councilmember Massoglia, seconded by Councilmember Larson to Approve a 6-Month Extension from December 5, 2023, to a Conditional Use Permit to Construct a 111-Unit Apartment Building in a DF (Development Flex) Zoning District at 111 99th Avenue NE.

Councilmember Newland asked for clarification from the city attorney regarding the motion

that was on the floor. Mr. Loonan reported the motion on the floor has been amended from twelve months to six months.

Councilmember Larson explained she supported the six month extension over the twelve month extension. She did not believe it was right to extend this project beyond six months based on a what if that could occur with interest rates.

Councilmember Fleming reported given the time and money that has been put into this project, she would hope the city council could offer some form of leniency given the fact the financing was not fully secured. She indicated this was what the developer was asking. She noted she appreciated the investment the developer was trying to make in the city. She proposed the council consider a one year extension from today.

Councilmember Saroya stated she agreed with Councilmember Larson and noted this project has been a problem since it began. She reported she has seen great projects come before the council and all funding had been secured. She supported the extension only being extended by three months.

Councilmember Fleming questioned how the council felt about a one year extension from today, which would be a nine month extension from the December 5, 2023 deadline.

Councilmember Massoglia stated he appreciated the compromise proposed by Councilmember Fleming.

The developer explained he supported the nine month extension versus a six or twelve month extension.

Councilmember Massoglia indicated he would change his motion from six months to nine months for the CUP extension. Mr. Loonan stated for clarity purposes he would like Councilmember Massoglia to withdraw his motion amendment. He reported Councilmember Massoglia could then make a motion to approve a nine month extension to the CUP.

Councilmember Massoglia withdrew his motion amendment recommending approval of a six month extension for the CUP.

Motion amendment moved by Councilmember Massoglia, seconded by Councilmember Fleming to Approve a 9-Month Extension from December 5, 2023, to a Conditional Use Permit to Construct a 111-Unit Apartment Building in a DF (Development Flex) Zoning District at 111 99th Avenue NE.

Councilmember Fleming asked if a no vote would default this back to 12 months.

Mayor Sanders stated this would be the case.

Councilmember Saroay questioned why the Council was not considering a three month extension.

Mayor Sanders reported Councilmember Saroya had not received a second for the three

month extension. He explained Councilmember Massoglia withdrew his six month extension motion from the floor and restated it recommending a nine month extension and received a second from Councilmember Fleming.

Councilmember Newland explained he supported the nine month extension given the fact the developer offered his support for this recommendation.

Councilmember Saroya indicated she did not support the nine month extension. She believed the city was bending over backwards for this developer when this project should have never been approved in the first place. She stated the developer had the opportunity to complete this project, over the past year and the project was not started. She supported the city moving on and did not believe the problems should be prolonged. She feared the interests of the developer were being put before the interests of Blaine residents and she would not support this.

Councilmember Larson stated she would be voting to support the nine month extension because she did not want the fall back to the 12-month extension.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 10.7.** 2023-415 Motion to Approve or Deny a 10-Month Extension for Recording the Final Plat of Green Acres 2nd Addition Creating One Lot and Two Outlots at 111 99th Avenue NE. Blaine Apartments LLC (Case File No. 22-0064/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a 10-month extension on recording the final plat for Green Acres 2nd Addition. She explained if the extension is approved the developer will have additional time to record the plat. If the extension is denied, the development is not denied, but the developer would have until February 22, 2024 to record the plat. After that time, the plat would expire, right of way would not be dedicated and Royal Oaks would not receive additional land for parking. She reported the developer would have to go through a new preliminary and final plat process for this project.

Mayor Sanders asked if it would be proper to have this extension align with the CUP extension. Ms. Sellman reported this would be proper.

The developer requested the council approve an eight month extension for the final plat recording in order to align with the CUP extension.

Moved by Councilmember Massoglia, seconded by Councilmember Newland, to Approve an 8-Month Extension for Recording the Final Plat of Green Acres 2nd Addition Creating One Lot and Two Outlots at 111 99th Avenue NE.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 10.8.** ORD 23-2528 First Reading
Ordinance Approving an Amendment to Section 26.06 (Nonconforming

Structures, Uses) of the Zoning Ordinance to Allow the Creation of Nonconformities by Public Action to be Deemed in Compliance with the Zoning Ordinance. City of Blaine (Case File No. 23-0063/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the proposed ordinance amendment is to allow any conveyance of land to a federal, state, or local government for public purposes to allow that lot and any structures existing at the time of public action to be deemed in compliance with the minimum lot area, lot width and setbacks of the Zoning Ordinance.

Declared by Mayor Pro Tem Robertson that Ordinance No. 23-2528, "Ordinance Approving an Amendment to Section 26.06 (Nonconforming Structures, Uses) of the Zoning Ordinance to Allow the Creation of Nonconformities by Public Action to be Deemed in Compliance with the Zoning Ordinance," be introduced and placed on file for second reading at the September 18, 2023 Council meeting.

11. Administration

- 11.1. RES 23-148** Resolution Accepting a Quote from Winberg Companies, LLC. in the Amount of \$164,487.85 for the Sunrise Pond Park - Parking Lot and Trail Project, Improvement Project No. 23-41.
Sponsors: Jerome Krieger, Sr. Recreation Manager

Senior Recreation Manager Krieger stated the city council previously approved a Parks Capital Budget which included \$975,000 for the Sunrise Pond Park Improvements. Improvements include playground equipment/construction, parking lot, trail connection, irrigation, and lighting. Twelve (12) quotes were received on August 28, 2023 and Winberg Companies, LLC was the low bidder with a quote of \$164,487.85. The project consists of excavating and grading, subgrade preparation, installing storm sewer, placing aggregate base, concrete curb and gutter, paving a parking lot and trail, and turf restoration in the City's Sunrise Pond Park as shown in the plans. Staff commented on the project further and recommended approval of the Sunrise Pond Park parking lot and trail project.

Mayor Sanders returned to the council chambers.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Accepting a Quote from Winberg Companies, LLC in the Amount of \$164,487.85 for the Sunrise Pond Park - Parking Lot and Trail Project.

Councilmember Newland asked when this project would be completed. Mr. Krieger stated his goal would be to have the curbing and first level of asphalt completed by the end of September.

Councilmember Massoglia believed the park was looking great and he anticipated this new piece of equipment would make Sunrise Pond Park a destination park in Blaine. He thanked

staff for considering the comments from the neighbors and appreciated the fact there was still funding available to assist with installing future basketball courts.

Councilmember Saroya stated she supported the project, however, as a Ward 1 councilmember shared concern with the condition of some of the parks in Ward 1. She believed the city had to address the condition of the parks in Ward 1 in order to create equity between wards.

Councilmember Massoglia indicated there were parks in Ward 3 that also needed maintenance and upgrades. He discussed how Sunrise Pond Park was the first park east of Lexington Avenue and would serve a portion of Blaine that has had no park available to them.

Mayor Sanders reported the council was coming into its budgeting for 2024 and the council could set aside funds for its older parks in need of maintenance. He explained he recently visited the pickleball courts at the Lexington Athletic Complex and stated he was pleased to see how much these courts were being used.

Councilmember Newland thanked Councilmember Saroya for bringing up her concerns. He understood there were park amenities that could use maintenance throughout the park system in the city and anticipated the new finance director could assist the council in planning for future park improvement projects.

Councilmember Saroya questioned how the city prioritized its parks for maintenance. She asked that the older parks be made a priority given the crime and homelessness that was being seen in Ward 1. She feared this was becoming an equity issue for the residents in Ward 1. Mr. Krieger explained he was putting plans in place to address the concerns at Laddie Lake and on the tennis court that was in need of maintenance.

Councilmember Massoglia stated he had to push back on Councilmember Saroya's comment that this was becoming an equity issue as he did not want this type of narrative going into the city. He did not believe parks should become a divisive issue. He reported Ward 1 just broke ground on a \$4 million bandshell and commented there were new and old parks in Ward 3.

City Manager Wolfe explained the city was working on budgets for 2024 and noted the city had multiple funding sources for parks. She explained park dedication funds, collected from new developments, could only be used in a very specific manner for new parks.

Councilmember Saroya understood Aquatore Park was an amazing park in Ward 1 but noted her concerns were with the condition of the smaller neighborhood parks in her ward. She stated it was unacceptable to have drug deals and a homeless encampment within a city park, and this was occurring in Ward 1. She wanted to see the city addressing this concern.

Motion adopted unanimously.

11.2. ORD 23-2529 Second Reading

Adopt an Interim Ordinance for a Moratorium on Car Washes

Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated at the August 14, 2023 workshop, the city council discussed the potential of establishing a zoning moratorium to allow time for the city to study zoning related to car washes in the community. Since 2021, three standalone car washes have received approval. Another car wash is going through the approval process. Staff are aware of interest in two other potential standalone car washes. However, applications have not been applied for. Adoption of an interim ordinance (more commonly known as a moratorium) may aid cities in the zoning ordinance amendment process by allowing a city to study an issue without the pressure of time generated by pending applications. Cities may use a moratorium, as allowed by law, to protect the planning process, particularly when formal studies may be needed on a particular issue. Staff commented further on the proposed six month moratorium.

Councilmember Larson noted she supported the moratorium. She explained she was concerned with the amount of water used by these businesses. While she understood measures can be taken to recycle a certain percentage of the water, she understood that residents in Blaine were being fined for watering their lawn on certain days during the summer months. She did not believe the city needed more car washes at the moment.

Councilmember Newland indicated he was not supportive of moratoriums in general and supported the market balancing uses in the city.

Councilmember Saroya stated the city had an ordinance in place against storage units. She questioned why Councilmember Newland was against the proposal that was discussed at the worksession meeting when he supported the market balancing uses. She explained she supported the proposed moratorium because it would allow for strategic development of Blaine. She believed this moratorium was about listening to residents and their concerns. She supported the city taking a step back and allowing staff to look further into this use over the next six months.

Councilmember Newland addressed Councilmember Saroya's comment and noted the request discussed by the council at the worksession meeting would require a rezoning in order to allow for mini storage, which was an entirely different matter. He stated he supported car washes and he did not support the proposed moratorium.

Councilmember Fleming questioned how the council revised city code with respect to the mini storage concerns without a moratorium. Mr. Thorvig explained in 2020 staff reviewed the zoning code as a whole and throughout that discussion the topic of mini storage was addressed. He indicated the code was reviewed over six months' time and a moratorium was not necessary.

Councilmember Fleming requested staff speak further to the water concerns created by car washes. Mr. Schluender recommended the council place this topic on a future workshop agenda in order to allow the council to further discuss this issue but stated there was not an issue with the city running out of water. He commented the city was obligated by the DNR to

put certain watering measures in place during the summer months, such as watering restrictions, and that property owners in violation of the restrictions were notified and informed prior to any fines being imposed.

Councilmember Fleming asked if car washes were impacting the city's water table or water usage in a negative way. Mr. Schluender explained car washes were no different than any other business that uses water and noted there were other businesses in the city that used more water than all car washes in Blaine combined.

Councilmember Larson questioned if water for car washes was pulled from the aquifer in the same manner as the water used for grass. Mr. Schluender stated the city has a network of wells which pulls from several different aquifers. He reported that this water then goes through the treatment facilities and distributed to users not on private wells. He indicated the same water that is distributed to residents is distributed to car washes.

Councilmember Larson inquired if car washes have any restrictions on when they can and cannot use water. Mr. Schluender explained they use water as needed to operate their business. He stated these businesses are not restricted in the same way residents are when trying to irrigate the grass in their yard.

Councilmember Larson commented on how Blaine had restricted Ham Lake's ability to operate their wells. She believed the city had water issues and because of this she supported the moratorium being in place. Mr. Schluender indicated the city has a proactive campaign where residents are noticed when they are watering off days or off hours. These residents do not receive an automatic fine, but rather receive several notices before receiving a fine.

Councilmember Saroya stated she wanted more information on this topic and commented on how she believed there was a water shortage in her ward. She indicated she did not have adequate water pressure in her home during the summer months, nor did her neighbors. She feared how more car washes and heavy water users would adversely impact the community. Mr. Schluender invited Councilmember Saroya and her neighbors to reach out to staff with their water pressure concerns as they were not likely due to lack of water but other reasons.

Councilmember Robertson explained she appreciated what Councilmember Saroya was trying to do. She agreed it has been frustrating in the last eight months to receive so many car wash requests. However, she did not believe a moratorium was the right way to address this concern. Her concern was the council would continue to not like things and would then put moratoriums in place. She reported Blaine was 34 square miles and the city only had four car washes. She discussed how the 105th Area Redevelopment zoning district came about after receiving complaints about this area of Blaine and noted all of this work was completed without putting a moratorium in place. She indicated she struggled with the fact staff has stated there were no water concerns, but the council keeps bringing up this issue and reiterated staff was comprised of professionals in their fields and asked that council be professional when speaking with staff.

Councilmember Fleming agreed the city had amazing staff and she wanted them treated with respect. She indicated she was trying to understand what the pros and cons were of a

moratorium. Mr. Thorvig stated if the moratorium was not passed, staff could still be directed to study this issue. He explained if a moratorium was passed, it would mean a new car wash request would not have to be considered by the city council in the next six months. He indicated the moratorium would put a pause on all new requests in order to allow staff to review and revise city code.

Mayor Sanders commented he did not like the moratorium route himself, but he agreed this was a topic the city should study. He supported the city reviewing its code language in order to remain strategic with its uses. He reiterated that while it may seem like the city has a massive proliferation of car washes, there were only four. He understood the concern may be because these all came to the city in a short period of time but this was not controlled by the council. He urged the council not to govern based on social media. Rather, solid decision making should be the council's goal based on solid direction from staff and city code. He supported the council looking at where car washes do and do not make sense. He was of the opinion that the four current car washes made tremendous sense. He did not believe the city had a massive influx of car washes that demanded an immediate moratorium. Rather, he supported the city further studying this topic in order to inform the council on how to proceed with this topic.

Councilmember Saroya asked if the moratorium would only apply to stand-alone car washes. Mr. Thorvig stated the moratorium would apply to stand alone and accessory use car washes.

Councilmember Saroya reported there were 15 car washes in Ward 1. She explained she did not want additional car wash requests coming to the city while the city was studying this matter. For this reason, she supported the city putting a moratorium in place. She asked if the city would be facing legal action if the council were to reject a future car wash application if a moratorium were not in place. Mr. Loonan stated any quasi-judicial applications have standards by which they have to be reviewed against and if the application meets these standards, the council should be voting for approval of the request.

Mayor Sanders indicated the reactions from the public have been against stand-alone car washes and not towards accessory use car washes. He stated the city has had four stand-alone car washes that have come before the city for consideration.

Councilmember Massoglia explained he appreciated many of the mayor's comments. However, he stated he did not see a downside to the proposed moratorium. He supported the city putting this use on pause for six months in order to allow staff to further investigate this topic.

Councilmember Larson also supported this use being put on pause considering the fact the city was in a drought. She reported she very much respects staff but would continue to raise questions in order to better understand topics. She did not believe she was speaking disrespectfully but rather was bringing information to the forefront for everyone.

Councilmember Saroya indicated she respected staff and their expertise as well. She stated her role as a councilmember was not to rubber stamp items but rather to listen to the community and ask questions before making an informed decision.

Moved by Councilmember Saroya, seconded by Councilmember Massoglia to approve the Second Reading and Adopt an Interim Ordinance for a Moratorium on Car Washes.

Motion adopted 4-3 (Councilmembers Newland, Robertson, and Mayor Sanders opposed).

12. Other Business

None.

13. Adjournment

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adjourn the meeting at 9:32PM.

Motion adopted unanimously.



City of Blaine

City Council Workshop

September 11, 2023 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order by Mayor Sanders at 5:30PM.

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Director of Administration Cassandra Tabor; Public Works Director Nick Fleischhacker; Finance Analyst Jenna Trittin; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; City Attorney Tom Loonan (via Zoom); Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

2. New Business

- 2.1.** 2023-420 Request for Future Workshop Agenda Items: NMTV
Sponsors: Michelle Wolfe, City Manager

Councilmember Massoglia requested discussion about the future of cable commission services. Blaine is a member of the North Metro Telecommunications Commission. The commission is also governed via by-laws. The cable commission operates North Metro TV (NMTV). NMTV offers news and sports coverage, broadcast and streaming of local meetings, and a variety of services and classes. The joint powers agreement between these cities was signed in 1980. The first franchise was signed in 1983. The current Executive Director of

North Metro TV is retiring at the end of 2023. The cable television landscape has been changing with the advent of streaming and satellite television. Given these and other considerations, Councilmember Massoglia would like the city council to consider exploring options for the future of NMTV. Exploring options will involve working collaboratively with our North Metro partner cities, NMTV staff, CCX staff and member cities, cable commission attorney(s), and possibly other cable commissions and individual cities. He commented on a potential merger that may occur with another cable commission and requested the council discuss this topic further at a future workshop meeting.

Councilmember Larson asked if NMTV supported a merger.

Councilmember Massoglia stated there were pros and cons of a merger and that now may be the time for NMTV to consider this because of the leadership transition. City Manager Wolfe explained this was a unique situation noting there was a joint powers agreement in place with seven other partner cities.

Councilmember Fleming questioned if the partner cities needed Blaine's support in order to move forward.

Councilmember Massoglia reported Blaine has 57% of all subscribers and Blaine's vote would determine what happens.

Councilmember Robertson and Councilmember Newland supported the council further discussing this topic at a future workshop meeting.

Council consensus was to schedule the topic for discussion at a future workshop.

2.2. 2023-423 Request for Future Workshop Agenda Items: 114th Lane
Sponsors: Michelle Wolfe, City Manager

Councilmember Robertson explained she would like to gauge the council's interest in discussion potential bicycle and pedestrian safety enhancements along 114th Lane.

Councilmember Fleming stated she supported this topic coming back to a future workshop meeting.

Councilmember Newland agreed, noting this may lead to a broader discussion about other areas in the city that need safety enhancements.

Councilmember Saroya stated she did not want to send the message that any one neighborhood was receiving special treatment then commented on road and safety concerns currently occurring in Ward 1. She indicated she did not support moving this item forward at this time.

Councilmember Larson supported the council further discussing how to improve safety along 114th Lane.

Councilmember Newland asked if the traffic commission should discuss this matter.

Councilmember Robertson commented this item was brought forward for the sake of transparency but noted the changes she was proposing could be done administratively.

Councilmember Newland stated he supported this item be further discussed at a future workshop meeting.

Councilmember Fleming indicated this neighborhood was asking for help and supported the council discussing this at a future workshop.

Councilmember Saroya explained she supported the council focusing on street safety, but encouraged the council to be strategic and mindful. She feared this action was reactive and would send the wrong message to residents.

Councilmember Massoglia stated he supported the council having further discussion regarding this topic.

Council consensus was to direct staff to schedule this topic for a future workshop.

2.3. 2023-404 Zoning Ordinance Discussion for Northtown (Part 2)
Sponsors: Sheila Sellman, City Planner

Community Development Director Thorvig stated at the September 6, 2023 Council Workshop the Council discussed creating a new zoning district for the Northtown area and reviewed uses. Staff requested further direction from the council on how to address personalized instructional services and fitness centers, total floor area limited to 4,000 square feet without a conditional use permit, gas stations, educational uses, private clubs, and vocational or trade schools.

Councilmember Saroya commented on the number of banks in the Northtown area and asked that no future banks be allowed unless one were to close or move from the area. Mr. Thorvig stated the city was not allowed to regulate the number of banks within a zoning district. He explained the city could choose not to allow them in this district, which would allow existing banks to remain but future banks would not be allowed.

The council supported outdoor recreation being an accessory use in the Northtown area.

Councilmember Robertson asked if the requirements for outdoor entertainment would be listed within the ordinance. Mr. Thorvig reported this was the case.

Mr. Thorvig questioned if the council would want another liquor store in this area if the current liquor store were to close.

Councilmember Robertson supported the council having further discussion regarding the number of liquor licenses allowed within the city.

Councilmember Fleming, Councilmember Massoglia and Councilmember Newland supported smaller fitness facilities in the Northtown area.

Mr. Thorvig questioned how the council wanted to address gas stations in the Northtown area.

Councilmember Robertson indicated she could support the Northtown area having a gas station, so long as the aesthetics were unique or fit with the area. She did not support the gas station having a car wash.

Councilmember Saroya stated she did not support the Northtown area having a gas station.

Councilmember Larson explained she supported the area having a gas station without a car wash.

Councilmember Fleming questioned if the city would be allowed to limit the number of gas stations in the Northtown area. Mr. Thorvig stated he would have to discuss this further with the city attorney.

Councilmember Newland indicated he could support stand alone gas stations without a car wash.

Councilmember Saroya requested the location of gas stations be limited to ensure they did not end up near residential.

Mr. Thorvig asked how the council wanted to address educational uses.

Councilmember Fleming did not support Northtown having public educational uses, but could support the area having a charter, STEM or vocational school.

Councilmember Larson commented she did support educational uses in the Northtown area.

Councilmember Robertson did not support educational uses because she did not believe they fit with the vision for the area. She stated she could support tutoring or targeted educational uses.

Councilmember Saroya supported educational uses, noting there was a charter school in this area previously.

Councilmember Newland indicated he could support the area having a charter school, but not a public school.

Further discussion ensued regarding the charter school that was previously located in Northtown Mall.

Councilmember Saroya was of the opinion that adding population to this area would require a school in the future.

Councilmember Robertson stated the intent of the area was for entertainment, retail, restaurants and amenities. She did not believe vocational or charter schools were the intent for the area. She indicated the council could always consider a special educational use request in the future. For this reason, she believed it was wise to not include this use.

Councilmember Larson explained she believed an educational use would bring young people and foot traffic which would bring tax dollars to the area.

Councilmember Fleming indicated she would rather see an art studio or museum than a school in this area because this would draw people to those amenities.

Councilmember Massoglia stated he had no problems with educational uses.

Mayor Sanders reported he did not support the Northtown area having a post secondary school.

Councilmember Fleming and Councilmember Robertson agreed stating this would be counterintuitive to the plan or vision for this area.

Mr. Thorvig requested feedback on how the council wanted to address private clubs. The council supported the Northtown area having private clubs.

Mr. Thorvig discussed how the Minnetonka ordinance provides further development standards to protect adjacent properties. He asked the council if staff should pursue this type of language for the Northtown area. The council supported staff looking into this further.

Mr. Thorvig questioned if the council supported the Northtown area having assisted living and memory care facilities.

Councilmember Massoglia and Councilmember Larson supported this use in the Northtown area.

Councilmember Robertson indicated she could support this use, but recommended specific locations be considered.

Mayor Sanders stated he could support this use on the north side of Highway 10, but not on the south side of Highway 10.

Councilmember Larson agreed with this recommendation. She commented further on how she supported this area having more uses because there were 146 acres that were going to redevelop.

2.4. 2023-403 2040 Comprehensive Plan High Density Residential Sites Discussion
 Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated the 2040 Comprehensive Plan identifies various sites for high density

residential use. The high density land use category allows residential densities between 12-25 units/acre. Building types allowed are quadhomes, townhomes, apartments, condominiums, and cooperatives. The comprehensive plan is a future planning document required by the Metropolitan Council for all cities within the seven-county metropolitan area. The housing chapter addresses affordable housing allocation requirements set forth by the Metropolitan Council. The Metropolitan Council forecasts future affordable housing needs using a regional economic model, then allocates a share of the overall need to all communities expecting sewer-serviced housing growth over the next decade. Based on the formula, Blaine is required to plan for 1,139 new units. Cities aren't required to create enough units to meet their share of the need, but they must plan for possibility of these units by guiding sufficient land at higher residential densities. Existing affordable housing in the community is factored into this formula. This factor considers a community's existing supply of affordable housing, reducing requirements for communities that already supply higher levels of affordable housing. This factor is estimated using Metropolitan Council estimates based on 2013 and 2014 MetroGIS Regional Parcel Datasets; 2008- 2012 Comprehensive Housing Affordability Strategy (CHAS) data; and the Metropolitan Council's annual survey of manufactured housing parks. Eighty one per cent of Blaine's current housing stock was determined to be affordable to low-income households, which is above the Metropolitan Council's average of 66%; therefore, Blaine's affordable housing allocation was decreased by 162 units by this adjustment factor.

Mr. Thorvig explained in order to meet the unit requirement, the land use plan requires that certain land be guided for medium and high density residential to accomplish affordable housing allocation goals. The logic is that medium and high density residential land use is more conducive for affordable housing, and by requiring cities to set aside vacant or land to be redeveloped for medium and high density, it creates an opportunity for affordable housing to be built, though affordability is not required when those sites develop. By having this requirement in place, it distributes the ability of where affordable housing could be built amongst all cities versus concentrating it in certain cities/parts of the metro area. Due to the requirements, certain parcels of land were guided for high density residential in the 2040 Comprehensive Plan. In general, there has been a policy shift in the city council's philosophy on high density land use, specifically related to apartments, since the 2040 Comprehensive Plan was adopted in 2020. There are four specific high density residential sites that were identified in 2022 that could potentially be changed to a lesser density land use designation, which would exclude apartment use on the property. Those four sites were discussed at a retreat in October 2022. Given when the discussion occurred, it was not possible to change the land use designations prior to a change in the city council body that occurred in January 2023. With the new makeup of the city council, staff would like to revisit the four sites and have the current city council provide direction on land use changes.

Mr. Thorvig reported two of these sites were discussed at the May 1, 2023 workshop as part of the Northtown land use discussion. Since that workshop, staff has met with the Metropolitan Council and completed calculations to ensure that changes to the density can occur and still meet the affordable housing unit allocation requirements. Density reduction is feasible due to the proposed changes in the Northtown Area (yet to be formally approved) and the addition of high density housing land use for a portion of the 105th Avenue redevelopment area that was approved in 2022. Understanding that the Northtown area land use changes have not yet been approved, if there are changes to what was discussed at previous workshops, it is possible that additional changes in density to other sites citywide

may not be entirely feasible. Once the land use changes are formally adopted in the Northtown area (expected this fall), staff will complete density calculations based on that action and bring forward proposed changes to the other sites based on council feedback and the ability to reduce density based on changes in the Northtown area. Staff requested council provide staff with feedback on the following potential high density residential sites:

- Northwest Corner of 125th Avenue and Lexington Avenue
- Ulysses Street and Paul Parkway
- Polk Street and 101st Avenue
- Polk Street and Cloverleaf Parkway

Councilmember Saroya said she believed three of the four affordable housing sites were proposed for Ward 1. Mr. Thorvig clarified that two sites were in Ward 1 (Polk Street and 101st Avenue and Polk Street and Cloverleaf Parkway).

Councilmember Larson commented on how rental rates could be higher than anticipated by developers, due to the rising interest rates and costs for construction.

Councilmember Massoglia questioned how the city defined vacant land. Mr. Thorvig stated this had to be vacant land or sites planned for redevelopment.

Councilmember Saroya expressed concern with how the city was proposing to add more high density affordable residential in Ward 1. She explained she did not support this.

Mayor Sanders commented on the differences between high density housing and affordable residential units. He urged the council to look at the areas of the city that could support high density residential and not wards. He stated the Northtown area would be able to support additional high density residential areas because it would have amenities and restaurants that would be attractive for apartment or mixed use living.

Councilmember Larson agreed stating she does not think of the 105th area as Ward 1 only as it was more central to the city and did not mind additional apartments in this area. She discussed how this area of Blaine would properly support apartment living.

Councilmember Massoglia indicated he believed the zoning should be flipped so there were apartments and retail south of 125th.

Mayor Sanders asked if commercial would work in this area. Mr. Thorvig stated this could work.

Councilmember Robertson commented there was a component or ecosystem need for high density housing and felt it did not make sense for the corner of 125th..

Councilmember Fleming agreed.

Councilmember Newland stated he could support the change as proposed by Councilmember Massoglia.

Councilmember Larson indicated she did not want high density on the south side of 125th given the beauty and location of the nature trail.

Councilmember Saroya commented she could support the change as proposed by Councilmember Massoglia.

Mayor Sanders discussed how commercial development brings more traffic than apartments.

Mr. Thorvig stated he would further investigate the shift proposed by Councilmember Massoglia. He provided further comment on the Ulysses Street and Paul Parkway site noting staff was recommending this site be changed from HDR/Planned Commercial to MDR/Planned Commercial.

Mayor Sanders explained he would like to see the city pursuing more creative or elevated design for mixed use products in areas like these.

Councilmember Fleming commented she supported staff recommendation for this neighborhood.

Councilmember Massoglia agreed.

Councilmember Saroya believed this was the right location for apartments. Mr. Thorvig stated typically development steps from apartments to townhomes and then to residential.

Councilmember Newland supported this property remaining HDR.

Mayor Sanders indicated he was ambivalent regarding this property.

Councilmember Massoglia stated Paul Parkway did not have access to TH65 and for this reason would not support high density on this site.

Councilmember Larson explained there was a park and ride near this property, which was fitting for an HDR development.

Mayor Sanders reported the Metropolitan Council closed this park and ride location during COVID.

Councilmember Robertson commented if this was to become an active transit area again, this may be the right location for HDR.

Councilmember Massoglia suggested the former gas station near this property be considered for HDR. He stated he did not like apartments next to single family residential homes. Mr. Thorvig indicated there was merit in looking at apartments on the former gas station site.

Councilmember Fleming agreed with Councilmember Massoglia stating it made more sense to put the HDR development on the former gas station property.

Councilmember Newland stated he was fine with having HDR on the Ulysses Street and Paul Parkway site.

Mr. Thorvig commented on the Polk Street and 101st Avenue site and asked if the council supported this property changing to MDR.

Councilmember Massoglia supported this property having single family homes versus MDR.

Mayor Sanders explained if this was done, the council would have to add MDR somewhere else in the city.

Councilmember Newland agreed with Councilmember Saroya that this was a nice development area for single family homes, more so than MDR. He requested staff see what other areas in the city could serve as MDR in order to make up the difference.

Councilmember Robertson questioned if this property could remain greenspace. She indicated no matter what goes on this property, someone would be upset. Mr. Thorvig anticipated this would greatly upset the property owner.

Councilmember Saroya stated she liked this idea noting she has seen corporate-sponsored parks in other communities.

Councilmember Newland commented it appears there was consensus for this property to be something other than MDR.

Mr. Thorvig explained the last property up for consideration was at Polk Street and Cloverleaf Parkway and was 4.73 acres in size. He stated staff was recommending this property remain HDR.

Councilmembers Fleming, Massoglia and Newland were in agreement with this recommendation.

Councilmember Saroya did not believe this was the right location for an HDR development.

Councilmember Robertson questioned how feasible it was to actually develop this parcel. She asked if this site could be designated specifically for senior housing. Mr. Thorvig stated this could not be done.

2.5. 2023-411 City Manager Initial General Fund/EDA Budgets and Preliminary Levy
 Sponsors: Jason Zimmerman, Finance Director, Jenna Trittin, Finance Analyst

Ms. Wolfe described the growth the city was facing and commented on the staffing changes that have occurred in the finance department. She discussed how inflation was impacting the budget and explained it was necessary for the city to invest in its employees in order to retain them. The budget corrections being made for 2024 were further reviewed and she explained Finance Analyst Jenna Trittin would be presenting the preliminary budget and levy

to the council.

Finance Analyst Trittin provided a presentation on the initial general fund and Economic Development Authority (EDA) budgets as well as preliminary levy options. It was noted another council workshop for general fund, EDA, and preliminary levy is scheduled for September 18 prior to the preliminary levy adoption. It was noted councilmembers participated in small group discussions between July 19-31 during which staff presented initial general fund budget information. At the August 21 council workshop, staff brought a final copy of the small group presentation as well as general budget updates. A breakdown of the general fund budget increases from small group meetings versus where it is as of September is included below. A detailed listing of the base budget, department requests, and a list of changes since small group meetings were discussed.

Ms. Trittin explained the 2024 budget has provided unique challenges and opportunities. In addition to changes in city staff, a new web-based budget system has been implemented. While the budgeting software provides a more accurate and sophisticated model, the collaborative city-wide budgeting efforts identified several cost elements that were incomplete or incorrectly budgeted in recent years. Budget costs can be broken into ongoing expenses that are anticipated to increase a similar amount every year and one-time adjustments that have a higher impact in the first year and a smaller impact in future years. Staff provided further comment on the preliminary general fund and EDA budgets along with the the proposed levy and requested feedback from the council.

Councilmember Fleming asked how workers compensation premiums were decreased. Ms. Trittin discussed how the internal rate was decreased after further analysis by staff. Director of Administration Cassandra Tabor provided further comment on the city's mod rating and impacts that decreased costs significantly.

Councilmember Massoglia requested staff see what other cities had for workers compensation claims each year compared to Blaine.

Councilmember Newland asked what insurance the city gets through the League of Minnesota Cities. Ms. Trittin reviewed the insurance types the city receives from the LMC.

Finance Director Zimmerman commented on how the median value home would be impacted by the proposed levy.

Councilmember Robertson requested staff provide the council with a copy of this presentation prior to the next workshop meeting.

Councilmember Massoglia stated he would like more information from staff regarding the \$5 million in base budget increases.

Mayor Sanders urged the council to reach out to staff with any questions they may have regarding the preliminary budget as it would be considered by the council for approval on September 18. He indicated the council would be very busy in October and November reviewing budget information in order to make intelligent decisions on behalf of the city then asked when the council would be holding the truth in taxation hearing and questioned when the final budget would be approved. Ms. Wolfe stated the hearing was typically held

the second Monday in December and the final budget and tax levy would be approved at the final meeting of the year.

2.6. 2023-417 Adult-Use Cannabis Information

Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated pursuant to the new law, use of recreational cannabis by adults became legal August 1, 2023, but the sale of cannabis, cannabis products, and lower-potency hemp edibles is not legal until the Office of Cannabis Management begins issuing cannabis business and hemp business licenses. The Legislature did not identify a date when the Office of Cannabis Management will begin accepting, processing, and granting applications for cannabis businesses and hemp businesses. It seems generally understood that it will be a year or more before the Cannabis Management begins issuing licenses. Therefore, no retail sale of cannabis can occur until this is in place. This will allow cities time to study the issue and determine what local regulations to put in place regarding the sale of cannabis. He reported one of the recommendations is to establish a moratorium on both hemp and cannabis businesses through zoning. Many cities have adopted a moratorium to study the impact of retail sales and how to regulate them through zoning. A city continues to possess zoning and land use controls through which the city may regulate a cannabis business' location and the number of cannabis businesses in the city. A city must allow at least one cannabis business registration for every 12,500 residents; if a county, however, has one active registration for every 12,500 residents, then a city is not obligated to register a cannabis business. A city may also permit more than the minimum permitted by state law. Cities may prohibit the operations of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.

Mr. Thorvig explained given that the state hasn't created a licensing mechanism yet and retail sales are not permitted until then, a moratorium does not need to be immediately adopted, but the council may wish to consider implementing one to provide direction to current and any new lower-potency hemp businesses on where or how many eventual cannabis licenses may be allowed. However, it is still recommended to allow time to study the issue. A future workshop item will be scheduled to discuss the merits and timing of a moratorium. This will also allow time for the city to determine how/if to license these facilities. The Blaine City Council has previously addressed/discussed the following additional topics related to hemp and cannabis including the 2022 law related to edibles and use of cannabis in public places.

Ms. Wolfe explained she went through this process in Colorado and noted a year-long moratorium had been put in place to allow staff to study this topic.

City Attorney Loonan reported he was recommending the council place a moratorium in order to put a pause in place.

Councilmember Larson asked what other cities have put a moratorium in place. Mr. Loonan reported Lakeville, Spring Lake Park, and a number of other cities he represents have put a moratorium in place. He discussed how the state office has to put regulations in place prior

to this use being properly licensed.

Councilmember Fleming anticipated other cities would be looking to Blaine and she hoped Blaine would be providing leadership when it comes to this topic.

Councilmember Massoglia indicated he supported the city attorney's recommendation.

Councilmember Newland agreed stating it would benefit the city to have time to review this topic and put regulations in place prior to the state licensing this use. He questioned how long the moratorium could be in place. Mr. Loonan explained after holding a public hearing the council could put a moratorium in place until January 1, 2025.

2.7. RES 23-140 Agenda Format for City Council Meetings Regarding Rules of Order and Procedure and Addendum
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated at the August 14 workshop, council reviewed staff recommendations regarding amendments to the current rules of order and procedure. After discussion and input, revised rules were presented for council adoption on August 21 and was tabled for further review at a workshop. Changes that have been incorporated from the August 14 workshop are:

- Removal of language regarding suspension of rules by vote of super majority for Adoption of Agenda
- Removal of language that participants may not speak on items that have already had a public hearing at a previous meeting under Open Forum
- Amendments to items for inclusion on the Consent Agenda such as CUPS, variances, second readings of rezoning, preliminary plats, and items with limited concern/no public comment

Ms. Sorensen reported under Other Business at the August 21 meeting, a motion was adopted regarding Placement of Items on an Agenda as stated below:

Any two members of Council may place an item on a council meeting agenda if the item is submitted by the end of the business day on Monday, one week preceding the Monday council meeting. Items must be presented in writing to the city manager. Items sent one week prior will be included in the original printing of the agenda. Thereafter, items requested by any two members of council prior to the time the agenda is formally adopted at the council meeting will be included in the recommended additions to the agenda by the city manager. These recommended additions will be adopted onto the agenda by a majority vote of council.

Ms. Sorensen reported staff is suggesting that this adopted language be incorporated into the finalized resolution for adopting rules of order and procedure, so this rule is clearly documented. Once general consensus is reached on any remaining items, a finalized resolution adopting rules of order and procedure will be placed on an upcoming council agenda for formal adoption. As noted earlier, council will be asked to adopt these rules

annually by resolution at the first business meeting of the year in order to best document the most current rules going forward, so this item will be before council again in January 2024. If adopted, the final resolution will formally replace Resolution 99-152 and all its adopted addendums that have occurred over time.

Mayor Sanders explained he and Councilmember Massoglia spent a great deal of time discussing this issue and that they held a productive conversation earlier today. He summarized this conversation, noting councilmembers would be able to bring topics forward with a motion and second under Other Business and this item could then be discussed at a future workshop meeting. If there is majority support from the council at that workshop meeting, the item could move forward to a future council meeting. He asked that the rules state it would require at least three councilmembers to move an item forward, but Councilmember Massoglia would prefer just two.

Councilmember Massoglia stated he agreed to the compromise and noted he wanted to maintain a mechanism for two councilmembers to place something on an agenda and have it voted on. He believed this was a right for councilmembers both now and in the future.

Councilmember Robertson asked about the potential of possibly significant staff time for an item that may not have consensus from the council. She indicated she did not support the proposed compromise and would rather have at least three councilmembers bring an item forward. She feared matters would feel adversarial when brought up at Other Business versus going through the normal workshop channel.

Councilmember Massoglia commented there were "what if" scenarios that could be addressed under the new compromise, such as the humane pet store ordinance. He questioned at what point was it fair to bring this item forward in order to take action in a public and transparent manner.

Councilmember Larson stated just because the compromise was in place did not mean this would be the preferred method for bringing items forward. She indicated the compromise would be a safeguard. She explained she liked the compromise because it provided another way to bring items forward.

Councilmember Newland asked if a motion and second would be all that was needed to move an item to a workshop meeting. Mr. Loonan explained this could be written into the city council's rules.

Councilmember Fleming questioned if items could still be submitted to the city manager. Mayor Sanders reported this practice would continue.

Councilmember Fleming stated she could support the compromise, noting it made sense to review items in workshop before taking formal action.

Councilmember Saroya discussed the benefit of having some conversations at televised meetings versus non-televised workshop meetings for transparency and believed the original proposal made more sense.

Mayor Sanders noted workshop meetings were open to the public with approved minutes

and explained no official actions were taken at workshop meetings but consensus requested in order to move items forward. He stated workshop meetings were the perfect time for council to discuss and work through matters and hoped to further foster these discussions on items and that good policy decisions would then occur at regular meetings.

Councilmember Newland and Councilmember Fleming indicated they supported the compromise.

Ms. Wolfe explained if something comes up under Other Business, staff may not fully understand when that item can be scheduled for a workshop or how much staff time it would take to research the matter.

Councilmember Robertson stated she was concerned with how this compromise would impact staff. Ms. Wolfe commented she was still processing how the compromise would impact staff but stated she preferred this option better and appreciated that the previous process would remain in place.

3. Other Business

None.

4. Adjournment

The Workshop was adjourned at 9:41PM.



City of Blaine

City Council Workshop

September 18, 2023 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order by Mayor Sanders at 5:30PM.

PRESENT: Mayor Tim Sanders, Councilmembers Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: Councilmember Terra Fleming.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Senior Parks and Recreation Manager Jerome Krieger; Finance Analyst Jenna Tritten; Public Works Director Nick Fleischhacker; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

2. New Business

- 2.1. 2023-440** City Manager Initial General Fund and Preliminary Levy
Sponsors: Jason Zimmerman, Finance Director, Jenna Tritten, Finance Analyst

Finance Analyst Tritten stated at the September 11 council workshop, staff presented information on the General Fund and Economic Development Authority (EDA) budgets, background on the debt levy and internal service funds, and preliminary levy options. Staff will build on what was presented to prepare council to adopt a preliminary levy. The agenda item text is similar to what was provided for the September 11 meeting and includes additional information. At the August 21 council workshop, staff brought a final copy of the

small group presentation as well as general budget updates. The 2024 budget has provided unique challenges and opportunities. In addition to changes in City staff, a new web-based budget system has been implemented. While the budgeting software provides a more accurate and sophisticated model, the collaborative city-wide budgeting efforts identified several cost elements that were incomplete or incorrectly budgeted in recent years. Budget costs can be broken into ongoing expenses that are anticipated to increase a similar amount every year and one-time adjustments that have a higher impact in the first year and a smaller impact in future years. State statute requires local governments to adopt a preliminary levy by September 30; Council will be asked to adopt a preliminary levy at the Monday, September 18 council meeting. Best practice is to adopt a preliminary levy that provides adequate flexibility for the council to react to changing economic conditions and needs of the community. It was noted council will adopt the final levy at a December council meeting. Staff further reviewed how the median family home would be impacted by the proposed budget and tax levy and requested feedback from the council.

City Manager Wolfe commented on the history of the pavement management plan and explained the city was at the point it would have to levy in order to move forward with projects. She discussed how these expenses will decrease in time when the city can shift to roadway maintenance versus roadway reconstruction.

Councilmember Larson requested further information regarding the city's tax capacity. Finance Director Zimmerman provided the council with a definition on the city's tax capacity. He reported this percent (31.8%) is the percent of tax dollars paid to the city.

Councilmember Robertson commented on what other communities are paying for property taxes, noting Blaine has historically been on the low end when compared to surrounding communities.

Ms. Wolfe encouraged the council to not be too concerned in percentages then discussed how even with the proposed levy increase, Blaine would be on the low end when it came to property taxes. She believed Blaine taxpayers received great value for the property taxes that were paid.

Councilmember Saroya questioned why Edina's proposed levy was so high and asked if they provided different or more services to residents. Mr. Zimmerman commented he did not have this information but believed there was much overlap in services provided, adding there may be some minor differences in all communities. Ms. Wolfe indicated all cities were dealing with increased prices for labor and commodities, along with increased costs for public safety.

Councilmember Larson requested further information regarding the additional staff positions. Ms. Trittin reviewed the list of potential staffing requests.

Further discussion ensued regarding how the levy would increase in future years if the debt levy was not fully funded.

Councilmember Robertson stated reserves currently has \$2.5 million. She questioned if the council could use these dollars for capital purchases instead of levying dollars. Ms. Trittin reported this was the case.

Councilmember Robertson inquired if any of the items within the levy would have any pressures or adverse impacts on the city's AAA bonding rating. Mr. Zimmerman stated he was not a rating agent, but noted a city's willingness to increase taxes was looked upon favorably, along with having excess cash in funds. Ms. Wolfe indicated Baker Tilly has already taken a preliminary look in order to understand where the city may land.

Ms. Wolfe reported staff drafted the resolution with the higher proposed scenario and would be able to adjust for the council meeting in order to have the appropriate information for the council if needed.

Councilmember Larson questioned when the council would vote on the final budget and tax levy. Ms. Wolfe reported this would occur in December.

Councilmember Newland stated he supported staff's recommendation.

Councilmember Saroya requested further information regarding the new staffing positions. Ms. Wolfe spoke to the new position requests and discussed how several of the new positions would have a direct impact for residents.

Mayor Sanders thanked staff for the detailed presentation.

2.2. 2023-430 2023-2026 Strategic Plan Review

Sponsors: Ben Hayle, Communications Manager, Michelle Wolfe, City Manager

Communications Manager Hayle stated from April 2023 through August 2023, the City of Blaine engaged in a strategic planning process. The process yielded an organizational strategic plan covering 2023-2026. An organizational strategic plan is not designed to be a community visioning document. The City participates in community visioning through the comprehensive planning process and select master planning efforts. The new strategic plan was built from an existing plan that was first created in 2019 and then updated in 2022. The plan consists of six strategic priorities — the issues of greatest importance to the City over the next four years. Associated with each priority is a set of desired outcomes, key outcome indicators, and performance targets, describing expected results and how the results will be measured. The plan also includes strategic initiatives that will be undertaken to achieve the targeted outcomes. The planning effort began with an examination of the operating environment, consisting of an environmental scan and strengths, weaknesses, opportunities and threats (SWOT) analysis. On June 12, 2023, the City Council held a facilitated strategic planning retreat with staff. At the retreat, the team identified a set of priorities, key outcomes, performance targets, and reviewed the City's vision, mission, and values statements. Based upon those priorities, the City staff met on July 13, 2023, to determine a set of strategic initiatives and begin the process of developing detailed action plans. Staff is seeking Council feedback prior to bringing the strategic plan forward for formal adoption. After the plan is adopted, staff will begin planning for implementation with regular updates to the Council.

Councilmember Massoglia recommended the city reconsider the importance of a

comprehensive financial manual. He supported the city having financial fund targets. Ms. Wolfe indicated the plan for this manual was for it to be internal for staff. Mr. Hayle commented on how this manual would consolidate policies for staff. It was noted this would be a living document that could be amended over time.

Councilmember Robertson asked if the finance director had input on the finance strategies. Ms. Wolfe reported Finance Director Zimmerman did have input on the strategies.

Councilmember Massoglia stated he did not want to see a large expense made to complete the proposed comprehensive financial manual.

Councilmember Newland questioned what a governance index was. Mr. Hayle commented on how a governance index would be established through a city survey and how the city can work to improve functions or scores based on the survey results.

Councilmember Robertson inquired if the city should identify the service road on the west side of TH65 within the strategic plan. Director of Engineering Schluender stated the council could identify this within the strategic plan. Mr. Hayle anticipated this would be a step in the action plans for this project.

Mr. Hayle reported staff would be bringing this formal plan forward in October for council approval. He asked how often the council would like staff to bring this matter back for review and consideration.

Councilmember Robertson supported this being done on a quarterly basis.

Mayor Sanders agreed, noting this would allow for the city to celebrate victories along the way.

- 2.3.** 2023-448 Closed Session to Discuss Non-Public Data Relating to an Active Investigation Pursuant to Minnesota Statute Section 13D.05, Subd. 2(2)
Sponsors: Tom Loonan, City Attorney

Motion and second to reconvene the recessed workshop at 9:44 PM and move to close the meeting pursuant to Minnesota Statute Section 13D.05, Subd. 2(2) to discuss non-public data relating to an active investigation.

Motion adopted unanimously.

3. Other Business

Ms. Wolfe reported staff anticipated there would be a large number of residents who would want to speak during the public hearing for the sober living home request at the council meeting. City Attorney Loonan commented further on the two items that were under consideration for the sober living home, which included a license and reasonable accommodation which would allow for up to 16 unrelated people to live in the home. He explained the council does have some level of discretion when considering the number of individuals that would live in this home.

4. Adjournment

The Workshop was adjourned at 10:25PM.



City of Blaine

City Council

September 18, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The meeting was called to order at 7:08PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: Councilmember Terra Fleming.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Senior Parks and Recreation Manager Jerome Krieger; Finance Analyst Jenna Tritten; Community Standards Director/Fire Marshal Robert Fiske; Public Works Director Nick Fleischhacker; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

None.

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 7:09PM.

Jessica Bahr, 116 91st Lane NE, shared comments about USDA violations of breeders used by Four Paws and a Tail and encouraged the council to consider adoption of a humane pet store ordinance.

There being no further input, Mayor Sanders closed the Open Forum at 7:14PM.

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, that the following items on the Consent Agenda be approved.

Motion adopted unanimously.

8.1. 2023-437 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

8.2. 2023-438 Approve Temporary Road Closure for Blaine Oktober Fest
Sponsors: Jerome Krieger, Sr. Recreation Manager

8.3. RES 23-142 Resolution to change a section of 121st Ave (as it stubs from Vermillion St NE) to be named Urbank Circle NE.
Sponsors: Daniel Schluender, Director of Engineering

- 8.4. RES 23-132 Resolution Granting Final Plat Approval to Subdivide 42.31 Acres into Two (2) Lots and one Outlot to be Known as Blaine Back 40 at 104th Lane and Flanders Street NE. KE Properties LLC. (Case File No. 23-0070/SLK)
Sponsors: Sheila Sellman, City Planner

9. **7:00 PM - Public Hearing and Items Published for a Certain Time**

- 9.1. 2023-433 Sober Living Home Application and Reasonable Accommodation Request, 691 87th Lane NE
Sponsors: Bob Fiske, Community Standards Director/ Fire Marshal

Community Standards Director/Fire Marshal Fiske stated Krista Johnson, owner of Meraki Recovery Housing, has applied for a Sober Living Home license and is requesting reasonable accommodations under the Federal Fair Housing Amendments Act of 1988 to allow more than 4 unrelated adults recovering from chemical dependency to live in a home located at 691 87th Lane NE, known as a sober living home. In accordance with the Blaine Code of Ordinances 18-511 Licensing and standards for a sober living home, an application must be made and a public hearing must be held. An application was received on August 15, 2023. Meraki Recovery Housing is also asking for reasonable accommodations to allow 14 residents and 2 live-in house managers, for a total of 16 residents, to live in the home. Staff commented further on the request and recommended approval of the sober living home application.

Mayor Sanders opened the public hearing at 7:21PM.

Monte Cook, 8470 Cottagewood Terrace, said this proposal should fall under supervised living statute 144.50 (6) which would be subject to a moratorium and those with criminal activity may not be allowed to be near schools or parks. He shared per statute 144D.01 this use should also fall under housing with services and be 55+.

Krista Johnson, 732 129th Avenue NE and Meraki Housing representative, shared comments about increased awareness and decreased stigma regarding mental health, substance abuse, and mental health disorders and shared their goal to help people in need. She stated she understood the importance of being a good neighbor and noted this would be a focus for her. She commented further on how important it was for people in recovery to be surrounded by a community of people.

Fatima Faried, 8605 Polk Street NE, explained the property location is on a quiet dead end street and, if approved, will create more traffic and cars. She did not want people struggling with drugs or alcohol to be located in their neighborhood.

Kimberly Brooks, 740 87th Lane, said adding 16 residents will double the amount of residents on this dead end street. She indicated she had concerns with parking and driving and asked who will control the number of cars for residents and their visitors. She shared how Meraki had not followed ordinances in Coon Rapids and feared similar activity would occur at this property.

Lauri Ryan, 670 87th Lane, shared concerns with increased traffic and how this use would impact her quiet neighborhood. She encouraged the council to consider Meraki's business practices in following city ordinances and potential safety concerns should a resident fail to remain sober. She urged the council to hear the concerns of the surrounding residents regarding safety.

Ginger Johnson, 760 87th Lane, supported the previously shared concerns and asked who was responsible for oversight of the home and if the property would remain zoned residential. She expressed concern with the drug activity and homelessness occurring in the woods behind her home.

Carol Jacobs, 8738 Tyler Street, shared Meraki's mission statement and discussed the close proximity of a liquor store to the proposed sober living residence. She feared the people living here would be susceptible to relapse and did not support a sober home at this location.

Chris Falk, 913 121st Avenue, shared support for the proposed application, noting he was a resident of another sober living home.

John Grueger explained he was the assistant manager of a Meraki men's home in Ramsey. He explained the home in Ramsey has less parking than the home in Blaine and no concerns have arisen. He stated he understood the concerns with traffic and parking, but noted all vehicles must be licensed and operational. He explained Meraki has multiple locations with 14 residents and all were operating successfully.

James Haugen, 913 121st Avenue, reported he was a recovering person thanks to Meraki. He discussed the importance of being with like-minded people and being in a safe place while recovering.

Jordan Scott, 638 88th Avenue, asked if there will be a fence along the rear property line. He feared his property value would be adversely impacted. He asked questions regarding lawn care, snow removal, ADA compliance, residents' genders, and how crime and police activity would be addressed, along with curfews and removal process management. He stated he did not support the sober living home.

Helen Hansen, 8804 Van Buren Street, shared concerns with the two nearby homes in her neighborhood where people can purchase drugs and while she was not against recovery, she feared those working towards recovery would not be able to address their concerns at the proposed property. She stated she was not against a sober home, but she feared the community was not ready for it.

Lana Cornelias, 665 87th Lane NE, shared concerns with the lack of safety and privacy if this is approved. She explained she would not feel comfortable in her home with 14 recovering strangers living next door.

Janet Zawacki, 8813 Jefferson Street, said the community belongs to everyone and is a neighborhood. She expressed concerns with the location of the liquor store, increased traffic, and the number of children near this property. She urged the council to stand up for

the neighboring residents and not approve this request.

Chad Moen, explained he was the business manager of the Meraki home in Coon Rapids. He addressed the concerns raised by the neighbors and explained the sober living home will be a solution by providing a safe place for those in recovery and that residents who want to recover should be allowed to do this in their hometown.

Carrissa Mansinni, 647 87th Lane, expressed concern with the safety of her children as well as how there would be increased traffic and decreased quietness in her neighborhood.

Richard Janek, 913 121st Avenue, stated he was the manager of the Blaine Meraki location. He commented on the rules that were followed by his tenants and explained there was a need to add another location in this area to assist with the concerns at Northtown.

Kimberly Roeker, 1025 89th Avenue, indicated she has lived in her home for 50 years. She discussed the importance and need for this sober home in order to provide opportunities for those in recovery and how this location would be operated much better than a halfway house.

Tim Clancy, 648 87th Lane, shared that he worked as a court bailiff as a career and commented on the many incidents he saw that started with addiction. He congratulated those who are in recovery but said his neighborhood was not appropriate for this type of program.

Brian, 8822 Van Buren Street, stated he supported recovery but did not support the proposed sober living home in his neighborhood.

Devin Argie, 913 121st Avenue NE, explained he was 11 months sober because of a Meraki home. He indicated he heard the genuine concerns from the neighbors but stated a sober home in this neighborhood would provide hope and success for those living on the streets.

Scott Haggenmiller, 8722 Van Buren Street, reported he did not support the proposed sober living home.

Wade Koska, 686 87th Lane, asked questions if firearms or weapons will be allowed at the sober living home. He inquired if the property would have metal detectors. He questioned if sex offenders would be allowed in this house and would adjacent residents be notified. He stated he had many concerns regarding safety, parking, the loss of trees to make for more parking, and how the neighborhood would be impacted in the event someone relapses.

Mary Ann Jordan, Blaine, shared her sister was killed by a drunk driver and this type of activity should be located in a more rural area and not in a nice, quiet neighborhood.

Rosanne Olson, 8815 Tyler Street, explained she has lived in the neighborhood for the past seven years and was against the proposed sober living home.

Mayor Sanders closed the public hearing at 8:26PM.

Councilmember Larson asked if some of the residents would be sex offenders or have

police records. City Attorney Loonan explained he deferred this question to the applicant. Safety Services Director/Police Chief Podany spoke to the residency restrictions for registered predatory offenders and required public notification, noting these restrictions are governed by state law.

Ms. Johnson stated there were a variety of different sober homes. She reviewed her application process noting a full criminal background check was completed on each tenant. She explained sex offenders or violent offenders were disqualified from living in her sober homes.

Councilmember Robertson questioned if the city has conducted a life/safety inspection for this home. Mr. Fiske reported the applicant does not currently own this home. He stated if the permit is approved and the applicant closes on the property an inspection would be conducted.

Councilmember Robertson requested further information regarding the proposed parking. Mr. Fiske described the location of the proposed parking spaces on the property, noting the home had a very long driveway. He stated there would be no on-street parking.

Councilmember Robertson commented she was moved by the comments from the people who live in this neighborhood and from those who were in recovery because this brought the human element of the situation to the forefront. She explained she understood there were issues in the Northtown area and noted law enforcement was well aware of these concerns but cautioned residents from generalized comments regarding people. She discussed how the council was working to better the Northtown area for the entire community. She stated she was challenged by this request because she did not believe the location was right.

Councilmember Newland stated he agreed with many of Councilmember Robertson's comments. He indicated he did not support putting this type of business into the Northtown area as it would complicate the city's efforts. He noted he lived on a dead end cul-de-sac and commented on how adding 16 residents to one home on a cul-de-sac would greatly impact traffic. He believed this was not the right fit for the neighborhood. He asked what the council's decision had to be based upon for the sober living home. Mr. Loonan advised this facility was not licensed by the state. He summarized what was before the council were two separate considerations, whether the council would consider approval of a license for the applicant as well as the reasonable accommodation request to expand the number of people from four to sixteen.

Councilmember Newland indicated the council had a fair amount of discretion when considering this license and the expansion of this use. Mr. Loonan stated this was correct and if the license was not approved there would be no reason to consider the reasonable accommodation. He reported the way the ordinance was written it does provide the council some discretion, but there were criteria that still had to be considered for sober living homes.

Councilmember Saroya stated she lives on this side of town closest to the proposed sober living home. She thanked those who had the courage to stand up and share their journey with the council. She explained she appreciated the culture and sincerity of this

neighborhood for applauding these individuals. She reported this neighborhood was very special to her and she appreciated how they welcomed her to the community. She indicated this was a quiet cul-de-sac and she did not believe the sober living home with 16 residents was the right fit for this neighborhood. She commented further on the issues surrounding this neighborhood and thanked the residents for voicing their concerns. She stated this home was not set up for a business and should remain a single family home. She indicated she would be voting against this request.

Councilmember Larson agreed there was a human element to this request. She reported she was an advocate for children and understood there was a large number of children in this neighborhood. She stated she felt for the young resident who lived next door to this property concerned for her safety. She did not believe it was the responsibility for the residents on this cul-de-sac to be participants in a recovery process and for this reason would be voting against this request.

Councilmember Massoglia indicated he was proud of Blaine for having strong community support for its law enforcement. He understood Blaine residents wanted to live in a drug free/crime free community and commented on how sober homes were essential to achieving this. He stated he understood the residents who did not want this in their back yard but he wanted Blaine to be a healthy, hopeful community. He reported Blaine was a top ten city in the state of Minnesota and shared there was a sober home in his ward. While there has been some minor complaints, overall there has not been any major issues. He anticipated people had fearful tendencies when they heard the term sober house, but it was his hope the community would be able to turn the corner in order to help more people in the community heal. He stated his only concern with the item had to do with parking, but he understood this request did not have enough votes to move forward.

Mayor Sanders stated these were always difficult requests for the council to consider. He understood some people stood to lose more than others. He thanked the residents who were in attendance for coming forward, voicing their concerns and sharing their valid fears. He explained the council hears what the residents were saying. He indicated he did not like hearing there were drug houses and drug use in the community. He reported the police may have to address this concern more seriously in order to target this area of the city. He stated he understood how great the residents were in this area of Blaine and that they were looking for safety and revitalization. He believed the council had to do their part in order to deliver this. He urged the residents in this neighborhood to continue to call the police when they have concerns. He commented on how vital recovery was for people in this community and noted Blaine has to be a part of this solution. He was greatly impressed and inspired by the recovering individuals who spoke at this meeting. He understood there was a fear of the unknown, but he wanted Blaine to become a strong community for all. He reported the mayor of Crystal owns a number of sober homes and noted there was a lot of pride in assisting people turn their lives around in order to become the best version of themselves.

Police Chief Podany invited the residents from this neighborhood to meet with him after this portion of the meeting so he could discuss his plans for the area. Mayor Sanders thanked the police chief for offering to further this conversation.

Moved by Councilmember Saroya, seconded by Councilmember Newland, to deny a sober living home license and a reasonable accommodation request to allow 16 people for the

property at 691 87th Lane NE.

Councilmember Larson stated she did not believe it was the responsibility of a young woman to be asked to live next door to a sober home where she would no longer feel safe. She reported the residents' comfort was important and did not believe it was their responsibility to accommodate this use.

Councilmember Massoglia commented if Blaine wants to be a community that supports sober homes, the council and residents would have to consider where these uses could be located.

Motion adopted 5-1 (Councilmember Massoglia opposed).

10. Development Business

- 10.1.** RES 23-141 Resolution Granting a 12-Month Extension to a Conditional Use Permit to Construct a 2,613 Square Foot Detached Garage for a Total Garage Space of 2,963 Square Feet in an FR (Farm Residential) Zoning District at 12640 Radisson Road NE. Aaron Jordan (Case File No. 22-0034/EES)
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the property owner is requesting a 12 month extension to a conditional use permit to build a 2,613 square foot detached garage.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Granting a 12-Month Extension to a Conditional Use Permit to Construct a 2,613 Square Foot Detached Garage for a Total Garage Space of 2,963 Square Feet in an FR (Farm Residential) Zoning District at 12640 Radisson Road NE.

Motion adopted 5-0-1 (Councilmember Saroya was absent for the vote).

- 10.2.** RES 23-147 Resolution Granting a 12-Month Extension to a Variance to Locate a Detached Accessory Structure Within the 100-Foot Required Setback at 12640 Radisson Road NE. Aaron Jordan (Case File No. 22-0051/EES)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a variance to the front yard setback of 100 feet for a new garage in an FR (Farm Residential) district. The request is to reduce the setback to 50 feet.

Moved by Councilmember Massoglia, seconded by Councilmember Larson, to Resolution Granting a 12-Month Extension to a Variance to Locate a Detached Accessory Structure Within the 100-Foot Required Setback at 12640 Radisson Road NE.

Motion adopted 5-0-1 (Councilmember Saroya was absent for the vote).

10.3. ORD 23-2528 Second Reading

Ordinance Approving an Amendment to Section 26.06 (Nonconforming Structures, Uses) of the Zoning Ordinance to Allow the Creation of Nonconformities by Public Action to be Deemed in Compliance with the Zoning Ordinance. City of Blaine (Case File No. 23-0063/SLK)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the proposed ordinance amendment is to allow any conveyance of land to a federal, state, or local government for public purposes to allow that lot and any structures existing at the time of public action to be deemed in compliance with the minimum lot area, lot width and setbacks of the Zoning Ordinance.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt the Second Reading of an Ordinance Approving an Amendment to Section 26.06 (Nonconforming Structures, Uses) of the Zoning Ordinance to Allow the Creation of Nonconformities by Public Action to be Deemed in Compliance with the Zoning Ordinance.

Motion adopted 5-0-1 (Councilmember Saroya was absent for the vote).

10.4. RES 23-133 Resolution Granting an Extension to September 5, 2024 for the Conditional Use Permit to Construct a 111-Unit Apartment Building at 111 99th Avenue NE. Blaine Apartments LLC (Case File No. 22-0048/SAS)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated at the September 6, 2023 City Council meeting, the council approved an extension of the Conditional Use Permit for a 111-unit apartment building at 111 99th. The expiration date, as approved, is extended to September 5, 2024.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to adopt a Resolution Granting an Extension to September 5, 2024 for the Conditional Use Permit to Construct a 111-Unit Apartment Building at 111 99th Avenue NE.

Councilmember Saroya believed the city has gone above and beyond for this developer. She indicated this developer does not have basic funding to move this project forward and feared it would not move forward properly. For this reason, she recommended the council not support a nine-month extension and suggested a three-month extension be considered instead.

Motion amendment by Councilmember Saroya, seconded by Councilmember Larson, to amend the motion to adopt a Resolution Granting an Extension to March 5, 2024 for the Conditional Use Permit to Construct a 111-Unit Apartment Building at 111 99th Avenue NE.

Councilmember Massoglia reported this matter was discussed at length at the last council meeting. He supported the council granting an extension through September 5, 2024.

Amended motion failed 2-4 (Mayor Sanders, Councilmembers Robertson, Newland, and Massoglia opposed).

Motion adopted 4-2 (Councilmembers Larson and Saroya opposed).

- 10.5.** RES 23-151 Resolution Granting an Extension for Recording the Final Plat of Green Acres 2nd Addition Creating One Lot and Two Outlots at 111 99th Avenue NE.
Blaine Apartments LLC (Case File No. 22-0064/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the council approved an extension to recording the final plat for Green Acres 2nd Addition at the September 6, 2023 meeting and directed staff to bring forward a resolution for approval at the next council meeting.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Granting an Extension for Recording the Final Plat of Green Acres 2nd Addition Creating One Lot and Two Outlots at 111 99th Avenue NE.

Motion adopted 4-2 (Councilmembers Larson and Saroya opposed).

11. Administration

- 11.1.** RES 23-146
- Resolution Accepting Bids and awarding the contract to Kunkle Electric, Inc. in the Amount of \$173,500.00 for the Jim Peterson Little League Baseball and Hockey Rink Lighting Project.

Sponsors: Jerome Krieger, Sr. Recreation Manager

Senior Recreation Manager Krieger stated the city council previously approved a budget for the Parks Capital Improvement Program, which included \$110,000 for consulting and \$225,000 for construction for Lighting Improvements to Jim Peterson Park in 2023. Bids were received on September 8, 2023 and Kunkle Electric, Inc. was the low bidder with a bid of \$173,500.00. The project furnishes and installs new lighting poles and luminaries around the West baseball field and future hockey and free skating rink in the park. Staff commented on the project in further detail and recommended approval.

Moved by Councilmember Newland, seconded by Councilmember Massoglia to Resolution Accepting Bids and awarding the contract to Kunkle Electric, Inc. in the amount of \$173,500.00 for the Jim Peterson Little League Baseball and Hockey Rink Lighting Project.

Councilmember Newland requested further information on how the new lighting would be controlled. Mr. Krieger described the system that would be in place to assist with programming or turning the lights on and off at the proper time.

Councilmember Larson questioned if the soccer fields would remain in place. Mr. Krieger

reported this was the case.

Motion adopted unanimously.

11.2. RES 23-122 Authorize Parking Restrictions on Quincy Boulevard Cul-De-Sac
Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated staff was provided a petition signed by seven of the nine (78%) property owners on the Quincy Boulevard cul-de-sac asking that the cul-de-sac be posted no parking from 10PM to 7AM daily, year round. Generally, when more than 50% of the adjacent property owners sign a petition for parking restrictions, the petition will be brought before the city council for consideration. A letter was sent to all adjacent property owners that the petition was going before the traffic commission on September 5 for recommendation and the city council will be considering this item at the September 18 city council meeting. At the September 5 traffic commission, three property owners spoke, with two being in opposition and one being in favor of the proposed parking restrictions. The traffic commission voted 4-0 to recommend the city council deny the petitioned parking restrictions. It was noted the installation of regulatory stop, no parking and speed limit signs requires authorization by the city council. The regulatory signs proposed meet warrants established in the Minnesota Manual of Uniform Traffic Control Devices and/or Minnesota State Statutes. The proposed council action will prohibit parking on the Quincy Street cul-de-sac, located on the west side of Quincy Street between 111th Avenue and Madison Street, from 10PM to 7AM daily, year round.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to support the Traffic Commission's recommendation and deny the proposed No Parking restrictions for the Quincy Boulevard cul-de-sac.

Councilmember Larson asked if this was common for other cul-de-sacs. Mr. Schluender stated it was not common for cul-de-sacs to be posted "No Parking". He explained this cul-de-sac has an ongoing parking dispute, which led to the petition. He indicated some of the parking issues have been resolved, but not all of them.

Councilmember Robertson reported she watched the traffic commission meeting and feared there was some type of ill will occurring. She stated this was not how neighbors should be treating each other and encouraged these neighbors to speak to one another in order to find a path that would repair the relationship between the two families.

Councilmember Saroya requested the neighbors be allowed to come forward and speak to the parking concerns on the cul-de-sac.

Mayor Sanders reported the neighbors were not in attendance at this meeting.

Councilmember Robertson commented on how if the council were to support this request, a precedent could be set for future cul-de-sac no parking requests.

Motion adopted unanimously.

- 11.3. RES 23-155** Adopt the Proposed 2024 City Property Tax Levy and Establish the Date for the Truth-in-Taxation Meeting
Sponsors: Jason Zimmerman, Finance Director

Finance Director Zimmerman stated the city is required to adopt a proposed property tax levy for 2024 and certify it to the Anoka and Ramsey County Auditors by September 30, 2023. In setting the proposed levy, council should consider the proposed levy can only be decreased, not increased, prior to the adoption of the final levy in December. Upon certification to Anoka and Ramsey Counties, the proposed levy will be used to prepare the Proposed Property Tax Notice, also known as the Truth-in-Taxation (TNT) Notice. This notice is required to be mailed to property owners between November 11 and November 24 of each year and includes parcel specific estimated property taxes payable in the following year, should each taxing jurisdiction approve their levies as proposed. Staff reviewed the proposed tax levy in detail with the council and requested the council establish a date for the Truth in Taxation meeting.

Moved by Councilmember Newland, seconded by Councilmember Larson, to Adopt the Proposed 2024 City Property Tax Levy and Establish the Date for the Truth-in-Taxation Meeting.

Councilmember Robertson explained this was a preliminary budget and noted the council had a great deal of work on this matter between now and December. She discussed how important it was for Blaine to maintain its AAA bond rating. She welcomed Finance Director Zimmerman to the city and thanked him for his detailed presentation.

Motion adopted unanimously.

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 9:28PM.

Motion adopted unanimously.



City of Blaine

City Council Workshop

September 25, 2023 | 4:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order at 5:00 PM by Mayor Sanders followed by Roll Call.

2. Roll Call

PRESENT: Mayor Tim Sanders, Councilmember Tom Newland, Councilmember Lori Saroya (arrived at 4:48PM), Councilmember Terra Fleming, Councilmember Chris Massoglia, Councilmember Leslie Larson

ABSENT: Councilmember Jess Robertson.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Finance Analyst Jenna Trittin; Director of Engineering Dan Schluender; Communications Manager Ben Hayle; Senior Park & Recreation Manager Jerome Krieger; Public Works Director Nick Fleischhacker; and City Clerk Cathy Sorensen

3. New Business

3.1. 2023-443 Public Safety Funds

Sponsors: Brian Podany, Safety Services Manager/Police Chief

Police Chief Podany shared the recent Public Safety Aid law signed with the 2023 Omnibus Tax Bill that provides \$300 million in Fiscal Year 2024 to townships, cities, counties, and tribal governments for public safety purposes. The commissioner must certify to each entity the amount to be paid by August 1, 2023, and the full payment must be made by December 26, 2023. He shared the Blaine Police Department will receive \$3.1 million of these funds then outlined allowable uses of the funds that must be used to provide public safety for community violence prevention and intervention programs, community engagement, mental health crisis responses, victim services, training programs, first responder wellness, or to pay other personnel or equipment costs. He shared how funds cannot be used for

purchase of an armored or tactical vehicles, tear gas, remodeling uses, and others. He shared proposed uses for the Blaine Police Department in detail and asked for council input.

3.2. 2023-450 Special Revenue, Parks Capital, and Facilities Funds 2024 Budgets
Sponsors: Jason Zimmerman, Finance Director

Staff reviewed in detail several funds as proposed for 2024, including Special Revenue, Parks Capital, and Facilities Funds 2024 Budgets. Council provided feedback and asked questions.

3.3. 2023-455 2024 Capital Equipment
Sponsors: Jason Zimmerman, Finance Director

Chief Podany shared an update on how the department addresses those experiencing homelessness with the goal to provide individuals with resources while acknowledging many do not wish to take advantage of those resources. He shared a heat map that outlined areas in the city where unsheltered individuals typically go and reasons for these locations then asked council if there would be support for bringing the median safety ordinance forward again for consideration that would allow the city to address individuals in the median who may be panhandling as well as selling items or advertising for a company, all with the goal to address safety of individuals.

Staff outlined how Capital Equipment and Projects Fund are used to account for the city's general capital equipment and projects. Capitalized equipment and projects are defined as items over \$10,000 and with a useful life of more than one year. As of 2024, any capitalizable Facilities Fund projects and equipment will also be accounted for in the Capital Equipment and Projects Fund. The change is to align with accounting rules as the Facilities Fund cannot own assets as an internal service fund. The facilities capital will be funded by transfers from the Facilities Fund. Capital equipment requests were submitted by departments in the second quarter of 2023 and were vetted by Finance in the second and third quarter of 2023. Staff outlined processes used to guide replacement timing requests, revenues and expenditures, then summarized the CIP and projects fund equipment list in detail. They reviewed SBM Fire capital equipment and projects fund list and council provided feedback.

3.4. 2023-456 EDA Fund Balances
Sponsors: Erik Thorvig, Community Development Director

Community Development Director Thorvig stated the City of Blaine established an Economic Development Authority (EDA) in 1988 then outlined goals of the EDA and powers as allowed by Statute. He reviewed the existing funds, balances, and uses in detail that included redevelopment pooled TIF, housing pooled TIF, EDA wetland bank, general EDA capital fund and operating fund. He noted the EDA also owns 30 different properties in the city that total approximately \$10.6 million in land assets.

4. Other Business

None.

5. Adjournment

Mayor Sanders adjourned the workshop at 8:25PM.



City of Blaine Staff Report

File Number: 2023-454

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: -

Agenda Item # 8.3

Approve a Temporary On-Sale Intoxicating Liquor License for Giesenbrau Bier Co., for a Special Event at Thorne Bros., 10091 Central Avenue NE

Executive Summary

Council is being asked to approve a temporary on-sale intoxicating liquor license for Giesenbrau Bier Co., to serve beer at Throne Bros. special event.

Background

Erin Hutton, General Manager of Giesenbrau Bier Co., has submitted 1-4 day temporary liquor license to serve craft beer at a special event located at Thorne Bros., 10091 Central Avenue NE. Throne Bros. Custom Rod and Tackle will have influencers onsite to promote products and answer questions. The event will take place between 12 - 6PM on November 11, 2023. Alcohol service requires approval of the requested temporary liquor license. The applicant has deposited the \$50 license fee, submitted a liquor liability insurance certificate for this event naming the City as additional insured and has completed the required background investigation. Approximately 200 people are expected to attend this event.

Strategic Plan Relationship

Special event related licensing relates most closely with the effective communication strategic priority as it allows the city to foster communication and engagement with local civic groups and provides opportunities for the public to gather.

Board/Commission Review

N/A

Financial Impact

Public Outreach/Input

No public notice is required for this license type.

Staff Recommendation

By motion, approve a temporary on-sale intoxicating liquor license for Giesenbrau Bier Co., for a special event located at Thorne Bros., 10091 Central Avenue NE

Attachment List

None



City of Blaine Staff Report

File Number: 2023-473

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: -

Agenda Item # 8.4

Approve a Tobacco and Tobacco Product License for Fleet Farm of Green Bay LLC dba Fleet Farm

Executive Summary

Approve a Tobacco and Tobacco Product License for Fleet Farm of Green Bay LLC dba Fleet Farm

Background

Maria Kozlowski has applied for a tobacco and tobacco products license for Fleet Farm of Green Bay LLC dba Fleet Farm located at 10250 Lexington Avenue NE. The applicant has met the licensing requirements by completing all necessary forms and paying associated fees.

The Blaine Police Department is in the process of conducting a background investigation on the applicant. This license is contingent upon meeting all necessary requirements.

If approved, the tobacco license will be effective through December 31, 2023.

Strategic Plan Relationship

This item relates to the Growth Management strategic priority in the 2020-2023 strategic plan by providing additional opportunities for businesses to thrive while ensuring safe practices are employed.

Board/Commission Review

N/A

Financial Impact

Issuance of the license, including background checks, are included in the license fee adopted by city council.

Public Outreach/Input

No public notice is required for this type of license.

Staff Recommendation

By motion, approve a tobacco and tobacco products license for Fleet Farm of Green Bay LLC dba Fleet Farm located at 10250 Lexington Avenue NE.

Attachment List

None



City of Blaine

Staff Report

File Number: RES 23-152

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Sheila Sellman, City Planner

Agenda Item # 8.5

Resolution Granting Final Plat Approval for Pheasant Ridge West Third Addition at 3925 Pheasant Ridge Drive NE. (Case File No. 23-0072/SAS)

Executive Summary

The applicant is requesting approval to plat Outlot A Pheasant Ridge West 2nd Addition into Lot 1, Block 1 Pheasant Ridge West 3rd Addition for the development of the State Emergency Operations Center.

Background

Planning Commission Public Hearing	09/12/1995
City Council (Preliminary Plat)	10/05/95
City Council (Final Plat)	10/02/23
Action Deadline	10/31/23

Staff report prepared by Sheila Sellman, City Planner, and Teresa Barnes, Project Engineer

The final plat is consistent with the approved preliminary plat, Resolution No. 95-185.

Zoning

The subject site is zoned Planned Office District (POD) and the land use designation is Planned Industrial.

History

A conditional use permit was approved on June 5, 2023 for an office use in the Planned Office District. A condition of approval was to plat the Outlot into a lot and block. The subject site is Outlot A Pheasant Ridge West 2nd Addition that was platted in 1995.

Evaluation of Request

Plat

The plat creates one lot that is approximately 21 acres. The POD zoning district does not have minimum lot sizes. The proposed plat meets code requirements.

Park Dedication

Park dedication is required for the new lot at a rate of \$8,704 per acre of upland. Four acres of upland have been calculated, If park dedication is paid in 2023 the total is \$34,816. The amount is due prior to releasing mylars.

Grading/Storm Drainage

The developer is proposing to grade the entire site as shown on the RCWD and city approved grading, drainage, erosion protection and sediment control plans prepared by the Developer's Engineer. The plans shall include existing drainage patterns (contours) with flow arrows, soil boring locations, perimeter site protection, tree preservation, tree clearing limits, custom grading, proposed grading contours, proposed drainage patterns with flow arrows, storm water management, SWPPP information, temporary erosion protection Best Management Practices (BMPs), and temporary sediment control BMPs information for the site. The SWPPP may be included in the construction plan sheet(s) or prepared as a separate document and included in the development construction contract specifications.

Utilities

Standard water and sanitary sewer access charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Hydrant locations must be reviewed and approved by the Fire Department.

Developer shall explore water source for landscape irrigation systems installed throughout the development including the possible use of created ponds or storm water reuse.

Wetlands/Watershed/FEMA

The plat will need to provide for a protective buffer strip of natural vegetation at least 15-feet in width (25-feet is preferred) and shall surround all wetlands. This buffer strip shall be placed in easement.

The developer will need to submit the project to Rice Creek Watershed District (RCWD). Review, approval and permits are required prior to city plan approval and start of site work.

The development shall indicate that all structures are protected from flooding by processing a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to the City. Developer is responsible for following through with FEMA (as necessary) to receive final documents.

Access/Street Design/Sidewalks/Trails

The development is proposing to gain/provide access from an access drive to Pheasant Ridge Drive. No additional street design, sidewalk or trail installation will be required.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all

permits will need to be submitted to the City prior to any site work. Standard drainage and utility easements shall be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the preliminary plat. The Planning Commission does not review final plats.

Financial Impact

Not applicable.

Public Outreach/Input

Notifications are not required for final plats.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Zoning and Location Map
2. Final Plat



City of Blaine

Signature Copy

Resolution: RES 23-152

Resolution Granting Final Plat Approval for Pheasant Ridge West Third Addition at 3925 Pheasant Ridge Drive NE. (Case File No. 23-0072/SAS)

WHEREAS, an application has been filed by the State of Minnesota as Case File No. 23-0072 for a final plat known as Pheasant Ridge West Third Addition; and

WHEREAS, said case involves the division of land in Anoka County, Minnesota, described as follows:

Outlot A, PHEASANT RIDGE WEST SECOND ADDITION

WHEREAS, the Blaine City Council granted preliminary plat approval on October 5, 1995, subject to the conditions as contained in Blaine City Council Resolution No. 95-185; and

WHEREAS, the final plat is in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for Pheasant Ridge West Third Addition per Section 75-33 of the subdivision regulations is hereby granted subject to the listed conditions.

NOW, THEREFORE, BE IT FURTHER RESOLVED The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Pheasant Ridge West Third Addition.

1. The developer is responsible for recording plat mylars with Anoka County. Proof of recording must be provided prior to issuance of building permits.
2. Park dedication in the amount of \$34,816 is due if paid in 2023 and must be paid prior to releasing the plat mylars for recording. If not paid in 2023 the fee at the time of recording shall apply.

PASSED by the City Council of the City of Blaine this 2nd day of October, 2023.

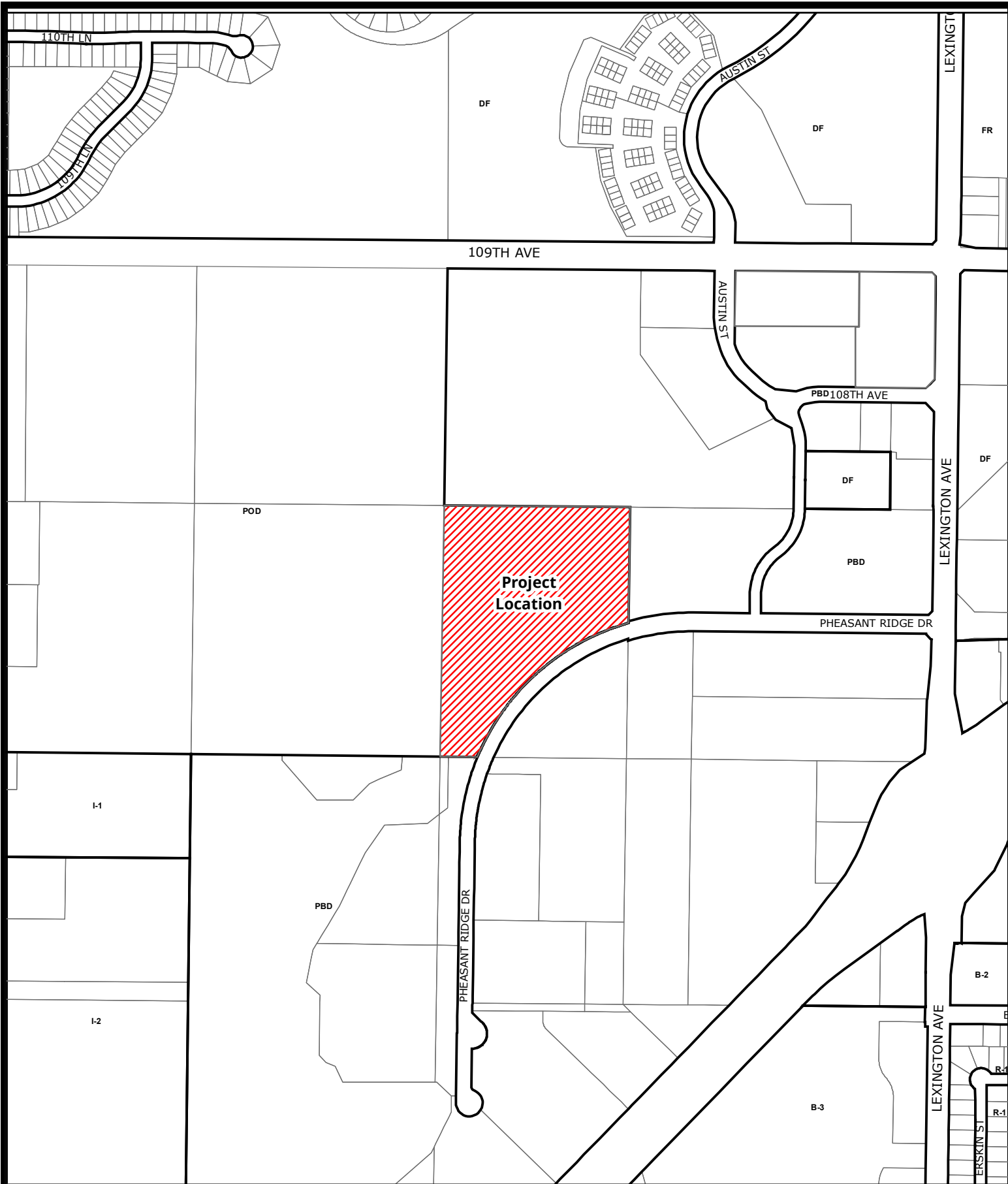
Signed by

Tim Sanders, Mayor



Signed by

Cathy Sorensen, CMC, City Clerk



BlaineMN.gov

Case File No. 23-0072 Pheasant Ridge West Third Addition

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



PHEASANT RIDGE WEST THIRD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That the State of Minnesota, a Minnesota political corporation, owner of the following described property:

Outlot A, PHEASANT RIDGE WEST SECOND ADDITION, Anoka County, Minnesota.

Has caused the same to be surveyed and platted as PHEASANT RIDGE WEST THIRD ADDITION and does hereby dedicate to the public for public use the drainage and utility easements as shown by this plat.

In witness whereof said State of Minnesota, a Minnesota political corporation, has caused these presents to be signed by its proper officer this ____ day of _____, 20____.

STATE OF MINNESOTA

Wayne Waslaski, Director of Real Estate and Construction Services

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this ____ day of _____, 20____ by Wayne Waslaski, Director of Real Estate and Construction Services of the State of Minnesota, a Minnesota political corporation, on behalf of the corporation.

Notary Public, _____ County, Minnesota
My Commission Expires _____

I Jason E. Rud do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20____.

Jason E. Rud, Licensed Land Surveyor
Minnesota License No. 41578

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this ____ day of _____, 20____ by Jason E. Rud.

Notary Public, _____ County, Minnesota
My Commission Expires _____

City Council, City of Blaine, Minnesota

This plat of PHEASANT RIDGE WEST THIRD ADDITION was approved and accepted by the City Council of the City of Blaine, Minnesota at a regular meeting thereof held this ____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Blaine, Minnesota

By _____ Mayor

By _____ Clerk

County Surveyor

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ____ day of _____, 20____.

David M. Ziegmeier
Anoka County Surveyor

County Auditor/Treasurer

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____ day of _____, 20____.

Property Tax Administrator

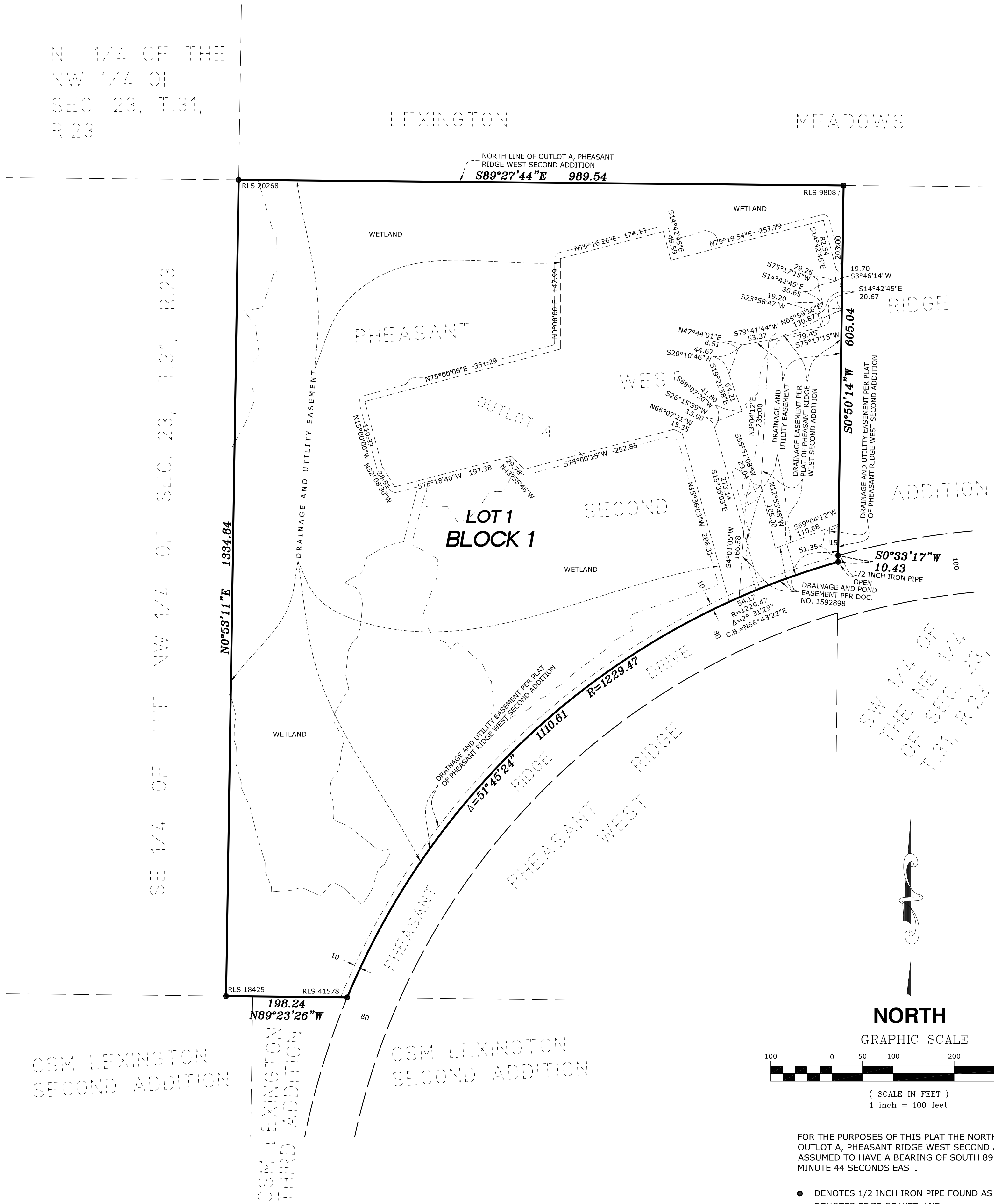
By _____, Deputy

County Recorder/Registrar of Titles
County of Anoka, State of Minnesota

I hereby certify that this plat of PHEASANT RIDGE WEST THIRD ADDITION was filed in the office of the County Recorder/Registrar of Titles for public record on this ____ day of _____, 20____, at ____ o'clock ____M. and was duly recorded as Document Number _____.

County Recorder/Registrar of Titles

By _____, Deputy





City of Blaine Staff Report

File Number: RES 23-157

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Nick Fleischhacker, Public Works Director

Agenda Item # 8.6

Resolution Declaring Surplus Property and Authorizing Sale, Donation, and/or Disposal Thereof

Executive Summary

Per City Policy, surplus property must be declared as such by resolution prior to disposal, sale, or donation of the items.

Background

The Public Works department regularly replaces worn out and outdated equipment through the annual budgeting process. Policy allows for the following disposal methods for surplus property:

1. Disposal by public auction
2. Disposal by donation - property may be transferred or donated to another public or non-profit corporation.
3. Disposal in the trash if determined the items have no useful life or parts and has no value.

Equipment is first evaluated for use by other departments or for trade-in to reduce the purchase price. The attached list is equipment that is no longer needed by the City and still holds some value at auction or greater value at auction as compared to the trade-in value. Public Works uses the services of the State of Minnesota Surplus Services MinnBid Auctions.

Strategic Plan Relationship

N/A

Board/Commission Review

N/A

Financial Impact

The proceeds from the sale of the surplus items will be recorded in the funds that the items were originally purchased in. The total estimated market value of all items is \$140,550.

Public Outreach/Input

N/A

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. 2023 Auction Items with estimated auction values



City of Blaine

Signature Copy

Resolution: RES 23-157

Resolution Declaring Surplus Property and Authorizing Sale, Donation, and/or Disposal Thereof

WHEREAS, the City has developed a policy for disposal of surplus tangible property; and

WHEREAS, certain property has been reviewed by departments and it is determined that the items are no longer needed for public service and can be disposed of.

NOW, THEREFORE, BE IT RESOLVED, that the Blaine City Council declare the attached list as surplus and authorize disposal per city policy.

PASSED by the City Council of the City of Blaine this 2nd day of October 2023.



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

2023 Auction items with estimated auction values

#1 Unit # 1108 1995 Felling trailer Dept street \$3,500
#2 Unit # 4455 2000 Felling trailer Dept street \$3,500
#3 Unit # 5257 2016 Tahoe Dept Park & Rec \$5,000
#4 Unit # 5271 2017 Tahoe Dept Park & Rec \$5,500
#5 Unit # 4484 2010 Toro mower with snow blower Dept utilities \$4,500
#6 Unit # 2309 2000 Toro mower and broom Dept parks \$3,500
#7 Unit # 2201 1998 F150 Dept Parks \$3,000
#8 Unit # 1210 2002 F450 Parks \$8,000
#9 Unit # 4478 2008 Vacon Sewer \$40,000 (to be put into spring auction)
#10 Unit # 4456 2002 Vacon Storm Water \$30,000
#11 Unit # 2224 1994 JD tractor Parks \$4,000
#12 Unit # 4436 1993 Big Blue generator Utilities \$2,500
#13 Unit # 2331 2006 JD LX280 lawn mower Parks with bagger \$275
14 Unit # 2281 1998 JD mower Parks \$225
15 Unit # 2289 1990 Smithco super rake Parks \$3,500
16 Unit # 5289 2019 Tahoe Police \$8,000
17 Unit # 5268 2017 Charger Police \$6,000

Miscellaneous Parts and Equipment

18 JD aerator and scarifier \$400
19 Refrigerator \$200
20 Ice Machine \$150
21 Pallet of old weed whips \$100
22 VAT 40 Batterie tester \$100
23 air powered grease gun \$150
24 Coolant Flush machine \$350

# 25 Transmission Flush machine	\$100
# 26 Small Onan generator	\$125
# 27 2 Police bikes	\$300
# 28 2 Wacker trash pumps	\$250
# 29 shop oil drain hopper	\$50
# 30 3 locker's	\$50
# 31 DEF barrel cart	\$75
# 32 2 Stand up air compressor's	\$500
# 33 pallet of old snow fence	\$100
# 34 3 pickup topper's	\$225
# 35 John Deere tractor tires and rim's	\$4,000
# 36 Gravel shoulder hopper	\$250
# 37 Unit # 1282 used front plow	\$750
# 38 3 used pickup tool box's	\$150
# 39 Oil transfer pump and tanks	\$200
# 40 18 used truck and tractor tire's	\$350
# 41 pallet of used Bobcat rims	\$200
# 42 John Deere used hood	\$100
# 43 Garage door lift motor	\$50
# 44 JD draw bars	\$175
# 45 4 push lawn mower's	\$150
# 46 pallet of used outdated tool's	\$50
# 47 gas air compressor	\$100
# 48 Dayton push leaf blower	\$100
# 49 Propane heater	\$50



City of Blaine Staff Report

File Number: 2023-434

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Nick Fleischhacker, Public Works Director

Agenda Item # 8.7

Authorize an Amended Professional Services Contract with Barr Engineering Co. for the Water Treatment Plant 1 Underdrain Design and Iron/Manganese Filter Pilot Project, Improvement Project No. 23-21

Executive Summary

Authorize the Mayor and City Manager to amend the Professional Services Contract with Barr Engineering Co. for scope modifications as it relates to Water Treatment Plant 1 Underdrain Design and Iron/Manganese Filter Pilot Project.

Background

The City Council approved an engineering design contract with Barr Engineering for the Water Treatment Plant 1 (WTP1) System Improvements on 1/4/2023 with Motion 23-21. The 2023 CIP, approved by the City Council, identified a project to complete renovations to the WTP 1 pressure filter vessels and other associated construction.

The scope of the original contract was to:

- Design a repair for the broken underdrain piping in one of the two filters at WTP 1. It is anticipated that this design (or a variation) will be replicated at other WTPs as their filters are rehabilitated.
- Perform pilot and full-scale testing to evaluate and recommend modifications to resolve backwash and long-term reliability issues experienced at WTP 1, 2, and 3.
- Aid during procurement and installation of air stripper media.

Staff has requested a contract amendment from Barr to proceed further with designing a full set of plans and specifications for a project to not only install the new underdrain piping system in both filters at WTP 1 along with a list of other upgrades (valves, meters, high service pumps, piping, etc.) that will

work in conjunction with the new filter underdrains and media that was selected during the pilot study to enhance operation of the plant. Also included in this contract amendment is a cost and scope of work for construction services for this additional work.

Strategic Plan Relationship

This project aligns with the City's strategic plan goal of well-maintained infrastructure by providing high quality drinking water. This action relates directly to the City of Blaine Strategic Plan Item No. 6 - Well Maintained Infrastructure and Desired Outcome - Reliable Utility Systems. This work will improve the conditions of Water Treatment Plant 2 facilities to meet the system demands, address Code issues, and maintain the quality of the City's infrastructure.

Board/Commission Review

Not required.

Financial Impact

The 2023 budget appropriated a total of \$885,000 for Water Treatment Plant 1 improvements. The total appropriated budget-to-date for Water Treatment Plant 1 is \$376,439.24. The total appropriated budget of \$885,000 is thus adequate to cover this contract amendment, making the project financially feasible and within the project budget.

Public Outreach/Input

No public outreach/input is needed for this approval.

Staff Recommendation

By motion, authorize the Mayor and City Manager to amend the contract with Barr Engineering Co. from the original amount of \$116,000 to \$287,650 to cover additional design and construction services.

Attachment List

1. WTP 1_Amended Scope

August 2, 2022

Stephan Higgins
Assistant City Engineer
City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

Re: Water Treatment Plant 1_Scope Modification and Amendment Request

Dear Mr. Higgins:

Barr Engineering (Barr) is pleased to present to the City of Blaine (City) a proposal to amend our Water Treatment Plants 1 Underdrain Design and Iron/Manganese Filter Pilot project. The purpose of this proposal is to amend the original scope of work for this project since it changed significantly following its inception. The proposal will include a description of tasks undertaken at the direction of the City not included in the original scope and request additional budget to finalize the modified work requested by the City.

The original project (scope available upon request) began as filter underdrain redesign and pilot project intended to allow Blaine to purchase an underdrain and filter media system and hire a contractor to install the equipment, in addition to a column test and pilot study to confirm the underdrain/media design/selection and the plant's new treatment capacity. This pilot study was intended to guide future upgrades to WTP2 and WTP3.

Modifications to Original Scope of Work

Multiple work tasks were added to the original work scope, as the project commenced. These tasks include:

- Preparing a quote package for underdrain and media suppliers. The original scope assumed the equipment would be purchased directly through one supplier.
- Evaluating quotes obtained by underdrain and media suppliers, assisting with contracting, meeting with the supplier onsite, and coordinating with the supplier through delivery.
- Preparing scope and coordinating with a contractor (MBI) for demolishing the existing underdrain from Filter 2.
- Preparing scope and obtaining quotes for painting the interior of Filter 2.
- Evaluating valve list for City's purchase of filter butterfly valves and flow control valves.
- Operating the column test for an additional 3 weeks (due to coordination with the City's backwashing schedule and media break-through being slower than anticipated).
 - Additional field testing was required to characterize iron and manganese removal during the column test.

- Performing detailed hydraulic modeling to assess operating the two filters at different flow rates; assuming Filter 2 would operate with the new media, and Filter 1 would operate with the existing media.
- Beginning to prepare bidding documents for contractors to provide bids for underdrain/valve/filter media installation.
- Beginning electrical design and functional description for operation and monitoring of the new filter butterfly valves and flow control valves.
- Participating in multiple discussions with City staff about project scope and schedule modifications (in conjunction with planned upgrades at WTP2).
- Preparing estimated construction cost estimate for expanded scope.

The described changes brought project costs to a point that exceeded the originally approved budget.

Amendment Request – Complete Design, Prepare Bidding Documents, Bidding Assistance, and Construction Administration

Design

Barr will prepare design and bidding documents based on the scope additions described above that will include the following:

- Demolitions plan(s) as required
- Filter 1 demo and coating
- Filter 1 and 2 underdrain/media installation
- Plant commissioning/startup plan
- Installing new valves/meters
- New pneumatic air tubing
- New high-service pumps and VFDs
- Misc. piping/fittings
- Developing functional description (Note: it is assumed that any SCADA system programming required to support the project will be provided by Automatic Systems Company (ASC), who will be subcontracted under the general contractor)

Existing WTP1 drawings will be used to develop the design drawings and identify the design modifications. Notes, details, photos, and additional information will be added to the drawings to better define the improvements included in this upgrade.

This proposal includes the following design elements:

- Prepare 50-percent drawings for Blaine review
 - attend review meeting with Blaine
- Prepare 95-percent drawings and specifications for Blaine review
 - attend final review meeting with Blaine
- Prepare final drawings and bidding documents
- Attend one city council meeting for approval to go to bid
- Apply for applicable permits

- fees paid by city
 - Minnesota Department of Health plan review by MDH district field engineer
- Prepare engineer's estimate for construction cost
- Provide bidding assistance
 - advertisement costs are paid by Blaine
 - attend pre-bid meeting and provide bid recommendation

Deliverables:

- Meeting agendas and minutes
- Draft drawings (50 percent)
- Draft drawings and technical specifications (95 percent)
- Electronic copy of bidding document for upload to QuestCDN online bidding service
- Letter recommending award to the successful bidder
- Slideshow presentation for council meeting/workshop
- Electronic copies of all completed permit applications
- Engineer's opinion of construction cost (updated at 95% design)

Assumptions:

- No structural engineering services are included in this proposal.
 - No new foundations or equipment pads will be required.
 - No new pipe supports will be required.
 - Existing main load-resisting structural components are in good condition and will not require any modifications.
- Existing WTP1 drawings and backgrounds will be used to the extent practical to develop the design drawings for these improvements
- Blaine will provide the front-end contracting document templates that Barr will update.
- There are no major modifications that will require building code review or bringing the building up to the current building code requirements.
- Review from Minnesota Department of Health (MDH) plan review is required. Fees for plan review will be paid by the City.
- A construction stormwater permit or SWPPP is not required.
- The City will manage the bidding process on an electronic platform such as QuestCDN

Construction Services

After contract award, we will work with Blaine to organize and attend the pre-construction meeting. Other tasks we will perform include reviewing required shop drawings, answering contractor's requests for information, preparing pay applications, and preparing any necessary change orders.

The Barr team will provide on-site construction observation services at major milestones, or as requested by Blaine. For the purposes of this proposal, Barr is assuming being onsite 4 hours/every week (including travel time) for a construction duration of 16 weeks. Once the site has reached substantial completion, we will complete a final site inspection and prepare a punch list of any remaining items to be completed prior to final acceptance of the site.

At the conclusion of the project, the Barr team will prepare record drawings based on the available information from construction. As we will not be on site full time, drawing accuracy will be dependent on information collected by Blaine and the contractor during construction.

This proposal includes the following:

- Facilitate preconstruction, construction progress, and closeout meetings during the construction
 - Biweekly construction progress meetings assumed between October, 2023 and January, 2024.
 - Monthly construction progress meetings assumed between February 2024 and May 2024.
- Review equipment and material submittals (shop drawings) to determine compliance with the design concept of the project
- Respond to requests for information (RFIs)
- Process field orders, if necessary
- Negotiate and process change orders, if necessary (assumes 3)
- Provide clarifications and interpretation of the plans and specifications
- Review contractor payment application requests
- perform site visits at major project milestones (up to one 4 hour site visit per week)
- attend biweekly construction meetings assumed to be mostly virtual
- prepare final punch list for each site
- prepare record drawings Project management services and overall coordination to ensure successful project execution and City satisfaction.

Deliverables:

- meeting minutes from pre-construction meeting
- submittal and RFI responses
- field and change orders
- electronic copy of final punch list
- AutoCAD and PDF files of record drawings

Schedule

The proposed project schedule is shown below and assumes Notice to Proceed by August 22, 2023.

phase/task	est. completion date
Modifications to Original Scope of Work	Completed
Design	
50% Design Review	September 15, 2023
95% Design Review	October 20, 2023
IFB Design	November 30, 2023
Bidding	December 22, 2023

phase/task	est. completion date
Award	January 3, 2024
Construction	May 1, 2024

Budget

We request modification of the currently approved project budget (\$116,000) to incorporate the work amendments described above.

Task	Estimated Budget
Original Scope Amendments (2023)	\$49,650
Work to Complete – Design/Bidding (2023)	\$60,000
Construction Services (2024)	\$62,000
Total Requested Fee Increase	\$171,650

If you have any questions regarding the additional scope items, please do not hesitate to call me for further clarification. If the terms of this proposal are acceptable, please sign the document in the appropriate places located below and return a copy to us for our records. The work is performed according to the terms of our master services agreement. Thank you for your continued work with Barr.

Sincerely,



Brian K. LeMon
Vice President, Sr. Civil Engineer

Accepted this ____ day of _____, 2023

CITY OF BLAINE

By_____

Its_____



City of Blaine

Staff Report

File Number: 2023-435

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Nick Fleischhacker, Public Works Director

Agenda Item # 8.8

Authorize an Amended Professional Services Contract with Barr Engineering Co. for the Water Treatment Plant 2 Preventative Maintenance and Minor Process Improvements Project, Improvement Project No. 23-20

Executive Summary

Authorize the Mayor and City Manager to amend the Professional Services Contract with Barr Engineering Co. for design services to Water Treatment Plant 2 Preventative Maintenance and Minor Process Improvements

Background

The City Council approved an engineering design contract with Barr Engineering for the Water Treatment Plant 2 (WTP2) Preventative Maintenance and Minor Process Improvements on 1/4/2023 with Motion 23-11. The 2023 CIP, approved by the City Council, identified a project to complete renovations to WTP 2 that will address numerous architectural, electrical, process, and appearance-related elements.

The objective of the project is to improve WTP2 interior appearance, perform maintenance upgrades on parts of the plant that are in disrepair, and replace numerous items within the plant that are at or past the end of their useful life. The scope of the original contract with Barr was to create plans and specifications and provide bidding assistance for the project which was to consist of the following work:

- Replace corroded and damaged door, window and cabinet hardware throughout the plant.
- Upgrade electrical wiring, switches and other electrical devices that have degraded over time due to corrosion and exposure to chlorine in the atmosphere of the plant.
- Replace all propeller style flow meters with magnetic flow meters.
- Replace all pneumatically operated butterfly valves with new valves and pneumatic actuators that include position indication and a feedback loop to the SCADA system.

- Move the chlorine addition point from the main filter room into the chlorine feed room to reduce the amount of chlorine being emitted into the filter room.
- Replace existing flow control valves with new flow control valves.
- Clean, perform minor surface repairs, and paint all plant surfaces including piping, equipment, tanks, walls, and floors.
- Make other repairs and upgrades as identified and recommended in the Condition Assessment Report (November 2020).

During the design phase, staff requested that Barr add additional components to the design and plans which were beyond the original scope identified above. This additional work was generally associated with filter operation and chemical injection. These additional components are more focused on the process equipment and staff felt that this additional work would provide additional functionality and reliability immediately versus waiting until a more extensive project involving renovation to the process components of the treatment plant, which is identified in the 5-year CIP to occur in 2027.

Also included in this contract amendment is a cost and scope of work for construction services. Typically, a separate contract would be signed for construction services, but since a contract amendment was required for the additional scope of work in the design and plans, staff requested that Barr also include construction services in this contract amendment for efficiency.

Strategic Plan Relationship

This project aligns with the City's strategic plan goal of well-maintained infrastructure by providing high quality drinking water. This action relates directly to the City of Blaine Strategic Plan Item No. 6 - Well Maintained Infrastructure and Desired Outcome - Reliable Utility Systems. This work will improve the conditions of Water Treatment Plant 2 facilities to meet the system demands, address Code issues, and maintain the quality of the City's infrastructure.

Board/Commission Review

Not required.

Financial Impact

The 2023 budget appropriated a total of \$1,685,000 for Water Treatment Plant 2 improvements. The total appropriated budget-to-date for Water Treatment Plant 2 is \$198,407.40. The total appropriated budget of \$1,685,000 is thus adequate to cover this contract amendment, making the project financially feasible and within the project budget.

Public Outreach/Input

No public outreach/input is needed for this approval.

Staff Recommendation

By motion, authorize the Mayor and City Manager to amend the contract with Barr Engineering Co. from the original amount of \$87,900 to \$185,700 to cover additional design and construction services.

Attachment List

1. Barr CO 2 Sope modification ammendment

August 3, 2023

Stefan Higgins
Assistant City Engineer
City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

Re: Water Treatment Plant 2 Preventative Maintenance and Minor Process Improvements Scope Modification and Amendment Request

Dear Stefan:

Barr Engineering (Barr) is pleased to present to the City of Blaine (City) a request to amend our Water preventative maintenance and minor process improvements for Water Treatment Plant 2 (WTP 2) project. The purpose of this request is to amend the scope of work and budget for this project as it has changed significantly following its inception. The request includes a description of tasks undertaken at the direction of the City not included in the original scope along with anticipated scope of services for the construction phase.

Modifications to Original Scope of Work

The following work tasks were added to the original work scope and have already been performed at the request of the City. A description of design items included in the work scope modifications follows:

- New pneumatic BF filter valves (20 valves, City to purchase)
 - Does not include backwash supply or other modulating valves
- New flowmeters (City to purchase)
- New fittings/spools/pipe as required for new valves/flow meters
- Electrical conduits/wiring for new valves
- New air tubing between solenoid panels and valves
- Functional description and integration (ASC)
 - Drafting the functional description is still in progress
- Replacing chlorine and sulfur dioxide leak detectors
- Replacing chlorine booster pumps
- Adding chlorine injection points (3 total)
- Adding differential pressure sensors on filter system

Construction Services

For the construction phase, we anticipate providing the following services:

- Facilitate preconstruction, construction progress, and closeout meetings during the construction (assumed to be one Barr staff onsite per meeting)
 - Biweekly construction progress meetings assumed between October 2023 and January 2024.
 - Monthly construction progress meetings assumed between February 2024 and May 2024.
- Review equipment and material submittals (shop drawings) to determine compliance with the design concept of the project
- Respond to requests for information (RFIs)
- Process field orders, if necessary
- Negotiate and process change orders, if necessary (assumes 3)
- Provide clarifications and interpretation of the plans and specifications
- Retain CBS2 to perform architectural services and KFI to perform mechanical services related to construction including submittal review, answering contractor RFIs, and up to four site visits (CBS2 to perform three site visits, KFI to perform one site visit).
- Up to 8 total site visits during construction
- Review laboratory tests to determine suitability of construction materials
- Review contractor payment application requests
- Coordinate with City-designated independent laboratory providing testing of materials as part of a QA/QC program, if necessary, during the construction phase
- Prepare punch-list, conduct final inspection, and make recommendations for final acceptance and payment
- Prepare construction record drawings from contractor field notes and Barr's construction observation notes
- Project management services and overall coordination to ensure successful project execution and City satisfaction.

Construction phase deliverables:

- Submittal and RFI responses
- Change and field orders
- Meeting notes
- Electronic copy of final punch list
- AutoCAD and PDF files of record drawings

Construction phase assumptions:

- The bulk of the construction will occur between October 2023 and January 2024 with construction completion by May 2024. The plant will be offline between October 2023 and January 2024.
- The City will provide construction material testing services

Although our intent is to complete the project within the identified scope, schedule and budget, this project relies primarily on contractor construction execution and completion per the schedule in the contract documents. This schedule may vary due to unforeseen circumstances, particularly related to

interruptions in the supply chain, COVID-19 impacts and other unforeseen conditions. We will notify you of changes when we become aware of them.

Budget

We request modification of the currently approved project budget to incorporate the work amendments described above. Approximately 65% (\$50,000) of the construction services fees is assumed to be spent within calendar year 2023, but the actual percentage will be dependent on the contractor's schedule.

Task	Estimated Budget
Modifications to Original Scope of Work	\$21,800
Construction Services	\$76,000
Total Requested Fee Increase	\$97,800
Original Contract Amount (plus CO1)	\$87,900
Total Contract Amount	\$185,700

If you have any questions regarding the additional scope items, please do not hesitate to call me for further clarification. If the terms of this proposal are acceptable, please sign the document in the appropriate places located below and return a copy to us for our records. The work is performed according to the terms of our master services agreement. Thank you for your continued work with Barr.

Sincerely,



Julia Macejkovic
Vice President, Sr. Civil Engineer

Accepted this ____ day of _____, 2023

CITY OF BLAINE

By_____

Its_____



City of Blaine

Staff Report

File Number: 2023-441

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Motion

7:00 PM - Public Hearing and Items Published for a Certain Time - Cathy Sorensen, City Clerk

Agenda Item # 9.1

Approve On-Sale and Sunday Intoxicating Liquor Licenses for LGLE Enterprises LLC dba On the Green, Indoor Golf located at 12571 Central Avenue NE

Executive Summary

Council is asked to approve on-sale and Sunday intoxicating liquor licenses for LGLE Enterprises LLC dba On the Green, Indoor Golf located at 12571 Central Avenue NE.

Background

A public hearing is required prior to the approval of on-sale liquor licenses in the city.

Helen Jang, Jae Jang, Elliott Jang, Oskar Peterson, Taylor Peterson, Donald Peterson, Dawn Peterson and Jacob Peterson, applicants for LGLE Enterprises LLC dba On the Green, Indoor Golf located at 12571 Central Avenue NE, previously applied for a wine and 3.2 percent malt liquor on-sale licenses which council approved on August 7, 2023. Since then the applicants have amended their business plan and chosen to apply for a full on-sale and Sunday Intoxicating liquor license that would allow them to serve spirits as well .

The applicants have paid the additional fees and submitted the new required forms and documents. The applicants are in the process of completing the required background investigation and finalizing their Anoka County food and beverage license. The liquor licenses, if approved, would be valid until June 30, 2024 and eligible for renewal July 1, 2024. All required information will be submitted to the state's alcohol and gambling enforcement division upon approval of the licenses by the council.

Strategic Plan Relationship

The license approval relates to both financial sustainability and growth management priorities in the strategic plan by attracting new businesses to the city.

Board/Commission Review

N/A

Financial Impact

Liquor license fees, adopted annually by city council, provide sufficient funding for review and issuance of the licenses as well as compliance checks and any other necessary license monitoring/enforcement.

Public Outreach/Input

Staff Recommendation

Hold a public hearing to receive input regarding the on-sale and Sunday intoxicating liquor licenses, then by motion, approve issuance for LGLE Enterprises LLC dba On the Green, Indoor Golf.

Attachment List

None



City of Blaine

Staff Report

File Number: ORD 23-2531

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.1

First Reading

Ordinance Granting a Rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) at 8888 Xylite Street NE. Stinson Electric (Case File No. 23-0067/EES)

Executive Summary

The applicant is requesting a rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) to allow for limited outside storage as a conditional use. The applicant is a commercial electrical contractor, and wants to have an outside contractor's yard with light equipment on the site. The Planning Commission recommends approval of the rezoning. At this time, the request is just for the rezoning and not approving the conditional use permit or user.

Background

Planning Commission (Public Hearing)	09/11/23
City Council (1st Reading)	10/02/23
City Council (2nd Reading)	10/16/23
Action Deadline (60 Days)	10/15/23
Action Deadline (Extended by City)	12/14/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning

The subject property is zoned I-1 (Light Industrial).

Surrounding Zoning and Uses

The property to the north and east (across Xylite) are zoned R-1 and R-1AA, both single family districts. The property to the east is Airport and the property to the south is I-1 (occupied by an auto repair

business). This stretch of Xylite has several industrial properties, and as the properties go south, they have heavier industrial designations.

Comprehensive Land Use

The property is guided LI (Light Industrial). Both the I-1 (current) and I-1A (proposed) zoning districts are consistent with that land use designation.

Existing Conditions

The property is undeveloped.

History

There are no previous approvals on this property. The City Council approved a rezoning from I-1 to I-1A for 8830 Xylite Street NE which is separated from the subject property by one parcel. Part of the reasoning for the rezoning was that it provided an appropriate transition between the I-2 properties to the south and the I-1 properties to the north.

Rezoning

Section 27.03 Criteria for granting zoning/comprehensive plan amendments:

The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines. Zoning amendments shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the comprehensive plan or changes in conditions in the City. Although there are no explicit findings that must be made in conjunction with rezoning, appropriate considerations include:

- Whether the proposed district is consistent with the Comprehensive Plan.
- How the proposed district differs from the existing district.
- How the proposed district meets the goals and policies of the City.

The proposed district intent is to provide for the development of industrial uses ranging from small to large scale industry and related services and allow minimal outside storage. This district shall encourage the development of industrial uses accessible to major highways and utilize city services of sanitary sewer, water, street, and storm drainage. Such light industrial areas can be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants. The intent of the existing zoning district is the same as the proposed one, except the proposed district includes allowing minimal outside storage.

Evaluation of Request

The applicant is requesting a rezoning from I-1 to I-1A to allow for outside storage. No outside storage, other than passenger vehicles, is permitted in the I-1 district. The I-2 and I-2A districts allow for general outside storage with a Conditional Use Permit (CUP). The I-1A district allows for outside storage with a CUP, but is more restrictive about the storage than the heavy industrial districts.

This request involves a high level of discretion on the part of the city, since both the existing and proposed zoning districts are consistent with the comprehensive plan and the intent statements of both districts specify the same areas where the district may be located.

The City Council should consider whether allowing for outside storage, meeting the standards of 31.15(l), is appropriate adjacent to single-family residential properties. Those standards are:

1. Outside storage area limited to a maximum of fifty percent (50%) of total building footprint.
2. Sites considered for limited outside storage shall be capable of providing full screening so that outside storage is not visible from any public right-of-way.
3. Screening to be achieved through a combination of masonry walls, fencing, berming, landscaping, additional setbacks, etc.
4. Outside storage limited to a maximum height of twelve (12) feet.
5. A Conditional Use Permit for limited outside storage shall not permit the outside storage of semi-trucks, semi-trailers, or heavy construction equipment.
6. All limited outside storage areas are to be hard surfaced and bound at the perimeter by either B-6-12 concrete curb and gutter or fencing as determined by the zoning administrator.
7. Additional screening may be required to effectively screen outside storage from the view of adjacent properties.
8. Storage shall be located in the rear or side yards.

In the City, there are five properties zoned to allow outside storage (all I-2) that immediately abut residential properties, without a road between them. Three of the five parcels are clustered together. In all but one of those cases, the industrial properties were developed prior to residential (i.e., any buyer of the residential home was aware of the adjacent outside storage). The one case in which the residential use predated the outside storage use, is the auto salvage yard at 109th and Highway 65, which was built in 1983 next to homes built approximately 10 years earlier.

In 2021, the City preemptively rezoned an undeveloped I-2 property (10201 Xylite Street NE) to I-1 to prevent outside storage next to an established single family neighborhood. There are several additional instances of outside storage situated across the street from single-family residential. The applicant is proposing the I-1A zoning, which places limitations on the size of outside storage which is not in place in the I-2 district, which may be considered sufficient to prevent conflict between the uses.

Since the City has a high level of discretion in this case, staff has provided rationale for approval and denial of the requested rezoning.

Rationale for Approval:

- The I-1A (Light Industrial) zoning is consistent with the industrial properties to the south, including the adjacent auto repair use with extensive outside storage of vehicles.
- The I-1A district provides sufficient controls on the outside storage in 31.15(l) and the ability to add additional conditions through a Conditional Use Permit (CUP) provides sufficient protection to ensure outside storage is compatible with adjacent residential uses.
- The I-1A district is consistent with the LI (Light Industrial) land use designation.

Rational for Denial:

- The I-1A (Light Industrial) zoning district, and accompanying outside storage capability, is not compatible with the adjacent low density residential uses.
- The property can be reasonably developed with the existing I-1 (Light Industrial) zoning district and that district is consistent with the LI (Light Industrial) land use designation.
- The proposed rezoning does not reflect either changes in the goals and policies of the City as reflected in the Comprehensive Plan or a change in conditions in the City.

Applicant's Proposal

The applicant is proposing to use the property as a contractor's yard for a commercial electric contractor and would store various light construction equipment, such as skid steers, pick-up trucks, storage containers, and trailers outside. The applicant has provided a narrative that further explains the operation of the business and the proposed storage. If the rezoning request is approved, the applicant is planning to request the necessary CUP for limited outside storage and the City may apply conditions to that CUP. The applicant is currently planning on constructing a building larger than is needed for the current business operations to facilitate future company growth. The area not occupied by the applicant would be leased to another business (not yet identified).

As a reminder, while the applicant is intending to operate the described business at this location, the I-1A zoning would remain regardless of whether the applicant ultimately occupies this property, or if they occupy and later move. While the limited outside storage requires a CUP and the City will have the opportunity to review the application and add conditions, the City is very limited in the ability to deny a CUP if the criteria outlined in Section 27.04 are met.

Attachment List:

Zoning and Location Map
Existing and Proposed Zoning
Narrative
Concept Plan
Neighborhood Meeting Summary
Public Comments
Unapproved Planning Commission Minutes 9/12/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously (4-0) to approve the rezoning.

Three people spoke in opposition to the project at the public hearing. Their concerns included: traffic, security, and the condition of the property to the south of the subject site. Two written public comments were also received as part of the public hearing. One was in support of the project and thought it would fit well in the neighborhood and one opposed the project, expressing concerns about traffic safety, security, and noise.

The Planning Commission indicated that while residents expressed concerns about the project, those concerns were largely unrelated to the requested rezoning, and therefore the Commission recommended approval of the rezoning.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 700 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.
4. Posted (sign) on the property with contact information for the Planning Department.

In accordance with the Neighborhood Meeting Policy, a neighborhood meeting was held on September 5, 2023. A summary of the meeting is attached. Comments included concerns about traffic safety, lighting, and security. Residents expressed support of the general site layout with the truck docks facing south. A summary of that meeting, provided by the applicant, is attached.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the October 16, 2023 Council meeting.

Attachment List

1. Attachments
2. Unapproved Planning Commission Minutes 091223



City of Blaine

Signature Copy

Ordinance: ORD 23-2531

First Reading

Ordinance Granting a Rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) at 8888 Xylite Street NE. Stinson Electric (Case File No. 23-0067/EES)

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

Section 1. The Official Zoning Map of the Zoning Code of the Municipal Code of the City of Blaine is hereby amended to change the zoning classification of the following described property:

North 4 acres of the east half of the northeast quarter of the southeast quarter of section 33-31-23, Anoka County

Section 2. The above described property is hereby rezoned from:

~~I-1 (Light Industrial)~~

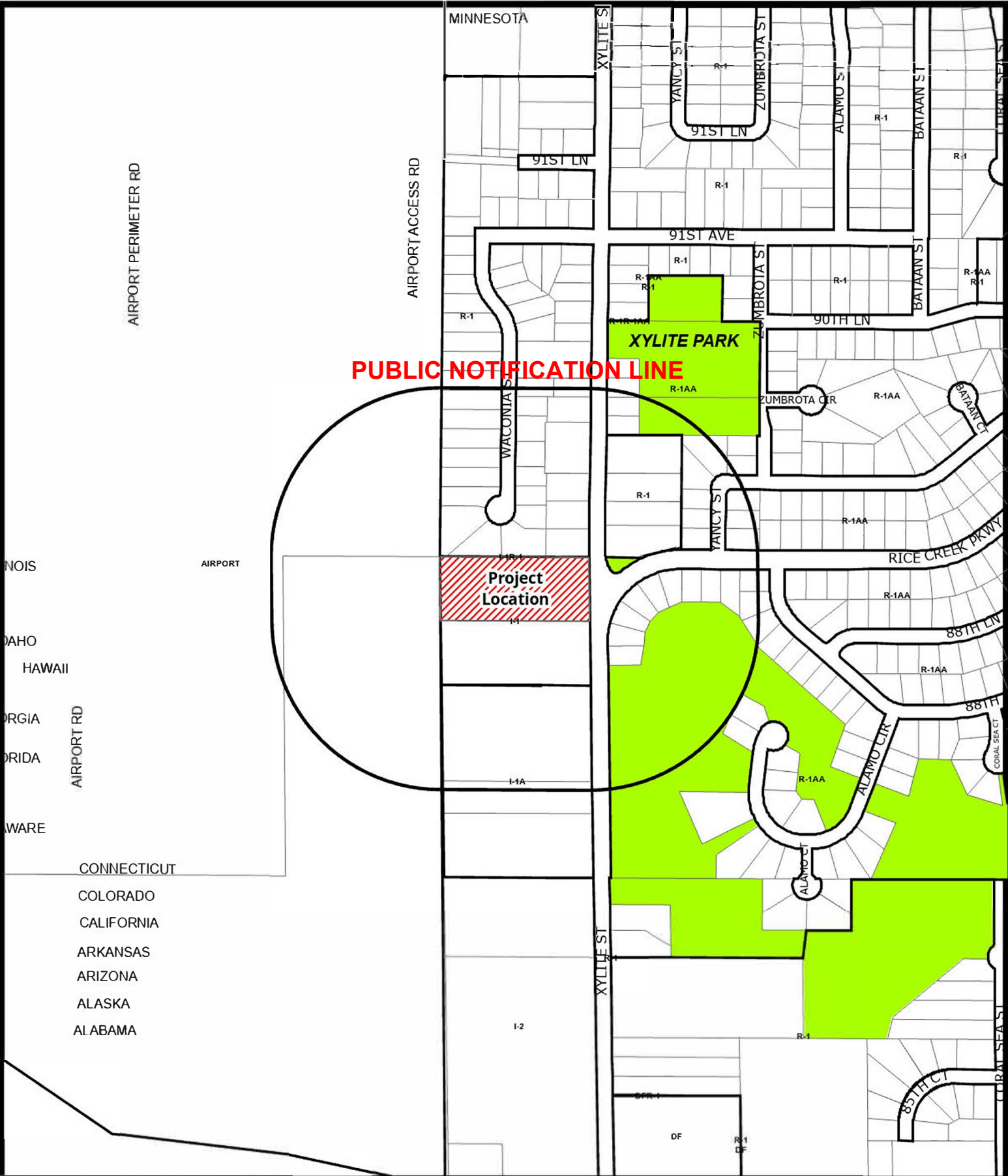
to

I-1A (Light Industrial)

Section 3. The City Manager is hereby directed to make the appropriate changes in the Official Zoning Map of the City of Blaine to reflect and show the changes in zoning classification as set forth above.

INTRODUCED and read in full this 2nd day of October, 2023.

PASSED by the City Council of the City of Blaine this day of 20__.



Case File No. 23-0067
Stinson Electric

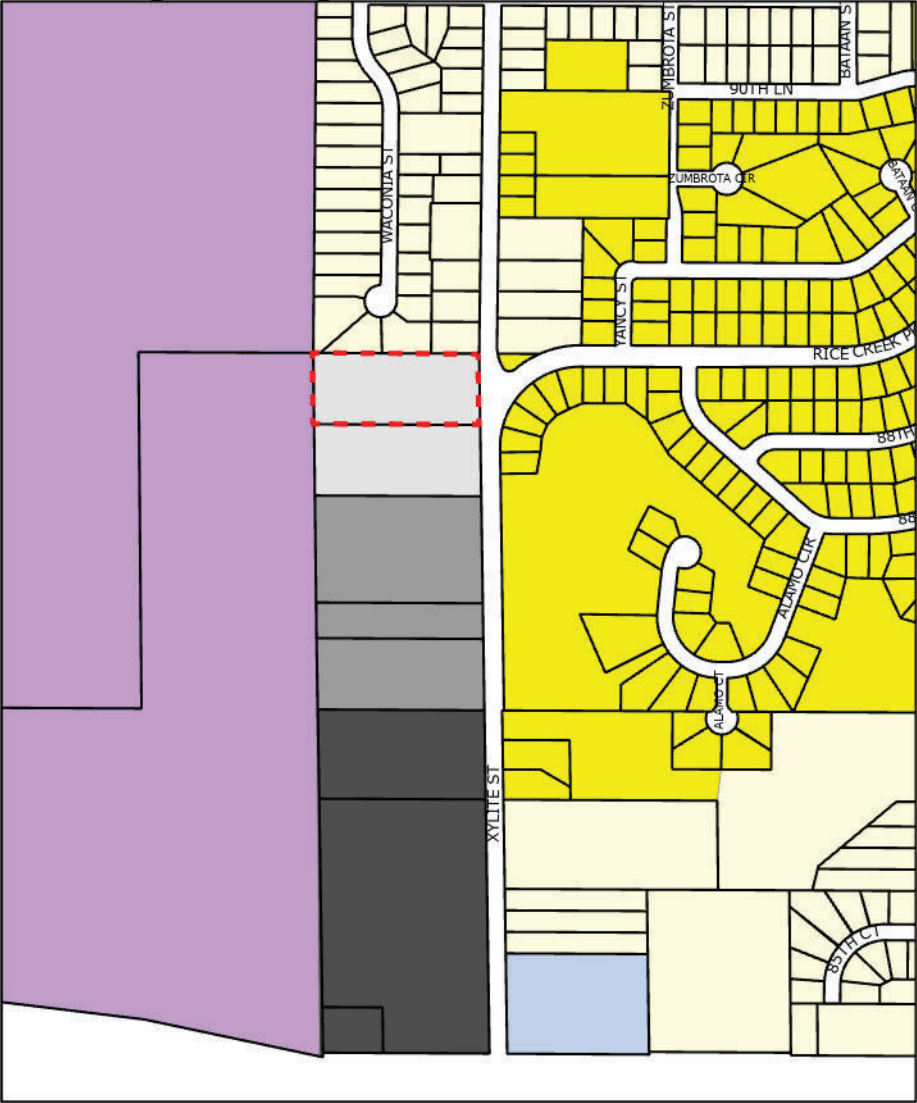


BlaineMN.gov

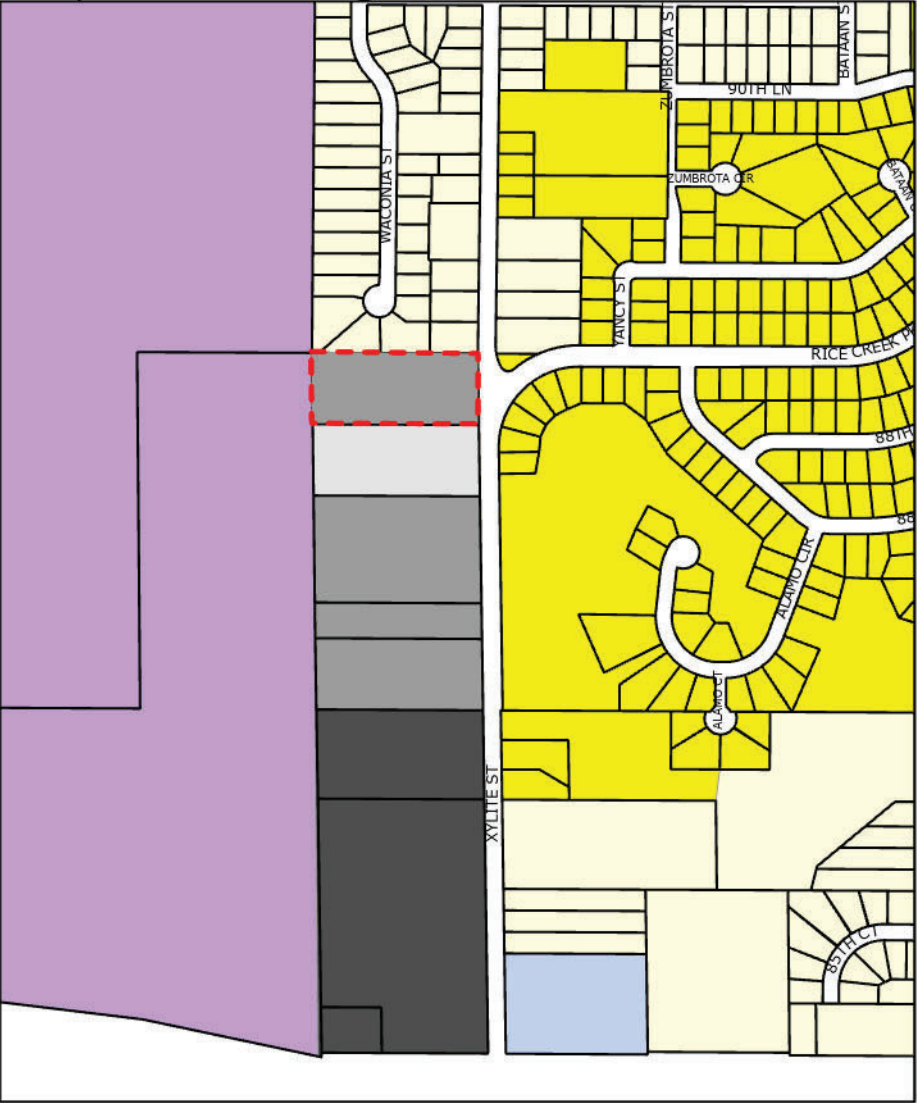
Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

8888 Xylite Street

Existing Zoning



Proposed Zoning



- | | | |
|------------------------|-------------------------|-----------------------|
| DF - Development Flex | I-1A - Light Industrial | R-1AA - Single Family |
| Airport | I-2 - Heavy Industrial | |
| I-1 - Light Industrial | R-1 - Single Family | |

We are interested in re-zoning of a property that we have under contract at 88XX Xylite, Parcel Number 33-31-23-41-0006. This site would be perfect for our operation if we could find a way to create acceptable outdoor storage with permanent screening and landscaping. We would like to create a project that would be a significant aesthetic improvement to the neighborhood.

The parcels to the north are residential and are partially screened from the property by trees and undergrowth. The parcel to the south houses multiple car, truck and bus repair and restoration businesses that generate noise, fumes and utilize a significant amount of the property for unscreened outdoor storage of vehicles in various states of repair. Our building and screened / landscaped storage would provide a buffer between the residences and the existing businesses.

As an electrical contractor, we are a fairly low impact neighbor because our hours of operation for yard operations and deliveries are 6 am -3 pm Monday through Friday. The office staff work between 6 am and 5 pm M-F. Seventy five percent of our employees report to remote jobsites each day and drive their company vehicles home at night. All of our trucks are gas powered and we receive only about 10 tractor trailer deliveries per week.

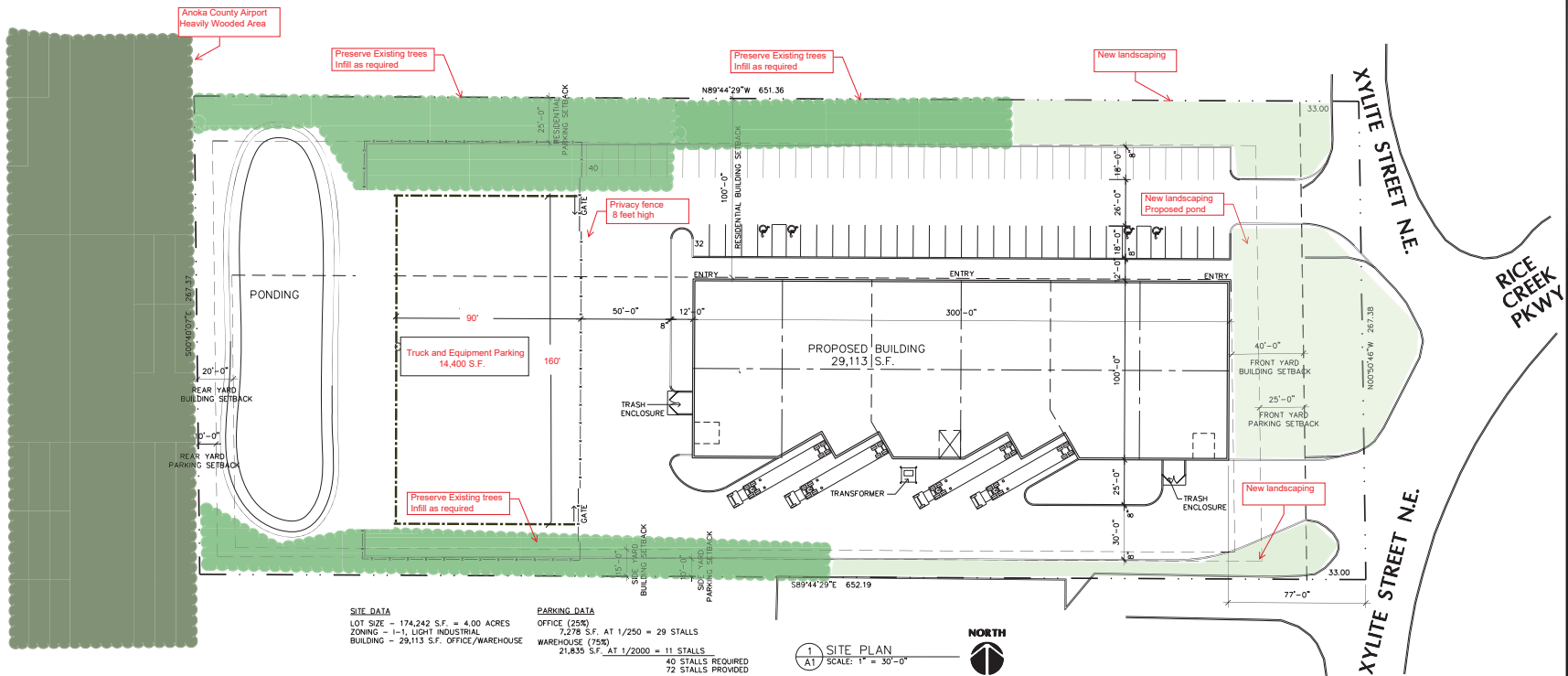
We employ about 50 people including engineers, project managers, administrators, logistics team and electricians. We seldom have customers or vendors visit our facility. Our company operates from a business-to-business model and we don't sell any material or equipment wholesale or retail at the warehouse. We plan to store conduit, wire, lighting fixtures and electrical panels we have purchased for specific jobs and held in the warehouse until the project is ready for the materials.

We have provided the electrical design and construction of numerous industrial, commercial, warehouse and medical facilities in the city of Blaine. We provide ongoing electrical services to these businesses.

Our outdoor yard is used primarily to store our 3 delivery vehicles, 2 towable boom lifts, 2-3, 20-foot Conex boxes between projects and various trailers to deliver a trencher, scissor lifts, 2 small skid steers and 2 mini excavators. Our current property has a 10,000 square foot lot that is concealed from our neighbor's view by an 8-foot screened fence. One of our main incentives for relocating is to increase our yard space.

This parcel consists of vacant land that has been held by the current owners for many years. It is being held in trust for an elderly individual.

The property owner is frustrated because they would like to sell the property and have had prospective buyers that can't develop the site due to zoning issues. We have already invested \$20,000.00 for due diligence and would like to move forward to create a win-win situation. By rezoning the property we would be able to improve the lot, increase tax revenue and add high paying technical jobs in Blaine.



L
A

LAMPERT
ARCHITECTS

420 Summit Avenue
St. Paul, MN 55102
Phone: 763.755.1211 Fax: 763.757.2849
lampo@lampo-arch.com

ARCHITECT CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN,
SPECIFICATION OR REPORT WAS
PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A DULY
LICENSED ARCHITECT UNDER THE
LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR
CONSTRUCTION

R
RJRyan

Construction, Inc.

Commercial Design and Construction

100 Mendota Heights Road
Mendota Heights, MN 55120
763-551-4200
FAX 651-454-2005

STINSON ELECTRIC
Blaine, Minnesota

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Leonard Lampert Architects Inc.
Project Designer: JAMES B
Drawn By: JRB
Checked By: LL
Revisions
7/31/23 PRELIMINARY

SITE PLAN
Sheet Number
A1
Project No. 230724-7



MEMO TO: Elizabeth Showalter

RE: 8888 Xylite Street NE Rezoning Neighborhood Meeting

Date: September 8, 2023

From: Paul Archambault

On Tuesday, September 5th from 7-8pm a Neighborhood Meeting was held for neighbors within 700 feet of 8888 Xylite Street NE to discuss the proposed rezoning to I-1a. There were 9 neighbors in attendance at the meeting including Blaine city council member Tom Newland.

The following were concerns voiced by neighbors:

- **Traffic safety.**
 - Specifically semis turning onto Xylite/Rice Creek from the north driveway as traffic safety is already a concern for neighbors at that intersection.
 - Safety of our employees and delivery drivers is a high priority for us. We proposed working with the architect and the city to design the parking lot and driveways to minimize traffic hazards.
- **Exterior lighting shining onto residential properties and into homes.**
 - We are an electrical contractor and lighting specialists. There are solutions such as light shields, dimming, lighting controls and fixture placement that eliminate light pollution. We would utilize these strategies for any exterior lighting.
- **Security for the property.** Neighbors asked if we would have a security system with cameras.
 - We have a security system with cameras on our current property and would be open to discussion on it for this project.

The following was positive feedback voiced by neighbors:

- **Placement of the docks** was well thought out and appreciated that they were placed on the south side of the building.
- **Pleased with the proposed setup:** building size and placement, equipment parking location, ponding, existing wooded area and vegetation to remain and new proposed landscaped areas.

Neighbors in attendance received a copy of the re-zoning narrative originally submitted with our re-zoning application. The notice letter mailed to neighbors provided contact information for any further questions.

Elizabeth Showalter

From: Julia <jjohnston228@gmail.com>
Sent: Sunday, September 10, 2023 5:28 PM
To: Tom Newland; Lori Saroya; Tim Sanders; Planning; Patricia Robinson
Subject: Rezoning application 8888 Xylite Street NE

Dear City of Blaine Planning Department, Council Member Saroya, Council Member Newland and Mayor Sanders,

I am emailing you in regards to a new business that is requesting special approval to change zoning from I-1 to I-1A across the street from my home on Xylite Street. I have many concerns and objections to allowing this change of zoning status.

The city code says "A Conditional Use Permit for limited outside storage shall not permit the outside storage of semi-trucks, semi-trailers, or heavy construction equipment.". They plan on having towable boom lifts, equipment trailers, trenching and excavating equipment. Some of that equipment could be up to 45+ tons which should qualify as heavy construction equipment. Who is going to be monitoring that the company is not storing any of these items and if they are, what is the process to have them quickly and permanently removed?

Allowing outdoor storage would also increase risk of theft and vandalism. The businesses currently across the street from us located at 8858 Xylite Street have dealt with these issues for years. What security would the new business have? What would Blaine police do to stop theft/vandalism if it occurred? If it occurs often, what is the process from Blaine to remove their storage permissions/permit?

Will full enforcement from the City of Blaine of this part of the code be followed? "Cars, vans, pickup trucks, and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation parked in the side and rear yard outside of the required parking stalls. ([Ord. No. 22-2514](#), 12-19-2022)"

Zoning I-1 (which is the current zoning in the lots across the street) says, "There shall be no outdoor storage of any kind within this district. For purposes of this zoning district, cars, vans pickup trucks and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation will not be construed to be outdoor storage when parked in the side and rear yard outside of the required parking stalls. Further, outside parked trucks, semi-trailers and any other vehicles larger than 10,000 GVW used in the normal business' commerce will not be construed to be outdoor storage provided: a) total number of vehicles over 10,000 GVW, including but not limited to box trucks, semi cab, and semi-trailers does not exceed the number of docks and/or bay doors; and b) such use is not construed as an operation listed as a conditional use in any industrial zone. ([Ord. No. 22-2514](#), 12-19-2022)"

This is currently the scene outside my home right now on a Sunday. Correct me if I am wrong, but my interpretation does not allow for this. If the City of Blaine is not enforcing their rules for the current businesses, I am not optimistic that they will enforce the rules/laws for the new business either.



We have also recently dealt with large car haulers coming to the current business across the street at all hours of the night blocking the street, parking illegally which got completely out of hand and was tremendously unsafe!! We had to call many many times to have this situation addressed!! How will this be addressed if deliveries for the new business are outside of Blaine noise ordinance hours or they park in areas blocking traffic?

The current business across the street also redid their parking lot at their business last year and parked cars on their grass "temporarily" which was understandable for the time period they were redoing their lot. But this went on for months and months, well beyond what it should have. After an excessive amount of calls from multiple neighbors and myself to the city, they finally stopped parking in the front lawn.

There is also a proposed pond to be placed on the east side of the business along the road side. Many cars, especially in the winter, drive right through that area, bypassing the street and stop sign. I am unsure if it is intentional on the drivers part or due to ice/hazardous road conditions and they lose control. Now there will be cars needing to be rescued from that area.

There are also 2 parking outlets in that area for our guests to park in. It is not ideal as they have to walk across the street as people fly around Rice Creek Parkway going south but we have "no parking" on the street in front of our homes so we have very limited options. Where are our guests supposed to safely park now? Will there be a change in front of our homes to allow for on street parking? Will permits be given to us for exceptions?

The driveways the new business are proposing has 1 in a very high risk area. There are a significant number of cars that currently drive north on Xylite and when they turn left to head up Xylite instead of taking Rice Creek parkway east they short cut and ultimately enter the wrong way in the south lane going north when they cut that corner. If there is a driveway there, I can guarantee there will be significantly more accidents as the new business will be exiting that drive into the south lane and some of them could be very serious head on collisions.

Many of my neighbors and I have communicated with the city about the dangerous conditions of the roads with no success at mitigating it. When Tim Sanders was running for Mayor I sent him a question through a

submission request and this was his response I received back on September 20th, 2020 : "I can tell you; I greatly empathize with what you are dealing with in your neighborhood. Our neighborhood has a similar situation on our streets. Over the last 10 years we went from about 350 cars a day to almost 3,000 cars a day. We have had so many issues on our street with very heavy traffic, speeding, distracted driving and impaired driving - and our street is all residential, young families with a park. This unfortunately is a problem in many neighborhoods and on many streets like yours and it does deserve immediate attention. Blaine out grew its infrastructure years ago. It is so frustrating to see traffic displaced into our neighborhoods because its more efficient/quicker than our highways and main arteries, and that makes our neighborhoods unsafe and impacts our property values and quality of life. In the short-term, I think we could use more speed and traffic enforcement. In the long-term we do need to look at solutions that account for what's happening now and what the road traffic will be 15 years from now. Perhaps its roundabout! ". This answer ultimately let to him receiving my vote.

I would LOVE for our neighborhood to be put as a priority for safety prior to a large building being built that will only add to the problems . I have 2 high school aged sons who have both recently received their driver's license's in the past year. I want nothing more than to keep them and all of my neighbors safe while driving through this area!!

I also believe a business that is allowed to be zoned I-1A devalues our homes significantly more than it would if it is kept at the current I-1 zoning.

We also just paid a large assessment to have our roads redone. Having more large trucks, heavy equipment going through from this business will lead to excessive wear and tear on our roads, that will ultimately lead to the residents of Blaine (us), not the businesses, paying to redo the roads again.

Construction of this facility will lead to having large equipment coming and going for months during the building process. We also are a pass through neighborhood due to the HORRIBLE design that lead to the frontage road by 35W up to Radisson not allowing left turns. This is where a roundabout would be great! So pass through traffic, along with construction traffic will also lead to more congestion, safety concerns and noise concerns.

The City of Blaine noise ordinance is 10pm to 7am. Should I assume that all construction companies that will be participating in this develop will follow those rules strictly? If they are not followed, what will the City of Blaine do to enforce the ordinance immediately after the 1st offense?

Stinson Electric also noted in their letter to us that their hours of operation for yard operations and deliveries is from 6am-3pm. Will they have rules in place to adhere to the noise ordinance for the 1st hour they are open? If the ordinance is not followed, what will the City of Blaine do to enforce the ordinance immediately after the 1st offense?

As for the tractor trailer deliveries that they say they get weekly, will they also follow noise ordinance laws for those deliveries? if they do not follow the noise ordinance laws, what will the repercussions from the City of Blaine?

As a resident of Blaine for over 21 years, in this same wonderful residence with amazing neighbors, I hope you take my comments and concerns seriously and into account to deny Stinson Electric's application to rezone this area from I-1 to I-1A!!

Julia Johnston

Elizabeth Showalter

From: mbcampbell95@gmail.com
Sent: Monday, September 11, 2023 11:04 AM
To: Planning
Subject: Stinson electric

Planning Commission,

I live within the 350 feet of the proposed Stinson Electric proposed building at 8888 Xylite St. NE. I attended the meeting they had last week. I think they would be a good fit for the neighborhood and should be granted the variance for limited outside storage. I like that they are a family owned business invested in the community. I think they have done due diligence in there design and the storage would barely be seen in the neighborhood.

Becky Campbell
2712 88th Ave NE
Blaine



City of Blaine

Planning Commission

September 12, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, September 12, 2023. Acting Chair Halpern called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Homan, Olson.

Members Absent: Commissioner Member Deonauth, Swanson and Chair Goracke.

Staff Present: Elizabeth Showalter, Community Development Specialist
Teresa Barnes, Project Engineer

3. Approval of Minutes

3.1. 2023-391 Approval of the August 8, 2023 Planning Commission Minutes
Sponsors:

Motion by Commissioner Olson to approve the minutes of August 8, 2023, as presented. Motion seconded by Commissioner Homan. The motion passed 4-0.

4. Public Hearing

4.1. 2023-390 Case File No. 23-0067 // Stinson Electric // 8888 Xylite Street NE
The applicant is requesting a rezoning from I-1 (Light Industrial) to I-1A (Light Industrial).
Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0067 was opened at 7:09PM.

Paul Archambault, Stinson Electric representative, introduced himself to the planning commission and thanked staff for the detailed report. He reviewed his office hours noting there would be no one onsite after 5:30PM and discussed the type of activity that would occur onsite. He stated he would have very little traffic entering and exiting the property on a daily basis. He reported the west side of the property abutted the airport and noted the trees to the north would remain undisturbed. He commented on the landscaping that would be installed along the remaining property lines. He stated the building would be scaled back to 20,000 square feet or 11% of the acreage. The storage yard would be 9,600 square feet or 5.5% of the acreage. He described the equipment that would be stored outdoors, which included spare service vans, long light poles and trenching equipment.

Caitlyn Reggy, 8867 Xylite Street, explained she lived directly across from the subject property. She reported she attended the neighborhood meeting and she heard the plans for this site. She stated she still had concerns because this business would be directly facing her home. She asked that the request not be considered because this would add extra traffic and outdoor storage to the neighborhood. She stated she had concerns with theft and vandalism and how that would impact her neighborhood. She understood there were grandfathered businesses in her neighborhood with outdoor storage. She commented on how she has to call the city regularly in order to address the outdoor and trucking storage concerns. She feared how yet another business in the neighborhood would impact her quality of life. She did not want to have to continually monitor and police the businesses surrounding her residential home. She urged the city to further consider how the storage pond will impact the neighborhood, noting she wants the groundwater protected. She expressed concern with the number of semi-trucks that would be visiting this property on a weekly basis. She reported she recently paid for a new street and she did not want to have to pay additional assessments to fix her street. Lastly, she feared how the value of her property would be impacted by the new business. She encouraged the commission to not support this request because it was not a good fit for the neighborhood.

Acting Chair Halpern requested staff speak to how business operation violations are handled by the city.

Community Development Specialist Showalter explained the property to the south has substantial grandfathering rights. She noted this property received a CUP in 1985 and requirements were very different at that time. She reported the city could not hold them to anything stricter than what was approved in 1985. As such, this business has substantially more storage than would be allowed today. She indicated code enforcement staff was very familiar with this property and works to rectify concerns when staff becomes aware of them. She stated the city addresses code enforcement concerns on a proactive basis in conjunction with fire inspections, or if there is a complaint. It was noted the subject property would have no grandfathering rights.

Acting Chair Halpern requested comment from staff regarding the proposed ponding.

Community Development Specialist Showalter explained the plans for this site would have to be reviewed by the watershed district to ensure that water quality and quantity would be managed and the review would include making sure there is adequate separation between ground water and any stormwater treatment that infiltrates water.

Acting Chair Halpern questioned what the differences were between I-1 and I-1A.

Community Development Specialist Showalter reported I-1 was more restrictive than I-1A and I-1A was more restrictive than I-2. It was noted I-1 does not permit outside storage, I-1A permits limited outside storage and I-2 permits general outside storage.

Jody Coleman, 2610 Rice Creek, stated her main concern was with how traffic along this roadway would be impacted, especially if the number of large trucks were increased.

Project Engineer Teresa Barnes explained whether the property remained I-1 or was rezoned to I-1A, a similar building would be constructed and there would be business traffic. She indicated the city could potentially require all truck traffic to use the south access point as part of a conditional use permit.

Mr. Archambo stated when researching this property he understood a 70,000 square foot building could be constructed that was 50 feet tall. He reported he was proposing to build a 20,000 square foot building that was 30 feet tall. He stated he was proposing to have regular business hours with very limited traffic. He indicated the site could house a warehouse business that runs in three shifts. He was of the opinion that his business was a much better fit for the neighborhood than what could be located on this property. He noted he was proposing to construct his building 400 feet (one city block) back from the street, which would further buffer the building from the neighbors. He explained he was requesting the rezoning in order to allow for minor outdoor storage, which would be properly screened.

Dustin Dobitz, 8847 Xylite Street NE, questioned what other tenant would be located on the site. He stated he had concerns regarding what the hours of operation would be for this other tenant.

The public hearing was closed at 7:37PM.

Commissioner Homan asked if residents would be able to contact Mr. Archambo directly should a concern arise from the neighbors.

Mr. Archambo stated he has a staff member onsite 11 hours a day and the neighbors would be able to call should a concern arise. He explained he did not want to tarnish his business reputation by being a bad tenant or landlord in the community.

Commissioner Homan questioned who the other tenant would be on the property.

Mr. Archambo explained he was constructing the building to meet the future needs of the company, so he does not have to move in the future. He commented on what the potential rental rates would be for the business space and stated he would choose wisely when considering a tenant.

Commissioner Olson reported the commission was being asked to consider if outside storage should be allowed on this property. She indicated a CUP would still be required for the outside storage. She stated she supported the proposed business moving forward on this property.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0067 based on the following rationale:

Case 23-0067:

1. The I-1A (Light Industrial) zoning is consistent with the industrial properties to the south, including the adjacent auto repair use with extensive outside storage of vehicles.
2. The I-1A district provides sufficient controls on the outside storage in 31.15(l) and the ability to add additional conditions through a Conditional Use Permit (CUP) provides sufficient protection to ensure outside storage is compatible with adjacent residential uses.
3. The I-1A district is consistent with the LI (Light Industrial) land use designation.

Motion seconded by Commissioner Gorzycki. The motion passed 4-0.

5. Adjournment

**Motion by Commissioner Homan to adjourn the regular planning commission meeting.
Motion seconded by Commissioner Olson. The motion passed 4-0.**

Adjournment time was 7:41 PM.



City of Blaine

Staff Report

File Number: ORD 23-2530

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.2

First Reading

Interim Ordinance Extending the Study Period and Moratorium for the Northtown Area. Ordinance 23-2524. City of Blaine (Case File No. 23-0040/SAS)

Executive Summary

The interim ordinance is to extend the moratorium on development for six months in order to study zoning and land uses as part of the Northtown redevelopment plan.

Background

Schedule of Actions

City Council (First Reading)	10/02/23
City Council (Second Reading)	10/16/23

Staff report prepared by Sheila Sellman, City Planner.

On May 1, 2023, the City Council passed a six-month interim ordinance for a moratorium for the Northtown Area (ORD 23-2524 which is attached). Staff is proposing to extend the moratorium for another six months in order to complete zoning and land use studies and implement any changes.

The Northtown Mall area has been identified as a redevelopment area in the 2030 and 2040 Comprehensive Plans, and within the Growth Management section of the City's Strategic Plan.

In August 2021, Damon Farber was hired to assist the City in creating a redevelopment and revitalization plan for the Northtown area. Two other firms assisted in engineering and market analysis of the plan.

The plan identifies long term plans related to redevelopment, land use, multimodal infrastructure, parks/open space, and stormwater. The plan attempts to accomplish redevelopment over a 30+ year timeline through ten guiding principles. The plan introduces a mix of commercial, residential, and civic uses that will make the area a destination for shopping, employment, entertainment, recreating and living.

The plan is intended to be a long-term vision. However, there are various aspects that can be implemented in the short-term depending on market and private development interests. The plan is a framework for future development, and it is anticipated that the full build-out will look different from what is shown within the plan.

The City Council adopted the plan on July 6, 2022. A staff committee has been formed to identify implementation steps to accomplish these goals. As part of the implementation, zoning and land use changes may be necessary.

Purpose of the Development Moratorium

In order to implement the adopted plan, new or modified land use or zoning controls may be necessary. The purpose of the moratorium is to allow the City time to conduct a study, without the pressure of land development decisions, by establishing a moratorium on all development controls including re-zonings, conditional use permits, interim use permits, site plan, variances, subdivision, and platting. The moratorium as adopted in May does not apply to previously approved development actions prior to May 1, 2023, conditional use permits brought by existing multi-tenant building owners within the Northtown Redevelopment Area as of May 1, 2023, building permits and/or site plan approval associated with said approvals, or building permit applied for existing buildings for interior tenant finished, remodeling or general building improvements including but not limited to roofing, windows, etc.. The moratorium does not apply to any building demolition.

Moratorium Term

The proposed moratorium extension would be for an additional six months (original timeframe was to November 1, 2023, therefore the extended term is May 1, 2024), unless rescinded earlier by city council action.

Moratorium Area

The area impacted by the moratorium is outlined in Exhibit A.

Strategic Plan Relationship

The moratorium is consistent with Growth Management in the Strategic Plan. An initiative identified in the plan is to implement the Northtown Plan and this moratorium is part of that process.

Board/Commission Review

Interim ordinances are only reviewed by the City Council.

Financial Impact

Not applicable.

Public Outreach/Input

Interim ordinances are posted on the City's Proposed Ordinance Changes webpage.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the October 16, 2023 Council meeting.

Attachment List

1. Exhibit A
2. ORD 23-2524



City of Blaine

Signature Copy

Ordinance: ORD 23-2530

First Reading

Interim Ordinance Extending the Study Period and Moratorium for the Northtown Area. Ordinance 23-2524. City of Blaine (Case File No. 23-0040/SAS)

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

CITY OF BLAINE INTERIM ORDINANCE FOR NORTHTOWN REDEVELOPMENT AREA

WHEREAS, the 2040 Comprehensive Plan for the City of Blaine ("City") identifies the Northtown Area as a Redevelopment Area (hereafter referred to Northtown Redevelopment Area);

WHEREAS, the Northtown Redevelopment Area is depicted on the map attached to this interim ordinance as Exhibit A;

WHEREAS, the Northtown Area is zoned Community Commercial and Regional Commercial;

WHEREAS, within its 2040 Comprehensive Plan, portions of the Northtown Area are guided Community Commercial and High Density Residential/Planned Commercial;

WHEREAS, the City has identified the Northtown Redevelopment Area as an area of the City in which service, retail, office, residential and other commercial uses are desirable;

WHEREAS, On July 6 2022, the City adopted a redevelopment and revitalization plan for the Northtown Redevelopment Area;

WHEREAS, the City believes changes to the official controls for the properties in the Northtown Redevelopment Area will be required in implementing the plan for the area;

WHEREAS, On May 1, 2023, pursuant to Minnesota Statutes Section 462.355, Subd. 4, the City adopted a six-month development moratorium for the Northtown area placing a temporary moratorium on the filing and consideration of applications for new construction, rezoning, conditional use permits, interim use permits, site plan, variances subdivision, and platting within the Northtown Redevelopment Area until November 1, 2023;

WHEREAS, Minnesota State Statute Section 462.3455 authorizes that the City may establish interim ordinances for up to one year, while the City is conducting a study, has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official controls;

WHEREAS, the City continues to study amendments to official controls and use designations in and the redevelopment of the Northtown Redevelopment Area, which is depicted on attached Exhibit A, and requires an additional six months to complete those studies necessitating an extension of the initial interim ordinance to a full year from the date of its enactment on May 1, 2023;

WHEREAS, the City believes extending the interim ordinance an additional six months allowing for a full year from the date of enactment to preserve the current development status of the Northtown Redevelopment Area is necessary to protect the planning process as apart of the City's current study of zoning and land use implementation as part of the plan;

WHEREAS, the health, safety, and welfare of the residents of Blaine will be enhanced by preserving the current development status of the Northtown Redevelopment Area until the study of land uses are complete;

NOW, THEREFORE, THE CITY OF BLAINE DOES ORDAIN:

1. The City continues to study amendments to official controls and use designations in and around the redevelopment of the Northtown Redevelopment Area, which is depicted on attached Exhibit A;
2. Pursuant to the authority granted by Minnesota Statutes Section 462.355, Subd. 4, the City is authorized to implement an interim use ordinance for up to one year; and pursuant to the authority the City hereby extends the interim ordinance for an additional six months maintaining a temporary moratorium on the filing and consideration of applications for new construction, rezoning, conditional use permits, interim use permits, site plan, variances subdivision, and platting within the Northtown Redevelopment Area until May 1, 2024;
3. The City shall not grant approval of any application for new construction, rezoning, conditional use permits, interim use permits, site plan, variances, subdivision, or plat in the Northtown Redevelopment Area until May 1, 2024;
4. In accordance with Minnesota Statutes Section 432.355, this moratorium shall not apply to previously approved development actions prior to May 1, 2023, conditional use permits brought by existing multi-tenant building owners within the Northtown Redevelopment Area as of May 1, 2023, building permits and/or site plan approval associated with said approvals, or building permits applied for existing buildings for interior tenant finishes, remodeling or general building improvements including but not limited to roofing, windows, etc. The moratorium shall also not apply to any building demolition.
5. This interim ordinance shall remain in full force and effect from and after its adoption on May 1, 2023 and extending until May 1, 2024 pursuant to any necessary publication as required by law.

INTRODUCED and read in full this 2nd day of October, 2023.

PASSED by the City Council of the City of Blaine this , 2023.

Northtown Redevelopment Area



Legend

 Parcels



City of Blaine

Signature Copy

Ordinance: ORD 23-2524

Second Reading to Adopt an Interim Ordinance for a Moratorium for the Northtown Area. City of Blaine (Case File No. 23-0040/SAS)

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

CITY OF BLAINE INTERIM ORDINANCE FOR NORTHTOWN REDEVELOPMENT AREA

WHEREAS, the 2040 Comprehensive Plan for the City of Blaine ("City") identifies the Northtown Area as a Redevelopment Area (hereafter referred to Northtown Redevelopment Area");

WHEREAS, the Northtown Redevelopment Area is depicted on the map attached to this interim ordinance as Exhibit A;

WHEREAS, the Northtown Area is zoned Community Commercial and Regional Commercial;

WHEREAS, within its 2040 Comprehensive Plan, portions of the Northtown Area are guided Community Commercial and High Density Residential/Planned Commercial;

WHEREAS, the City anticipates future changes to the official controls for the Northtown Redevelopment Area;

WHEREAS, the City has identified the Northtown Redevelopment Area as an area of the City in which service, retail, office, residential and other commercial uses are desirable;

WHEREAS, On July 6 2022, the City adopted a redevelopment and revitalization plan for the Northtown Redevelopment Area;

WHEREAS, the City believes changes to the official controls for the properties in the Northtown Redevelopment Area will be required in implementing the plan for the area;

WHEREAS, pursuant to Minnesota Statutes Section 462.355, Subd. 4, the City has the authority to establish interim ordinances that regulate, restrict, or prohibit any use, development, or subdivision within the City or a portion thereof, for up to one year, while the City is conducting a study, has authorized a study to be conducted, or has scheduled a hearing to consider the adoption or amendment of the comprehensive plan or official controls;

WHEREAS, the City believes preserving the current development status of the Northtown Redevelopment Area is necessary to protect the planning process as apart of the City's current study of zoning and land use implementation as part of the plan;

WHEREAS, the health, safety, and welfare of the residents of Blaine will be enhanced by preserving the current development status of the Northtown Redevelopment Area until the study of land uses are complete;

NOW, THEREFORE, THE CITY OF BLAINE DOES ORDAIN:

1. The City is presently conducting a study on amendments to official controls and use designations in and the redevelopment of the Northtown Redevelopment Area, which is depicted on attached Exhibit A;
2. Pursuant to the authority granted by Minnesota Statutes Section 462.355, Subd. 4, the City hereby adopts an interim ordinance placing a temporary moratorium on the filing and consideration of applications for new construction, rezoning, conditional use permits, interim use permits, site plan, variances subdivision, and platting within the Northtown Redevelopment Area until November 1, 2023;
3. The City shall not grant approval of any application for new construction, rezoning, conditional use permits, interim use permits, site plan, variances, subdivision, or plat in the Northtown Redevelopment Area until November 1, 2023;
4. This moratorium shall not apply to previously approved development actions prior to May 1, 2023, conditional use permits brought by existing multi-tenant building owners within the Northtown Redevelopment Area as of May 1, 2023, building permits and/or site plan approval associated with said approvals, or building permits applied for existing buildings for interior tenant finishes, remodeling or general building improvements including but not limited to roofing, windows, etc. The moratorium shall also not apply to any building demolition.
5. This interim ordinance shall be in full force and effect from and after its adoption and publication as required by law.

INTRODUCED and read in full this 17th day of April, 2023.

PASSED by the City Council of the City of Blaine this 1st day of May, 2023.

Signed by



Tim Sanders, Mayor



Signed by

Cathy Sorensen, CMC, City Clerk



City of Blaine

Staff Report

File Number: 2023-465

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Motion

Administration - Daniel Schluender, Director of Engineering

Agenda Item # 11.1

Motion to Approve Contract Amendment with TKDA for Professional Engineering Services toward the TH 65 Access Improvements, Improvement Project No. 21-01

Executive Summary

Staff requests Council approval to amend the contract with TKDA for professional engineering services to include the necessary tasks to bring the Pedestrian Bridge Design to the preliminary design and layout level for the TH 65 Access Improvements, Project Number 21-01.

Background

The City Council approved a contract with TKDA on April 19, 2021 to perform the environmental review and documentation of the TH 65 Access Improvements as the initial phase towards these projects. This Phase 1 contract addresses the environmental review of the TH 65 Section 2 corridor. The final product of this phase was the selection of a Preferred Alternative.

Additional evaluation was required, which resulted in Alternative 1A as the Selected Alternative for the project. This work was approved by MO 22-031 on February 7, 2022.

Staff will review the Selected Alternative and produce a Level 1 Staff Approved Layout. Work involved at this stage includes:

- Meetings with property owners from whom staff will negotiate the purchase of easements or right of way
- Additional Project Management Team meetings
- Submittal of a Technical Memorandum for the Non-programmatic Categorical Exception (CatEx) approval process
- Noise modeling, impact and mitigation analysis, engagement, and delivery of the final Noise Impacts Report.
- Cost Estimation for the approved layouts at a preliminary design level
- Analysis of Arterial Intersection Operation for eight intersections impacted by the project

- Preliminary Traffic Management Plan worksheets and reports.

The Selected Alternative included a pedestrian bridge on the 113th/114th Avenue alignment. This pedestrian bridge was not included in the original contract and did not include preliminary design to the layout. This amendment would allow this bridge to be preliminarily designed like the other four bridges on the corridor. This will allow the entire project to be advanced all on the same level and make the next step in the design transition process easier.

Strategic Plan Relationship

Improvements to TH65 are identified as a priority in Blaine's Strategic Plan. Additionally, this project is part of the City's strategic initiative to have a well-maintained infrastructure by improving safety and reducing congestion of the main corridor through Blaine.

Board/Commission Review

Not required.

Financial Impact

With approval of this amendment, the budget for this phase is as follows:

	Revenues	Expenses	Balance
2020 State Grant to Anoka County	\$1,500,000		\$1,500,000
Initial Contract/Contingency		\$1,073,500	\$426,500
Contract Amendment 1A		\$246,792	\$179,708
2021 State Grant to Anoka County	\$7,000,000		\$7,179,708
Contract Amendment 1B		\$1,943,628	\$5,236,080
Contract Amendment 1C		\$31,928	\$5,204,152

The balance of funds will be used toward right of way acquisition and final design.

Public Outreach/Input

Not required.

Staff Recommendation

By motion, approve Contract Amendment 1C with TKDA for additional services in the amount of \$31,928 and authorize the City Manager to sign the amendment to the contract.

Attachment List

1. TH65 Pedestrian Bridge - Preliminary Plan Fee Est
2. Agreement



Project Fee Estimate

Client:		City of Blaine							Date:	8/10/2023
Project:		TH 65 Access Improvements - Pedestrian Bridge Preliminary Design and Layout							By:	MAV
Task	Task Description	Estimated Person Hours Required						Total TKDA Hours	Total TKDA Dollars	
		PM	Bridge Staff			QA	Admin.			
		Sr Reg Eng	Sr Planner	Sr Reg Eng	Reg Eng	Grad Eng	Sr Reg Eng			Tech II
		\$ 224	\$ 117	\$ 157	\$ 113	\$ 88	\$ 194			\$ 83
1 Project Management										
1.1	Overall Project Management									
	Day-to-day project management	10								
	Invoices and progress reports	5								
	Generate/Update Project Schedule									
	Internal Staff Meetings	3								
1.2	QA / QC									
	Preliminary Bridge Plans			8	16		4			
	SUBTOTAL HOURS	18	-	8	16	-	4	-	46	
	SUBTOTAL COST	\$ 4,032	\$ -	\$ 1,256	\$ 1,808	\$ -	\$ 776	\$ -	\$ 7,872	
14. Bridge Design										
14.1.	Identify Preferred Bridge Type (Pedestrian Bridge)									
	Bridge Type Study (3 Options - Assume Truss Main Span)			6	10	16		8		
14.2.	Architectural and Aesthetic Elements									
	Coordinate with MnDOT Bridge Architectural Specialist			2	4	4				
14.3.	Prepare Bridge Plans (Pedestrian Bridge)									
	Preliminary Bridge Plans									
	General Plan and Elevation			4	12	24				
	Typical Section			2	4	8				
	Aesthetic Details			2	4	8				
	Geometry and Design Data Details			4	16	32				
	Incorporate preliminary bridge plan comments			4	4	8				
14.4	Coordinate with MnDOT Bridge Office									
	Bridge Office Review and Comment Resolution			4	8	12				
14.5.	Coordinate with Roadway Plans									
	Retaining Wall Coordination, Design Discipline Review and Comment Resolution			2	4	8				
	SUBTOTAL HOURS	-	-	30	66	120	-	8	224	
	SUBTOTAL COST	\$ -	\$ -	\$ 4,710	\$ 7,458	\$ 10,560	\$ -	\$ 664	\$ 23,392	
	TOTAL LABOR HOURS							278		
	TOTAL LABOR COSTS							\$ 31,928		
Expenses:										
Direct Expenses \$ -										
TOTAL TKDA TEAM PROJECT COST \$ 31,928										

ASSUMPTIONS:

1. Pedestrian bridge alignment and profile are determined.

AMENDMENT NO. 03

to the

PROFESSIONAL SERVICES AGREEMENT

Between

CITY OF BLAINE, MN

and

TOLTZ, KING, DUVALL, ANDERSON AND ASSOCIATES, INCORPORATED

Project: TH 65 Access Improvements
City Project No. 21-06
TKDA Project No. 0018181.000

Date of Original Agreement: April 19, 2021

This **AMENDMENT NO. 03** is made and entered into this 2nd day of October, 2023, by and between the City of Blaine, Minnesota, hereinafter referred to as the CLIENT, and TOLTZ, KING, DUVALL, ANDERSON AND ASSOCIATES, INCORPORATED, hereinafter referred to as TKDA, to amend the Original Agreement as follows:

Revision 1. Scope of Services

The Services listed in Exhibit 3-A will be added to the Agreement.

Revision 2. Period of Service

The Services under this Amendment will be completed by March 31, 2024.

Revision 3. Compensation

TKDA's compensation for the Services provided under this Amendment will revise the total contract fee amount as follows:

Description	Amount
Current Contract Amount (Original Through Amendment No.2)	\$3,179,080.00
This Amendment No. 03	\$ 31,928.00
Revised Total Contract Amount through this Amendment	\$3,211,008.00

[The remainder of this page has intentionally been left blank; signatures appear on the following page.]



City of Blaine

Staff Report

File Number: RES 23-158

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Resolution

Administration - Nick Fleischhacker, Public Works Director

Agenda Item # 11.2

Resolution Accepting a Bid from Municipal Builders, Inc. in the Amount of \$1,073,453.00 for the Water Treatment Plant 2 Preventative Maintenance and Minor Process Improvements, Improvement Project No. 23-20.

Executive Summary

Council is requested to approve a contract with Municipal Builders, Inc. for the construction of the Water Treatment Plant No. 2 Preventative Maintenance and Minor Process Improvements, Improvement Project No. 23-20 in the amount of \$1,073,453.00.

Background

The City Council approved an engineering design contract with Barr Engineering for the Water Treatment Plant 2 (WTP2) Preventative Maintenance and Minor Process Improvements on 1/4/2023 with Motion 23-11. The 2023 CIP, approved by the City Council, identified a project to complete renovations to WTP 2 that will address numerous architectural, electrical, process, and appearance-related elements.

The objective of the project is to improve WTP2 interior appearance, perform maintenance upgrades on parts of the plant that are in disrepair, and replace numerous items within the plant that are at or past the end of their useful life. Some of the major components of this project would include: Replace corroded and damaged door, window and cabinet hardware throughout the plant. Upgrade electrical wiring, switches and other electrical devices that have degraded over time due to corrosion and exposure to chlorine in the atmosphere of the plant. Replace all propeller style flow meters with magnetic flow meters. Replace all pneumatically operated butterfly valves with new valves and pneumatic actuators that include position indication and a feedback loop to the SCADA system. Move the chlorine addition point from the main filter room into the chlorine feed room to reduce the amount of chlorine being emitted into the filter room. Replace existing flow control valves with new flow control valves. Clean, perform minor surface repairs, and paint all plant surfaces including piping, equipment, tanks, walls, and floors. Make other repairs and upgrades as identified and recommended in the

Condition Assessment Report (November 2020). Major process improvements related to filter operation will be undertaken during a later project.

Barr Engineering prepared plans, specifications and bidding documents for the project and the project was advertised for bids.

Bids were received electronically at 12:00 PM, September 25, 2023, for Project No. 23-20. A total of 3 bids were received ranging from \$1,073,453.00 to \$1,375,000.00. The 3 lowest bidders and Engineer's estimate are as follows:

Engineer's Estimate	\$1,220,000.00
Municipal Builders, Inc.	\$1,073,453.00
Shank Constructors, Inc.	\$1,269,700.00
Magney Construction, Inc.	\$1,375,000.00

Bids have been checked and tabulated, and it has been determined that Municipal Builders, Inc. of Nowthen, Minnesota is the lowest bidder. The Engineering Department has worked with Municipal Builders, Inc. on previous contracts and recommends that the low bid be accepted, and a contract entered into with Municipal Builders, Inc.

City Council is also asked to approve a 10% contingency to bring the total project budget to \$1,180,798.00. The funding sources for this project are the Public Utility Funds and there are sufficient funds budgeted to cover these costs.

Strategic Plan Relationship

This project aligns with the City's strategic plan goal of well-maintained infrastructure by providing high quality drinking water. This action relates directly to the City of Blaine Strategic Plan Item No. 6 - Well Maintained Infrastructure and Desired Outcome - Reliable Utility Systems. This work will improve the conditions of Water Treatment Plant 2 facilities to meet the system demands, address Code issues, and maintain the quality of the City's infrastructure.

Board/Commission Review

Not required.

Financial Impact

The 2023 budget appropriated a total of \$1,685,000 for Water Treatment Plant 2 improvements. The total appropriated budget-to-date for Water Treatment Plant 2 is \$198,407.40. The total appropriated budget of \$1,685,000 is thus adequate to cover this contract, making the project financially feasible and within the project budget.

Public Outreach/Input

Not required.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. Location Map



City of Blaine

Signature Copy

Resolution: RES 23-158

Resolution Accepting a Bid from Municipal Builders, Inc. in the Amount of \$1,073,453.00 for the Water Treatment Plant 2 Preventative Maintenance and Minor Process Improvements, Improvement Project No. 23-20.

WHEREAS, pursuant to advertisement for bids for Improvement Project No. 23-20, said bids were received on September 25, 2023, electronically opened and tabulated according to law, and the following 3 bids were received complying with the advertisement:

Municipal Builders, Inc.	\$1,073,453.00
Shank Constructors, Inc.	\$1,269,700.00
Magney Construction, Inc.	\$1,375,000.00

AND WHEREAS, Municipal Builders, Inc. of Nowthen, Minnesota is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blaine as follows:

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with Municipal Builders, Inc. for the designated improvements in the amount of \$1,073,453.00.
2. A 10% contingency is hereby approved to bring the total project budget to \$1,180,798.00 and the Director of Public Works is hereby authorized to sign all change orders up to the authorized project budget amount.
3. The City Clerk is hereby authorized and directed to return forthwith to all bidders the bid bonds submitted with their bids, except the three lowest bidders. When a contract is duly executed, the bid bond of the remaining unsuccessful bidder will be returned. The bid bond of the successful bidder will be retained until the performance and payment bonds have been executed and approved, after which the bid bond will be returned.

PASSED by the City Council of the City of Blaine this 2nd day of October, 2023.

Signed by

Tim Sanders, Mayor



Signed by

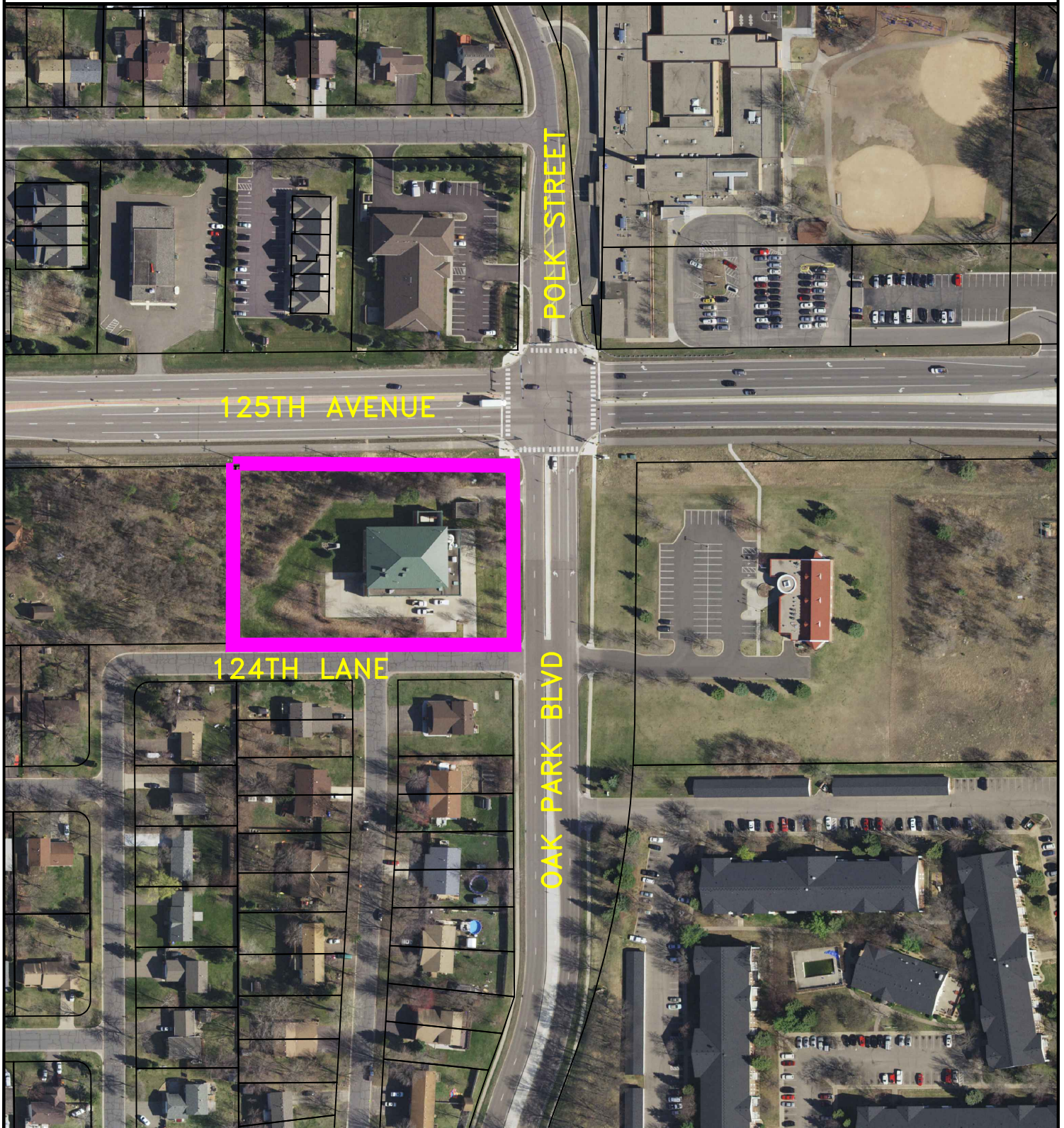
Cathy Sorensen, CMC, City Clerk

WATER TREATMENT PLANT 2 PREVENTATIVE MAINTENANCE PROJECT

LOCATION MAP



 - PROJECT LOCATION





City of Blaine Staff Report

File Number: RES 23-140

Agenda Date	Status
October 2, 2023	
In Control	File Type
City Council	Resolution

Administration - Cathy Sorensen, City Clerk

Agenda Item # 11.3

Resolution Adopting Agenda Format for City Council Meetings Regarding Rules of Order and Procedure and Addendum

Executive Summary

Council is asked to adopt a resolution for the revised rules of order and procedure.

Background

At the August 14 workshop, council reviewed staff recommendations regarding amendments to the current rules of order and procedure, particularly the placement of items on agendas. After discussion and input, revised rules were presented on August 21 for adoption but tabled for further discussion at workshop. Following tabling of the item, a motion was adopted regarding Placement of Items on an Agenda as stated below:

Any two members of council may place an item on a council meeting agenda if the item is submitted by the end of the business day on Monday, one week preceding the Monday council meeting. Items must be presented in writing to the city manager. Items sent one week prior will be included in the original printing of the agenda. Thereafter, items requested by any two members of council prior to the time the agenda is formally adopted at the council meeting will be included in the recommended additions to the agenda by the city manager. These recommended additions will be adopted onto the agenda by a majority vote of council.

After discussion at the September 11 workshop, council consensus was to amend the policy adopted on August 21 regarding placement of items on an agenda as follows:

- Consensus reached during workshop, with consensus defined as the agreement of a majority of councilmembers present.

- Two (2) councilmembers can request an agenda item be added to an upcoming workshop during the Other Business portion of a regular meeting. No formal vote or consensus is needed to have the item added to workshop. When the item is discussed, consensus as defined above is required to bring the item forward for formal consideration at a regular council meeting.
- One (1) councilmember can request an item be added to a future workshop agenda through the workshop request form. The request form process does not provide discussion of the item itself but the opportunity for consensus as defined above to add the item to a future workshop.
- If an item has been reviewed at workshop and consensus as defined above is not reached to bring the item forward for formal consideration, one (1) councilmember may make a request under Other Business of any regular council meeting to add the item to a future council meeting. If the request is verbally supported on record by at least one (1) other councilmember, the item will be added to a future council meeting for formal consideration.

Agenda item addition requests not in compliance with this policy will be ruled out of order by the mayor/pro tem as chair of the meeting. Agenda item additions will be scheduled as soon as reasonably practicable, based on the priority of the item in relation to the priority of all other items as well as amount of staff time needed for review/research for the item.

The amended language has been incorporated into the rules of order and procedure addendum as part of the proposed resolution. If adopted, this resolution will formally replace Resolution 99-152 and all its adopted addendums that have occurred over time. Council will be asked to adopt these rules annually by resolution at the first business meeting of the year in order to best document the most current rules going forward, so this item will be before council again in January 2024.

Strategic Plan Relationship

This item relates to the organizational health strategic priority by maintaining governance processes that work.

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

N/A

Staff Recommendation

By motion, adopt the proposed resolution replacing Resolution 99-152 and all subsequent addendums adopting agenda format for city council meetings regarding rules of order and procedure and its updated addendum of definitions and explanation of city council order of business.

Attachment List

1. 8-14-23 Workshop Item
2. 1-3-22 Council Item
3. Orders of Business - Proposed Revisions 10-2-23



City of Blaine

Signature Copy

Resolution: RES 23-140

Resolution Adopting Agenda Format for City Council Meetings Regarding Rules of Order and Procedure and Addendum

WHEREAS, the City Council of Blaine has determined that the objective of council meetings is to formulate policy, hold public hearings, discuss and debate business items; and

WHEREAS, the procedure outlined in the resolution and addendum is determined to be conducive to the proper expeditious handling of city council business; and

WHEREAS, this resolution formally replaces Resolution 99-152 and all subsequent addendums outlining definitions and explanation of city council order of business and rules of procedure.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the business of the council shall be conducted in the following order:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Adoption of Agenda
5. Awards-Presentations-Organizational Business
6. Communications
7. Open Forum
8. Consent Agenda
9. Public Hearings and Items Set for a Certain Time
10. Development Business
11. Administration
12. Other Business
13. Adjournment

BE IT FURTHER RESOLVED that this resolution and attached addendum hereby replaces Resolution 99-152 and all subsequent addendums for agenda format for city council meetings regarding rules of order and procedure and its updated addendum of definitions and explanation of city council order of business.

PASSED by the City Council of the City of Blaine this 18th day of September, 2023.



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk



City of Blaine

Staff Report

File Number: 2023-274

Agenda Date	Status
August 14, 2023	
In Control	File Type
City Council	Workshop Item

New Business -

Agenda Item # 2.6

Rules of Order and Procedure

Background

With implementation of CivicClerk and continued efforts toward meeting efficiency and public transparency, staff had recommended updates to the rules of order and procedure annually adopted by council. At the April 25 workshop, council began review of the proposed amendments along with the council code of conduct and requested both topics be brought back for further discussion. Due to time constraints, staff will bring forward potential amendments to the code of conduct, (which was adopted December 2022), to a future workshop.

In researching meeting minutes and resolutions, council rules of order and procedure have changed over time, beginning in 1976. The last resolution for order and procedure was adopted in 1999 and included an addendum that is reviewed by council for amendments and adopted at the first business meeting of each year. Over the years, the addendum (rules of order) changed often. The most recent version is included as an attachment, with proposed changes in highlight/underline. Going forward, staff is suggesting a full new resolution is adopted instead to provide clearer history for current and future councils and recognize and identify how processes have evolved over time as councils and city managers have changed over time. In addition, council annually adopts a resolution affirming council/staff responsibilities. This annual resolution affirming the work of both council and staff began in 1986 and directed that each year it be presented as the first order of business to pledge that our sole purpose is to serve the public interest.

At the May 21, 2021 retreat, council discussed the topic "Council Requests for Agenda Items". The result of that discussion was the creation of the current practice for council-directed items.

A short summary of proposed changes to the rules of order and procedure (Attachment 4) follows:

- *Open Forum* – as cities are allowed to place some limits with regard to time, place, and manner for public forums, staff is suggesting amended parameters that may help provide opportunities

for more members of the public to speak by limiting comments regarding a specific topic. Creating public comment cards and sign in sheets will assist the public in understanding how they can address the council, will accurately capture speaker information such as address for followup if needed, and serve as a tool for the mayor/presiding officer to know how many individuals wish to speak and the scope of topics. Clarification has also been made as to when the public should speak on topics already included on the agenda, such as through public hearings.

- *Consent Agenda* - to continue using the consent agenda as a tool for effective meeting management, additional items are being suggested for inclusion on the consent agenda . As always, council can remove any item from the consent agenda for separate discussion and consideration, and clarifying questions can be asked without the need for removal of an item from consent for separate action and vote. (Attachment 3 is a summary of information from other cities regarding consent agendas).
- *Agenda Item Scheduling* – to ensure adherence with state statute, city charter, city mission statement, and open meeting law that provides deliberate public transparency and notice, clarification on scheduling agenda items is being made for both workshop and regular council meetings. These changes will ensure sufficient time for staff to research and provide council full and accurate information for informed decision making which reduces the risk of unintended consequences and results in good policy making.

Staff has included policies from other cities as well as sample rules for comment for consideration.

Attachments 1 and 2 are sample tools that can be implemented for use by the public during meetings. Using these can assist with the accuracy of the record and the orderly management of the meeting.

Staff Recommendation

Council input is requested.

Questions for Council

Staff is seeking input on the proposed amendments to Council rules of order and procedure.

Attachment List

1. Minnesota Mayors Handbook-Rules for Public at Meetings - Sample
2. Sign In Sheet
3. Consent Agenda Use - Other Cities
4. Rules of Procedure Survey
5. Rules of Procedure Survey - Attachments
6. Minnetonka Council Rules of Procedure 2020
7. Minnetonka Council Item
8. Roseville Rules of Procedure
9. Resolution 76-12 Adopting Agenda Format for Council Meetings
10. Resolution 99-152 Adopting Agenda Format for City Council Meetings
11. Orders of Business - Proposed Revisions 2023

Appendix C: Summary Rules for Public Comment

Sample for Use with Minnesota Mayors Association *City Council Bylaws*

City Council

Mayor: _____

Councilmembers:

City Staff:

City Manager:

City Attorney:

City _____:

City _____:

City _____:

City _____:

**Meeting Dates &
Times:**

WELCOME to the meeting of the Blaine City Council. Please take a moment to read our guidelines for public participation in City Council meetings.

Agenda: An agenda packet is available for public inspection at the entrance to the meeting room. Ordinarily the Council will address items as they appear on the agenda.

Council procedure: The Council has adopted rules of procedure for all meetings. The rules are available for public inspection at the entrance to the meeting room. In order to take official action on items, the Council will adopt a motion by voice vote. Generally, a simple majority vote of the members present is needed to pass most motions.

Public participation in meetings: Comments from the public are restricted to the public forum period.

City Council meetings are the forum for the Council to conduct City business. While Council meetings are open to the public pursuant to the Minnesota Open Meeting Law, they are not a forum for public expression except during open forum.

Members of the public are not allowed to participate in council discussion and debate without a specific invitation by the Mayor/presiding officer.

Members of the public shall not applaud, engage in conversation, or engage in other behavior through words or actions that may disrupt the proceedings of the Council meeting.

During the public forum period, citizens must:

- Sign up prior to speaking and provide a name, address, and brief summary of the subject matter they wish to address. The sign-up sheet is available at the meeting entrance.
 - Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.
- Be recognized by the Mayor/presiding officer before speaking. Comments are limited to three minutes.
- Direct their remarks to the Mayor/presiding officer.
- Follow the direction of the Mayor/presiding officer.

During forum period, the public is prohibited from:

The use of obscene, profane, or threatening language.

Threatening, loud, or boisterous conduct that disrupts the meeting or the security of the public.

Members of the public who do not follow the direction of the Mayor/presiding officer will be warned that further disruptive conduct could result in a recess and/or removal from the meeting. If the conduct continues, the Mayor/presiding officer may ask the speaker to leave. If the speaker refuses to follow the direction of the Mayor/presiding officer, the Mayor/presiding officer may direct the sergeant-at-arms to remove the speaker through any lawful means.

The Mayor/presiding officer may:

- Request the public to appoint a spokesperson when multiple speakers appear to speak on the same topic.
- Place a time limit on or defer the public comment period.
- Alter rules to meet legal requirements for public hearings required by law

**City Council
Agenda/Orders of
Business:**

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Awards-Presentations-Organizational Business
5. Communications (Council/Staff)
6. Open Forum
7. Adoption of Agenda
8. Consent Agenda (includes approval of bills paid/minutes.
9. Public hearings
10. Development Business
11. Administration
12. Other Business
13. Adjournment

**Contact information
for City Hall:**

Hours of operation:

Open Forum Sign In

If you wish to address the Council regarding a matter not on the current agenda, please register below.

- Every Council meeting has an Open Forum portion of the agenda.
- Wait for the Mayor to call upon you to address your issue to the City Council.
- Begin by stating your name then provide your comments. Speak clearly so that all may benefit from your remarks.
- Please limit comments to three minutes.
- If there are several in attendance related to one topic, the Mayor may note for the record your presence but may limit the number of speakers on one topic to allow for other topics to be presented.

	<u>NAME</u>	<u>ADDRESS</u>	<u>Phone # (optional)</u>	<u>Subject</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____

Example: Bob Jones

1234 St. James Place

(952) 555-5555

Consent Agenda

Woodbury

- Site plan reviews
- Final plats/ consent to prepare a Developers Agreement
- Extension of approvals

Eagan

- final subdivisions & plat
- final planned developments
- Contract releases

Bloomington

The only Planning applications that the City Council does not put on consent agenda are those that require a Public Hearing according to the City Code. The Code section has a legend and indicates what applications require public hearings (PH) for items that Council is the decision maker (DM).

These items are on consent:

- CUP
- IUP
- Variance

Here is a link to the City Code section that specifies who the decision makers are for each application and which applications require a public hearing to be held at City Council:

https://codelibrary.amlegal.com/codes/bloomington/latest/bloomington_mn/0-0-0-111609

Fridley

It really does depend upon the item and if there is controversy or not.

But typically:

- CUP
- Final Plats
- Sometimes Pre Plats and Lot Splits

- Second Reading of Rezoning

Brooklyn Park

- Development Agreement (Bond Release)
- Final plats (if the preliminary plat was passed by unanimous vote)
- Second reading of a rezoning.

Maple Grove

- Final Plats
- AUAR & EAW adoptions
- Most resolutions of approval

For the resolutions, we have items go to CC twice, once where they review and send it to the City Attorney to draft a resolution, and then the second time with the actual resolution.

Edina

- Final Plats
- Second Reading Rezoning

Coon Rapids

- Final Plats
- Development Agreement Releases
- Right of Entry Agreements

This is something we are actually working with our city manager on to get more clarity when something could be on the consent agenda. Generally right now we put final plats, development agreement releases and right of entry agreements on consent.

Other planning items that go to the Council include rezonings/comp plan amendments, zoning ordinance amendments and site plan reviews for projects in our special PORT Districts along Coon Rapids Blvd. Planning staff typically give a brief presentation on these items. Our conditional use permits only need Planning Commission approval and do not go to Council (unless someone appeals a decision by the Planning Commission).

Champlin

- 2nd readings of ordinances
- Final plats
- Appointments to Planning Commission

St. Louis Park

- CUP amendments
- Second Readings of Ordinances
- Final Plats
- Time limit extensions for Plats/CUPs

We don't have a hard and fast rule for which applications can go on consent. Usually it's small, uncontroversial projects that don't have any discretionary approvals. Personally, I've worked on a couple of conditional use permits for building expansions and site improvements for existing uses that needed a CUP amendment. Those can sometimes go on consent, especially if we don't get any comments during the public hearing. Final plats could also go on the consent agenda; usually we process preliminary and final plats together so it doesn't come up. Planning development contracts are approved administratively by staff review, so they don't usually go to council. Time limit extensions for plats or CUPs, when the project is delayed but we still expect it to move forward, can go on consent.

Second readings of ordinances are on consent.

Minnetonka

- CUP
- Final Plats
- Pre-Plats
- Variances

Final plats always go on the consent agenda, and projects that staff is recommending denial of always go on the non-consent agenda. Those are really the only true "agenda rules" in our community. That said, staff tries to make good use of our consent agenda. As we draft each agenda, planning staff determines what projects we think need discussion. These could be items containing multiple applications (like redevelopment projects), items that we perceive to be controversial, items similar to past items the commission or council have discussed, or items that staff wants some policy direction on. If we don't think discussion is necessary, we put the item on consent. It is not uncommon for us to have variances and CUPs on both our consent and non-consent agenda. For example, the agenda we are working on this week includes:

Consent Agenda

- Side yard setback variance for garage addition;
- Amendment to an existing sign plan;
- CUP for an orthodontics clinic; and

- CUP for a periodontal clinic.

Non-Consent

- Expansion permit (variance for expansion of a non-conforming use); and
- CUP and IUP for an indoor pickleball court

Plymouth

- Conditional Use Permits that have been recommended for approval by the PC and did not receive any opposition at the public hearing
- Final Plats
- Development Contracts and development contract financial guarantee reductions/releases
- Site plan amendments that have been recommended for approval by the PC and did not receive any opposition at the public meeting
- Variances that have been recommended for approval by the PC and did not receive any opposition at the public meeting

Rules of Procedure/Agenda Item Placement

City	Processes Used
Bloomington	If a Councilmember asks to have an item added to a City Council meeting, generally the City Manager will gauge Council interest in the item. If there is general interest by a majority or at least several of the Councilmembers, the City Manager will take that back to staff and have it added to a future agenda. Timing obviously depends on what the item is; if it's something fairly quick that staff can pull together it could have a quick turnaround. It also depends on how heavy the upcoming agendas are, how time sensitive the item is, or how much staff time is required to prepare the item. If a Councilmember requests an item be added to a meeting but there is no interest by other Councilmembers or Mayor, depending on what the issue is, staff may take the matter offline. We no longer have study meetings; we started combining study meeting items into our regular City Council meetings a couple years ago. These items take place at the end of our regular City Council meetings under "organizational business" on the agendas. These are the items where staff or external people have an opportunity to present updates to council. Council usually will not vote on these items but may provide staff with feedback and desires for next steps. Approximately once a year or once every other year, we have council retreats where the Mayor, Council, and City Manager discuss priorities and work plans. These retreats are not regularly scheduled but are held as needed. These meetings are open to the public but no official action is taken at these meetings that members must vote on. All reports, communications, ordinances, resolutions, documents, or other matters submitted to the Council must be filed before 4:00 p.m. on the Wednesday prior to the Monday Council meeting at which consideration is desired, and must be delivered to the City Manager, or in the Manager's absence must be filed with the acting City Manager, for inclusion in the proper order of business on the agenda. Provided, however, in unusual circumstances and when the matter does not require investigation by the City Manager or department head, matters may be accepted after completion of the agenda upon approval of the City Manager. Any two members of the Council or the Mayor may request that the City Manager include a matter on the agenda.

Burnsville	Council can add to the regular Council agenda but this is rarely done. If so the Mayor would request if there is an "emergency" item to add to the agenda and would need a majority to do so. More often, we use a standing ROUNDTABLE item on our monthly work session agenda and the Council asks the City Manager to add a discussion item to that. Sometimes an item is added during the ROUNDTABLE discussion but that is generally frowned upon. This provides Council an opportunity to discuss openly and if they have a majority give staff direction to move forward. We also have related items that come up during discussion of other items that are added to a future meeting with consensus.
Champlin	Same as Maple Grove
Coon Rapids	The attached resolution outlines "formal" rules for Council procedure to add items to the agenda. That being said, our regular practice is that Councilmembers contact the City Manager about an item they may want to add who facilitates any necessary research related to the item and makes the determination as to how to proceed. As far as work session meeting topics, the City Manager maintains a spreadsheet with the dates of meetings and a list of items that covers the entire year. There is also space for items that have been brought up but not risen to the level of making an agenda. Once per year a work session planning discussion occurs at a work session where the City Manager presents the list prepared by staff and Council discusses. It's at this meeting Council can ask to add an item if there is a majority in favor of doing so. The informal process for work sessions is the same as for regular Council meetings. If something comes up during the year they want to discuss, Councilmembers contact the City Manager who facilitates any conversation or research related to it and makes the determination as to how to proceed. Under Other Business Councilmembers can bring up topics both at the regular or work session meetings, to briefly bring something up if it is an item that is not yet ready for full discussion at a work session or regular meeting. This would be very brief and is how some things make it onto the "items brought up for possible work session at a later date" list.

Fridley	We have a very informal process facilitated by the City Manager. Through informal conversations with the Council, items eventually make their way to a Conference Meeting for formal discussion.
Maple Grove	Per City code, the Council may amend the agenda at the meeting and add, delete, or amend items. The Mayor offers the opportunity to make agenda amendments immediately after calling the meeting to order. This method is mostly used when an item is on consent and the Councilmember wants to pull it for further discussion (i.e. retirements, new hires, awards, etc.). When a Councilmember has something new that they would like to discuss, that Councilmember would informally have a discussion with the City Administrator. This typically leads to staff researching something or providing a memo to the entire Council on the topic. If Councilmembers want to pursue/discuss something further, they would notify the City Administrator who would offer to put the item on a future discussion, most likely at a work session. During discussion of a specific scheduled item a Councilmember may request that a related topic be discussed at a future meeting as well.
Maplewood	Most workshop and Council agenda items are a result of applications and general operations of the City, however, we do have a fixed agenda item and time during Council meetings called Council calendar update to gather topics of interest to Council. The City Manager goes over upcoming agenda topics, reviews the progress of past topics not yet concluded, and gives time for Council to bring up topics which they would like to discuss or have staff research. Sometimes this item is discussed at the meeting as it is a quick question staff can answer. If it is a larger topic and there is Council consensus, the topic is added to an ongoing list of topics of concern or interest. These topics may have been brought up outside of the meeting but this is the time which full council interest is determined to most efficiently use staff resources. If consensus is not reached, the item is not added. The attached report is provided with the packet for items.
Minnetonka	In practice, the City Manager sets the regular meeting agenda and Council has the opportunity to bring items up at study sessions, per the attached Policy 1.5. Section 1.5 applies the most

	and Councilmembers are steered to this section when they want to discuss items of particular interest.
Mounds View	For internal process we utilize only one common agenda that can be open by one person at a time and items include only routine or in-the process items such as budget, strategic plan, planning items; only directors can add to the agendas. It's very rare a Councilmember adds an item and it is usually something more ceremonial and is nothing of substance in order to allow staff to research first. Council reports at end of each meeting on topics for future scheduling but no one Councilmember can add, there needs to be consensus/direction. City Administrator will get input Directors and sometimes Mayor on topics to include on a workshop agenda. Two or more Councilmembers can request a topic be added to a workshop agenda and Council reviewed the full workshop topic list at each meeting to allow for changes in timing, time spent, and priorities but is done by consensus. Workshops are held once per month with the goal of the meeting lasting no more than 3 hours.
Plymouth	Similar to other cities, Council can add items to the agenda during the meeting when agenda is approved but no formal action is taken on items added to the agenda. Typically hold study sessions before every regular meeting. The last agenda item during the study session is to set future study sessions. During this time, Council has the opportunity to bring up ideas for future discussion at either an upcoming study session or regular council meeting. If three Council members agree this is something worth discussing, staff adds it to a future agenda.
Ramsey	We have an informal policy that changes to the agenda need to be requested by Monday at noon for a Tuesday Council meeting. As far as adding new items to the any agenda, we have always had two Councilmembers bring forward a new item, one to motion and the other to second to get an item added ahead of time, the same applies to adding items during the meeting. Any individual Councilmember can request that an item gets moved from Consent to the regular agenda. The City Administrator requests that changes to an agenda occur no later than noon the day before the meeting to allow time to republish the agenda and give other Councilmembers a chance to review these changes. We also request that Council notify the Administrator/staff of any questions in advance to allow for time to research before the

Roseville	meeting as having information available for the meeting will allow Council to make decisions in a timely manner and minimize the need to postpone items. We amended our Rules of Procedure to include the process so it is more formalized (attached). If a Councilmember wants to discuss an item they bring it up at the end of the meeting and it is placed on the next meeting agenda for a vote on whether or not to have a discussion on the topic. If a Councilmember initiates an item for discussion, they would provide any documentation/report/etc. to be included in the next meeting materials, which has helped eliminate staff doing a lot of work in the event the full Council decides the topic is not going to move forward. Councilmembers are encouraged to introduce new items including background information and supporting materials for discussion and possible action. Councilmembers have the right to place items on the agenda as follows: 1. A Councilmember may, at a council meeting, request that an item be placed on a future council agenda, or; 2. A Councilmember may make a request for an agenda item outside of a council meeting by submitting an email request to the city manager, no later than noon of the Wednesday preceding the council meeting. An agenda item submitted per 1 or 2 above will be included on the agenda for the next council meeting under the heading "Council Direction on Councilmember Initiated Agenda Items" at which time the Council, on consideration of any preliminary material provided by the initiating Councilmember for inclusion in the meeting packet, will by motion provide direction as to whether, how, and when the agenda item will be taken up at a subsequent meeting, or; Additionally, a Councilmember may request the addition of an agenda item at the same meeting at which the item is proposed to be addressed. However, the addition of such an agenda item shall require the approval of a majority of the Councilmembers present.
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St. Louis Park	1. Use request form for study session topics. 2. Use follow up staff analysis template. The analysis is given back to the requesting Councilmember so they can decide whether they want to pursue the discussion with their colleagues and includes factors such as impacts, cost, staffing, capacity, other affected agencies, pending policy discussions, timeline, alignment with strategic priorities. 3. Updated Council norms/protocols (attached)
Woodbury	See attached

DEFINITIONS AND EXPLANATIONS OF CITY COUNCIL ORDER OF BUSINESS

Addendum to Resolution 23-2

The items contained in the formally adopted order of business for the Coon Rapids City Council shall have the meanings commonly associated therewith unless otherwise defined or explained herein.

1. **ADOPTION OF AGENDA:** This order of business is the appropriate time for the Mayor and Councilmembers to add, delete, or change items on the agenda as proposed by the City Manager. A majority of those present must approve additions, deletions or changes to the proposed agenda. After an agenda has been formally adopted, any change thereto shall require a two-thirds (2/3) vote of all members present.

2. **CONSENT/ INFORMATIONAL ITEMS:** Consent items are those business items which must be acted upon by the City Council, but which are routine and generally do not require any discussion or debate. Informational items do not require formal action and are provided as an update or comment to an item of interest to the Council. The City Manager is authorized to prepare a list of consent items, but any Councilmember or the Mayor may request that a particular consent item be removed from the consent list and placed on the regular agenda. This action should be taken at the time the agenda is formally adopted.

3. **PUBLIC HEARINGS:** The Mayor will make every effort to ensure that each speaker giving testimony at a public hearing provides new information and does not simply reiterate the testimony of a previous speaker. Persons will be allowed to associate themselves with previously expressed opinions by approaching the podium, stating their name and address, and indicating their concurrence with a particular prior speaker. The Mayor will also make every reasonable effort to control, and where possible prevent, demonstrations which might occur during public hearings whether the demonstrations are preplanned or spontaneous.

4. **OPEN MIC:** This order of business provides a time for members of the public to approach the Council and comment, ask questions, present a concern or make a statement specifically relating to City business that is not already on the agenda for that meeting. Each speaker will be limited to three minutes and will be informed by the Mayor when their time is concluded. The Mayor will advise the audience of the time limit when introducing the Open Mic portion of the meeting. The speaker will be asked to come to the podium set up for that purpose, state his or her name and address, and give his or her statement, question or concern. Councilmembers may speak briefly to an Open Mic item for the purposes of asking for clarification, providing additional, pertinent information, or responding to questions raised by the speaker or another Councilmember. The Mayor will explain to the speaker that the statement, question or concern will be referred to the City staff for review and then a report will be sent to the speaker prior to the next regularly scheduled Council meeting. It is recognized that not all issues may be resolved at or prior to the next Council meeting, but the speaker will be informed of the progress on the issue prior to the next meeting. Staff will draft a response to be submitted as part of the next City Council Agenda. The speaker will be provided a copy of the report and any subsequent reports until the matter is resolved. Speakers are prohibited from engaging in personal attacks on Councilmembers, staff, or member of the public. Should this occur, the presiding officer will inform the speaker his/her opportunity to address Council has been relinquished and the person must leave the podium.

5. **OTHER COUNCIL BUSINESS:** This order of business provides an opportunity

for Councilmembers and staff to bring up any issues which were not on the agenda. These issues may include, but are not limited to, such items as questions or concerns of Councilmembers, questions or concerns that have been expressed to Councilmembers by citizens and suggestions by Councilmembers for future workshops which will be scheduled upon consensus of the Council.

Items may be placed on or removed from an agenda by any Councilmember in accordance with the following procedures:

A. PLACEMENT OF ITEMS ON AN AGENDA. Any Councilmember may have an item placed on a meeting agenda up until the time the agenda is formally adopted at the Council meeting. Thereafter additions to the agenda will be permitted only upon a two-thirds affirmative vote of all members present in accordance with the adopted rules of procedure.

Items submitted by the Wednesday preceding a regular Council meeting will be included in the original printing of the agenda. Thereafter, items requested by Councilmembers will be included in the recommended additions, deletions and amendments distributed at the Council meeting.

B. REMOVAL OF ITEMS FROM AN AGENDA. Any Councilmember who has placed an item on an agenda will be given the courtesy to remove that item from the agenda at any time prior to the formal adoption of the agenda. Thereafter an item may be removed from the agenda with a two-thirds affirmative vote of all members present in accordance with the adopted rules of procedure.

If an item which was placed on an agenda is deleted at the originator's request prior to the meeting, the City Manager will advise the Council as part of the additional agenda materials provided prior to the meeting. Any such removed item may be placed on the next or any subsequent meeting agenda by the originator of the item or by any other Councilmember.

Any Councilmember who has placed an item on an agenda, who will be absent from a meeting, may have that item on that meeting's proposed agenda removed or postponed by notifying the Mayor or the City Manager no later than 3:00 p.m. on the day of the scheduled meeting.

However, if the item has been placed on the agenda by another Councilmember, then it can be removed or postponed only with the concurrence of that Councilmember.

Adopted by the Coon Rapids City Council this 3rd day of January, 2023.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

St. Louis Park City Council norms

DO:

- Assume good intentions
- Agree to disagree
- Pay attention to each other; listen
- Accept the vote once taken and support implementation. (*Suggested response: "I accept the body's decision, even though I didn't vote for it."*)
- Make sure everyone has opportunity to speak
- Be respectful, open and honest
- Exercise humility
- Seek opportunities to make/build connections with each other
- Address problems with other council members in a timely and constructive manner
- Accept the decisions of other council members
- Focus discussions on policy
- Check self in adherence to norms; practice self-regulation

DON'T:

- Have side conversations
- Personalize policy disagreements, or take offense to what someone says as their truth
- Get stuck when you disagree with an outcome

Accountability to norms

- Exercise caution calling each other out in public
- Identify/own your feelings and needs when speaking up
 - Say "I'm not feeling heard" or "I'm feeling we are not able to agree to disagree"
- Address issues/concerns one on one or with an intermediary

Guidance for council/staff interactions

- **DO** strive to request only information you need to make the decision at hand
- **DON'T** re-litigate points with staff during implementation

Council protocols for key situations

Titles

- During *council meetings*, council addresses each other using titles (for example, Mayor Spano)
- During *study sessions*, council uses first names.
- Staff uses council titles in public communications with council; council uses first names for staff.

Public discussions

- Council wants more organic and free-flowing discussion; the mayor is responsible for facilitating this.
- Mayor will generally speak last in council meetings but will participate more flexibly in study sessions.

Ward considerations

- For issues specific to a ward, the impacted ward member speaks first and make(s) the motion unless they decline to do so.

Recusals

- Council members should recuse themselves from an issue as soon as a conflict is reasonably apparent or identified, and no later than before a vote.
- Once a council member has recused themselves from an issue, they should not work on the issue with staff or speak on it as a council member.
- When a vote happens, they may elect to sit at or leave the dais and may choose to leave the room during the discussion.
- They also may only speak to staff or other council about the topic on the same basis as any other member of the public.

Connections

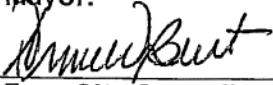
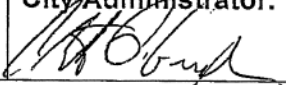
- Council will have recurring dinner connections on the first Monday of each month. There may be additional after-councilmeeting connection points.

Spokesperson

- In general, the mayor represents the council to the media on issues of “why” and staff work with media on the “how.”
- Council may represent themselves on issues they feel strongly about, making it clear they don’t speak for the city council.
- As a general rule, council should always notify staff of media requests and/or appearances to avoid surprises.

Emails

- When a member of the public sends an email to multiple council or staff, the impacted ward member takes the lead (or mayor if not a ward issue).
- Suggestion is for the ward member to “reply all” to say, “Thanks for your message, I’ll reach out separately to avoid any open meeting law conflicts.”
- The group will give the mayor or ward member 24 hours to respond.
- It’s okay for council members to reply directly to senders to acknowledge the message.
- Staff is also available to assist with crafting responses.

 COUNCIL DIRECTIVE	Adopted: 2001 Revised: 6-13-12, 5-13-15, 11-30-16, 8-22-18, 8-10-22, 12-14-22	Number: CD-COUNCIL-2.5
	Mayor: 	City Administrator: 
	For: City Council	
	Subject: City Council Roles and Guidelines	

Purpose

The purpose of the document is to outline the main roles, duties, and authority of the City Council (Council). This document also establishes general guidelines for decorum of Council as to proper procedure during meetings, best practices to represent Council and the community and other state and local laws that apply.

Section 1 Roles/Responsibilities

- 1.01 The five-Member City Council is the chief governing body of the City whose responsibility it is to see that the City is properly exercising its functions, fulfilling the duties law imposes, overseeing the organization's financial affairs and selecting the City Administrator, and not exercising powers which it does not legally possess.
- 1.02 Mayoral Role: According to MN Statute 412.191 the Mayor is a full Member of the Council in addition to:
- a. Being the official head of the City.
 - b. Execute official documents.
 - c. Represent the City ceremoniously.
 - d. Act as presiding officer of meetings.
 - e. Work closely with the City Administrator to move City Council goals forward, anticipate issues on the horizon, and manages the action of Council meetings.
- 1.03 Mayor Pro Tem Role: The Mayor shall appoint the Mayor Pro Tem, with the approval of the Council. The Mayor Pro Tem shall act in place of the Mayor in the absence or disability of the Mayor.
- 1.04 The City Council, as a body, has the following major areas of authority and responsibility. These are:
- a. Selecting the City Administrator.
 - b. Focusing on policy and outcomes ensuring that the strategic direction leads the City to the desired outcome.
 - c. Setting and interpreting rules governing its own proceedings.
 - d. Exercising the policy level statutory powers reserved for Councils of statutory cities.

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- e. Legislating for the City.
- f. Directing the enforcement of City ordinances.
- g. Overseeing the City's financial operations and adopting the annual budget.
- h. Appointing Members of boards, commissions, committees, chairs, vice chairs and task forces conducting the City's inner and regional governmental affairs.
- i. Protecting the general health, welfare and safety of the City and its inhabitants.
- j. Serving as the Economic Development Authority (EDA) and the Housing and Redevelopment Authority (HRA).
- k. Providing community leadership and vision.

- 1.05 The most important single responsibility of individual Council Members is participation and voting at City Council meetings and workshops. As individuals, Council Members have no individual administrative authority; they cannot direct staff or otherwise supervise City employees unless the Council, as a majority, specifically directs them to do so. Staff's respective duties are to Council as an entity.
- 1.06 No one Council Member has any right to privileged information, or the direction of staff analysis, research or action apart from the group. As a Council, however, Council Members should devote their official time to issues of basic policy and to act as liaisons between the City and the general public. Council Members should be concerned, not only with the conduct of current affairs, but also with the future development and welfare of the City.

Section 2 Affirmation of Expectations

- 2.01 The Council seeks to establish commonly held expectations and to clarify roles and procedures to further Council and staff effectiveness. These various initiatives are to not suppress the dynamic engagement which is so valuable to policy development. The Council is committed to a set of behavioral expectations, intended to create a high level of trust, creativity, and productivity. These include:
- a. Staying focused on top priority and strategic goals, rather than becoming reactive.
 - b. Engaging in proactive, on-going communication which avoids unnecessary surprises.
 - c. Seeking common ground and coming together, avoiding the fueling of controversy or anxiety.
 - d. Focusing on others' actions and avoiding speculation about their intentions.
 - e. Building trust by being transparent, ethical, and acting with integrity.
 - f. Engaging in and encouraging direct communication.
 - g. Maintaining confidentiality of all closed session materials and discussion.
 - h. Assuming good intentions and being curious about others' interests.
 - i. Respecting all citizens and all Members.
 - j. Reading packets ahead of time and, when possible, providing the City Administrator advance notice about questions for staff before the meeting.
 - k. Participating in all issues, not just select matters of personal interest.
 - l. Voting after Council discussion and accepting the decision.
 - m. Debating and disagreeing, without fighting and with keeping it to the issue at hand.

- n. Remembering that Council makes policy and sets direction, and staff manages the operations and implements Council actions.

Section 3 Meetings, Trainings, Activities and Events

3.01 There are also expected activity levels of Council Members in addition to attending additional meetings, training, activities and events as part of the fulfillment of their duties. Some of these are:

- a. City Council Orientation: Setting the information foundation of a Council Member is important. Therefore, for each new Council Member, a detailed orientation plan should be completed and fulfilled within the first year of office.
- b. City Council Meetings: Council Members are expected to be present and on time at all noticed meetings of the City Council. Absences from Council meetings should be identified as soon in advance as possible and communicated to the City Administrator to assure a quorum and necessary voting numbers are present for any given action before the Council.
- c. Council Liaison: Each Council Member will be assigned meetings through the year that they are expected to attend on behalf of the City Council. Information from these meetings that might be of interest to the other Council Members should be reported at the end of the monthly City Council workshop meetings under "Mayor and City Council Comments and Commission Liaison Updates."
- d. Council Member attendance or participation in non-Council-meetings: Council Members may choose to attend organized events such as planning commission meetings, parks and natural resources commission, project neighborhood meetings, public hearings, etc. related to issues that may later come before the City Council as a whole. Council Members choosing to attend such meetings should only be passive observers rather than active participants, and should refrain from providing input, voicing opinions about the topics of the meetings, or even participating in required and noticed public hearings that are occurring per statutory processes. Participation by City Council members at these types of official City meetings intended for the public present risk of bias and prejudgment and creating unlawful interference with the quasi-judicial duties of the City Council.
- f. Additional Meetings: There are a number of meetings outside the normal meeting schedule that is important for Council Members to attend. Some of them are:
 - 1. City Council/Advisory Commission Kick-off event
 - 2. Groundbreaking and grand openings of City facilities
 - 3. Joint meetings with other public entities
 - 4. One-on-one meetings with the City Administrator as established
 - 5. Development Tour
 - 6. Emergency Management Training

Section 4 Agendas

4.01 Council agendas shall be established by the City Administrator or designee. Future agenda items requested by a Council Member shall be discussed during a regular and/or workshop meeting and will be determined by the majority of the Council.

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- 4.02 Council Members are encouraged to submit any questions on agenda items to the City Administrator and Assistant City Administrator by noon, the day before the meeting for items they wish staff to respond to ahead of the meeting. Questions not needing a response ahead of the meeting but that the Council Member may raise at the meeting should be provided to the City Administrator and Assistant City Administrator by the end of the day before the meeting so staff can be prepared to answer at the meeting.
- 4.03 Council Members who wish to pull a consent agenda item to discussion should notify the City Administrator and Assistant City Administrator no later than the end of the day before the meeting so the other Members can be informed of this as well.
- 4.04 In order to focus the meetings on consideration of policy issues and to maintain an open forum for public discussion, questions which focus on the policy aspects of agenda items should be at the Council meeting rather than administrative details. Any clarifications or technical questions that can be readily answered should be handled before the meeting.

Section 5 Working with Advisory Commissions, Boards, Task Forces

- 5.01 As set forth in the Woodbury City Code Chapter 2, Article VIII Boards and Commissions and Chapter 17, Article II Planning and Zoning Commission are established by the City Council and serve as advisory to the Council. Specific roles are:
- a. Advise the City Council in the creation and evolution of City policies and procedures.
 - b. Facilitate public participation in order to fully develop a recommendation to the City Council.

Section 6 Non-Participation in Administration

- 6.01 The City Council has an important oversight and fiduciary responsibility and must develop processes to ensure accountability. Central to an understanding of the role of Council Members is a confirmation of an appropriate relationship with staff. Members of the Council shall refrain from becoming directly involved in the administrative activities of the City and shall not intrude into those areas that are exclusively the responsibility of staff. Individual Council Members may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of a majority of the Council. An individual Council Member shall not give direction or orders to any staff Member.
- 6.02 The Council shall work with City staff through the City Administrator or designee. The City Administrator may choose to establish formal or informal norms for routine Council or Commissioner to staff interaction.

Section 7 Communication

7.01 E-mails

- a. All e-mails sent through the City server shall be saved per the City's data retention policies. Each Council Member shall be assigned a unique City e-mail address for City-related e-mail communication. E-mails to Council Members from the public should be done through the Council@woodburymn.gov, which will be shared with all Members of the Council.
- b. It is strongly advised for Council Members to exclusively use this address for their City business e-mails. Use of personal email for City business could create government data to their personal account subjecting them to retention laws and possibility of discovery if the City receives a data request.
- c. Council Member e-mail communications should be directed either to the City Administrator or to a department head, copying the City Administrator. General electronic communications related to the specific functions of the City Clerk (i.e. scheduling of meetings, record retention, data practices, research, etc.) and the Communications Manager (i.e. composing of various items such as articles for the newsletter, press releases, and general correspondence) following positions, may be directly e-mailed, copying the City Administrator.
- d. Council Member communications may not copy any Council Member in their correspondence, nor should e-mail messages be forwarded on from one Member to another so as to create a "walking quorum."
- e. On legislative matters before the Council, Council Members should have the same information with which to make decisions. The City Administrator, or designee, will copy all Council Members concerning staff responses to any inquiries, questions or comments by Council Members on agenda items.

7.02 Written correspondence

- a. The City Clerk or assigned staff shall open up incoming mail for the Mayor and Council Members (unless it is labeled personal and confidential) and disseminate these materials.
- b. Council Members agree to this practice, thus recognizing the public nature of this correspondence. The City Clerk or assigned staff is authorized to provide copies of Council Members' correspondence to pertinent staff Members. General correspondence addressed to Council Members shall be opened and distributed to all Council Members as appropriate.

7.03 Text messages/social media correspondence

All electronic communications from Council to staff or from Council to the public should utilize a City issued address.

7.04 City Logo, Insignia and Brand

Council Members can only use for City business and not for political or personal purposes.

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7.05 Interviews with the press

Prior to interviews with the press, Council Members will inform the City Administrator or designee to coordinate message points.

7.06 Speaking for the City

- a. When Council Members are requested to speak to groups or are asked for the City Council's position on an issue (verbal or written), the response should reflect the position of the City Council as a whole.
- b. A Council Member may clarify his/her vote on a matter by stating, for example, "While I voted against X, the City Council voted in support of it."
- c. When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual Member.

Section 8 General Meeting Guidelines

8.01 During meetings, Council Members shall preserve order and decorum and shall obey the rules of the governing body. Governing bodies are expected to conduct meetings implementing Robert's Rules of Order (11th edition). Discussions shall be conducted in an orderly fashion. Private conversation between Council Members during meetings is inappropriate. Council Members also should not privately communicate with any Member of the public, including other governing body Council Members and staff via electronic means, during a public meeting. As much as possible, or practical, Council Members should provide City staff questions in advance of a meeting that may entail research and preparation for items on the forthcoming agenda.

8.02 A Council Member once recognized, shall not be interrupted while speaking unless called to order by the Mayor or Mayor Pro Tem, or the speaker chooses to yield to questions from another Council Member. All Council Members shall accord the utmost courtesy to each other, to City employees and to the public appearing before the body. Council Members shall also refrain at all times from rude and derogatory remarks. Council Members shall confine their remarks to the issues before the body and shall not attempt to revisit or reopen issues already addressed and settled with one exception: a Member of the prevailing side on an issue may move for formal reconsideration of that issue.

8.03 Citizens and staff attending meetings shall also observe the same rules of propriety, decorum and good conduct applicable to Council Members. Any person making personal, impertinent, or slanderous remarks or anyone who becomes boisterous while addressing the body or while attending the meeting shall be asked by the Mayor/Pro Tem to conduct themselves properly, and if they fail to do so shall be asked to leave the room.

8.04 If the governing body conducts public hearings, Council Members shall not express their views on a proposal until after a public hearing is closed. Council Members' comments and questions shall not suggest a position. After a public hearing is closed, Council

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Members shall be invited to discuss their views on the proposal. Council Members shall apply City Council Roles and Guidelines to achieve win-win solutions whenever possible.

- 8.05 Outside of deliberations, it is a Council Member's responsibility to present views and recommendations representing the governing body as a whole. Council Members expressing views not represented by the majority of the body shall identify them as such.
- 8.06 Public statements shall not include promises that may be construed to be binding on the City, governing body or staff. Council Members shall follow the guidelines on electronic communications CD-COUNCIL-2.7.
- 8.07 Public officials and representatives on governing bodies shall follow Minnesota State Statute 10A.07 Conflicts of Interest and Minnesota State Statute 10A.09 Statements of Economic Interest.
- 8.08 The success or failure of a governing body's efforts may be dependent upon the degree of cooperation evident among the individual Council Members of the body; therefore, Members shall work to establish a good relationship with each other. Each Council Member shall keep in mind these important points:
- a. Show respect for another's viewpoint.
 - b. Allow others adequate time to fully present their views before making comments.
 - c. Be open and honest.
 - d. Make new Members feel welcome and help them become acquainted with their duties.
 - e. Confine comment to the current issue or policy, not to the person who made other comments.
 - f. Refrain from speaking a second time until everyone has spoken a first time.
 - g. No verbal attacks of other Members.
 - h. No side conversations.
 - i. Pay attention (avoid use of any personal technology devices).
 - j. Speak directly and openly to one another.
 - k. Support Council decisions.
- 8.09 Council Members shall not vote on, nor participate in the discussion of, issues in regard to which the Council Member has a conflict of interest. Conflict of interest is generally defined as having a personal financial interest in the outcome. Further information can be obtained from the City Attorney by contacting the City Administrator. If a Council Member intends to abstain from a vote for what the Council Member deems a conflict of interest, then that Council Member may not participate in the discussion either. If the item from which the Council Member abstains ends up getting tabled or postponed, the Council Member should know they should not participate in the future discussion of or vote on that tabled or postponed issue.
- 8.10 Council Members are also expected to consider issues in terms of the good of the City as a whole and should, as much as possible, be perceived as considering issues on this basis. To this end, Council Members are requested to publicly disclose any relationships to

parties involved in an issue or possible perceived conflicts which might be viewed as impacting their ability to objectively consider an issue before them.

Section 9 Requests for Information/Analysis

- 9.01 City Council requests for information should be made through the City Administrator, according to protocol for channeling communications. Any request that requires a significant amount of staff time to research a problem or prepare a response may be referred to the full Council for direction to ensure that staff resources are allocated in accordance with overall Council priorities.

Section 10 Conflicts of Interest and Recusal from Voting

- 10.01 State laws regarding ethics and conflicts of interest are some of the most important for a local official to be aware of and follow. Below are several areas of conflict that may lead to a Council Member recusing themselves from participating and voting on a matter before them:
- 10.02 Financial Interest
- a. Generally, state law prohibits public officers from having a direct financial interest in or gain a personal financial benefit from a sale, lease, or contract in front of Council and in which they are authorized to participate in their official capacity.
 - b. Officials should disclose his or her interest at the earliest state, and abstain from voting or deliberating on any matter in which he or she has a financial interest. To help determine if a conflict exists, consider the:
 - Nature of the decision being made
 - Nature of the financial interest
 - Effect of the individual interest on the outcome of the decision by Council
- 10.03 Incompatible Offices
- State law provides guidance on incompatible positions. For example, no Council Member may also work as a “fulltime, permanent” City employee. City official concerned about potential incompatible offices should consult with their staff liaison who may refer the official to the City Administrator, who then, in turn, may consult with the City Attorney.
- 10.04 Personal Interest
- a. Another conflict of interest situation may occur when the official’s own personal interest is so distinct from the public interest that the Member cannot be expected to represent the public interest fairly in deciding the matter. Some common areas are planning and zoning issues, public improvements, special assignments, licenses, land purchases and vacation of streets. Some other areas may include interests arising out of church Memberships, family associations and club Memberships.
 - b. City officials concerned about potential conflicts of interest should:

1. Consult with their staff liaison ahead of the meeting. The staff liaison may refer the official to the City Administrator, who in turn may turn the matter to the City Attorney as necessary.
2. Identify and disclose the conflict as early as possibly (orally and in writing), preferably ahead of the meeting.
3. When the particular agenda item in which there is a conflict of interest is about to commence, orally identify that the official will not be participating or voting on the matter due to a conflict of interest.
4. Not speak during this segment of the agenda.
5. When possible, leave the dais when the governing body is discussing the matter.

Section 11 Discrimination

- 11.01 It is the policy of the City to ensure equal opportunity without discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, sexual orientation, gender identity or gender expression, disability, age, marital status, familial status, or status with regard to public assistance or any other characteristic protected by law. The City prohibits any such discrimination or harassment. Members of a governing body must adhere to this policy as well as City policies regarding non-discrimination, harassment or inappropriate behavior.

Section 12 Gifts

- 12.01 All local officials in the State of Minnesota are required to adhere to Minnesota Statute 471.895.
- 12.02 Non-adherence to these guidelines may be subject to review by the City Council.

Section 13 Social Media

- 13.01 Council Members should not use official City social media sites for campaigning purposes.
- 13.02 Council Members shall not post comments or links on City social media sites to any content that endorses or opposes political candidates or ballot propositions, including links to an elected official's campaign site.
- 13.03 All comments related to campaigns or political issues posted during an election season on City social media sites by anyone who has filed for office will be removed.
- 13.04 When using any social media, Council Members should be mindful of the risks of electronic communication in relation to the Minnesota Data Practices Act and the Open Meeting Law; two-way communication between a quorum or more of elected officials should be strictly avoided.
- 13.05 Council Members should not use social media as a mechanism for conducting official City business other than to informally communicate with the public.

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- 13.06 Other than their personal social media, Council Members should reveal that they are elected officials for the City if/when posting and be honest, straightforward and respectful.
- 13.07 When using any social media, Council Members should be sure that their efforts to be honest does not result in sharing non-public information related to coworkers, personnel data, medical information, claims or lawsuits, or other non-public or confidential information.
- 13.08 Council Members should add value to any social media discussion by staying focused on the issue.
- 13.09 To help prevent errors, Council Members should consider not posting official information (e.g., incorrect information about a new City ordinance) about the City as it could create liability issues.
- 13.10 If a Council Member makes a mistake on any of their City official social media sites or in a post on City social media, it should be corrected as soon as the official is made aware of the error. Corrections should be upfront and as timely as possible. If you modify an earlier post, make it clear the posting has been corrected. Consider designating corrections with "Fixed link" or "Fact correction" prior to the correction.
- 13.11 Council Members who are contacted by the media on a topic of official City business should follow City media relations/communications protocols.
- 13.12 For additional guidance when dealing with social media, Council Members should refer to the AD-ADMIN-1.44 Social Media Use Policy Administrative Directive and CD-COUNCIL-2.7 City Council Electronic Communications Council Directive

Section 14 City Council Re-Election Best Practices

- 14.01 Council Members may not use official authority or influence to compel a person to apply for a Membership in or become a Member of a political organization, to pay or promise to pay a political contribution, or to take part in political activity.
- 14.02 A political subdivision may not impose or enforce additional limitations on the political activities of its employees (MS.211B.09).
- 14.03 Council Members should make best efforts to inform the City Clerk as to their attendance at events in which he or she is campaigning. In accordance with the Open Meeting Law, the City Clerk shall post notice in those instances when the City Clerk has been made aware that a quorum or more of Members will be present.
- 14.04 Council Members who attend a meeting or event and were not aware that other Members would be attendance should not talk about anything that has to do with official City business and may want to avoid congregating together.

Section 15 Data Requests and Litigation

- 15.01 In accordance with the Minnesota Government Data Practices Act (MGDPA) (Minnesota Statute Chapter 13), records (i.e., notes, correspondence, etc.) created by a local official on a particular subject, as part of a local official's duties, are government data and are subject to request for review and/or copying pursuant to the MGDPA.
- 15.02 If a government data request is received for correspondence related to a particular subject, the City must identify and produce relevant documents available which includes the local official's records.
- 15.03 These records may be subject to disclosure during the discovery phase of litigation. Attorneys representing the City are responsible for assisting staff with identifying records requested through the discovery process.

Resolution Adopting CD-COUNCIL-2.5 City Council and Advisory Commission Roles and Guidelines

Resolution No. 12-79
Resolution No. 15-91
Resolution No. 16-193
Resolution No. 18-136
Resolution No. 22-161
Resolution No. 22-263 (renaming and revising directive)



CITY COUNCIL

RULES OF PROCEDURE

Updated March 2, 2020

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RULES OF PROCEDURE

The purpose of these rules is to provide guidelines for the conduct of the public business by or on behalf of the City Council. Non-compliance with or violation of any provision will not affect the validity of any action taken, unless otherwise specifically provided by law.

1. MEETINGS

1.1 Regular Meetings

The city council of the City of Minnetonka will hold meetings in the council chambers of the community center, 14600 Minnetonka Boulevard, Minnetonka, Minnesota, according to a schedule adopted annually by resolution no later than the first official meeting held in each year. No meeting will be held on a legal holiday, but a regular meeting may be held at the same hour on the next succeeding day that is not a holiday.

1.2 Adjourned Meetings

Any meeting may be adjourned to a time, place and date certain, but not beyond the next regular meeting. Once adjourned, the meeting may not be reconvened.

1.3 Special Meetings

Special meetings may be called by the mayor or any three members of the council, upon at least three days written notice to each member of the council. Notice must be delivered in person or electronically to each member.

1.4 Emergency Meetings

Emergency meetings may only be called by the mayor or any three members of the council upon at least four hours notice to each member of the council either in writing or by telephone.

1.5 Study Sessions

Members of the council will meet in study sessions according to the annual meeting schedule adopted by the council. The purpose of a study session is to give the city council and city staff the opportunity to study and discuss policy matters in greater detail in a less formal environment than a regular meeting. The council may provide direction to staff but does not take formal action on business matters at study sessions. When allowed by law and these rules, the council may vote to go into closed session at a study session. Individual council members may propose agenda items for future meetings at a study session, and the council may provide direction to the city staff regarding scheduling such matters. Public comment will not be allowed except as determined appropriate by the mayor.

1.6 Notice of Meetings

Notice of all regular meetings, regular study sessions, and special and emergency meetings must be consistently posted in a location designated by the city clerk.

1.7 Cancellation of Meetings

Meetings may be canceled by the mayor because of insufficient agenda items, lack of a quorum, inclement weather, and/or other similar reasons. Except for inclement weather

and other emergency situations, council members must be notified in writing delivered to their homes, by electronic message, or by telephone at least four hours in advance. The mayor may not cancel two or more consecutive meetings without the concurrence of a majority of all council members, except in situations of inclement weather or other emergency.

1.8 Quorum

A majority of the council, excluding vacant seats, is sufficient to do business. A majority is more than half. For the purposes of these rules, a vacant seat is a position on the council that is currently unfilled; it does not mean a seat whose incumbent is merely absent.

1.9 Meetings to be Public

Study sessions and all regular, continued, special or emergency city council meetings must be open to the public, except that the council may hold executive sessions from which the public is excluded when permitted by state law. A decision to hold a closed session must be made upon a motion to that effect, approved by at least a majority of the members present and voting .

1.10 Minutes of Meetings

The city clerk or designee will take minutes of all council meetings. For closed sessions of the city council, the minutes will reflect: the time at which the closed session was convened; the reason(s) and statutory authority stated on the public record for closing the meeting; council members present or participating remotely in the closed session; other persons in attendance or participating remotely in the closed session, except to the extent that the identities of those persons is required by law to be protected; and the time at which the closed session adjourned.

2. **AGENDA PREPARATION**

2.1 Deadline for Agenda Items

Unless approved by the city manager, no item will be placed on a city council agenda unless the request has been made to the city manager by the second Friday preceding the meeting at which consideration is requested. The city manager may choose not to schedule items for a particular meeting when, in his or her opinion, other business to be considered at that meeting will likely consume the available time. This rule does not preclude amendment of the agenda as provided in Rule 3.4.

2.2 Delivery of the Agenda

The agenda will ordinarily be delivered in person or electronically to council members by the Friday before the Monday meeting to which it pertains.

The agenda and all supporting material classified as public will also be available to the general public within a reasonable time after it is delivered to the city council.

3. ORDER OF BUSINESS

3.1 Agenda

The order of business of each meeting will be as contained in the agenda prepared by the city manager. The agenda will be a listing of subjects which will be taken up for consideration. For regular meetings, the agenda will be organized in the following order:

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda

Approval of Minutes

Special Matters

Reports from the City Manager and Council Members

Citizens Wishing to Discuss Matters not on the Agenda

Bids and Purchases

Consent Agenda – Items Requiring Four Votes

Consent Agenda – Items Requiring Supermajority Vote

Introduction of Ordinances

Public Hearings and Related Matters

Other Business

Appointments

Adjournment

3.2 Items Out of Order

With majority consent of the council, the mayor may at any time allow an item to be considered out of the regular agenda order.

3.3 Roll Call

Before proceeding with the business of the council, the city clerk or designee will call the roll of the council members and record their attendance in the minutes. The order of roll call will rotate with each council member being called first every sixth meeting. The mayor will always be called last.

Council members will be noted in the minutes as being excused if they advised the city manager within a reasonable time in advance of their impending absence.

3.4 Agenda Amendments

Once the city manager has formalized and transmitted the agenda to the city council along with accompanying material, no items will be added or deleted before the council

meeting. A majority of the council may amend the agenda during "Approval of the Agenda," except that an item may not be added to the agenda of a special or emergency meeting if the item was not included in the notice for the meeting.

3.5 Reports from the City Manager and Council Members

The city manager may report on upcoming events or matters of interest. Council members may report on recent or upcoming events or matters of interest.

3.6 Public Comments

During "Citizens Wishing to Discuss Matters not on the Agenda," any person may address the council on a matter that pertains to city business and is not listed on the agenda.

Members of the public also are allowed the opportunity to comment during public hearings. For matters on the agenda that are not public hearings, the mayor has discretion whether to allow public comment.

All public comments are subject to Rule 5.4 and Rule 6 of these Rules of Procedure.

3.7 Consent Agenda

The city manager will place routine and non-controversial items on the consent agenda. Except as noted below, these items may be approved by one blanket motion upon unanimous consent of the council members present. A council member or member of the audience may request that an item be removed from the consent agenda for separate consideration. A council member may abstain from voting on, or vote against, any consent agenda item without requesting its removal.

3.8 Introduction of Ordinances

Except for emergency ordinances, an ordinance must be considered by the city council at two regular meetings before adoption, and at least seven days must elapse between the two meetings. At the first meeting, the ordinance is introduced. The city council may discuss and/or refer the ordinance to an advisory board for review and public comment. The ordinance will be placed on a second meeting agenda for adoption.

3.9 Public Hearings

Generally, public hearings will be conducted in the following order:

- Introduction of item
- Staff report and recommendation
- Questions of staff by council
- Opening of the hearing by the mayor
- Comments by applicant
- Comments by the audience
- Closing of the hearing
- Questions by council
- Discussion by council
- Action by council

4. PRESIDING OFFICER

4.1 Presiding Officer

The mayor is the presiding officer at all meetings of the council. In the absence of the mayor, the acting mayor will preside. In the absence of both the mayor and acting mayor, the alternate acting mayor will preside. At its first regular meeting in January, the council, by a majority vote, will designate an acting mayor and an alternate acting mayor. A reference to the mayor in these rules also means the acting mayor, the alternate acting mayor, or other council member if the person is serving as the presiding officer in place of the mayor.

4.2 Call to Order

The mayor will call the council meeting to order. In the absence of the mayor, the acting mayor, and the alternate acting mayor, the meeting will be called to order by the city manager who will immediately call for the selection of a temporary presiding officer.

4.3 Participation of Mayor

The mayor may move, second, and debate from the chair, subject only to the same limitations of debate imposed on all council members. He or she is not deprived of any rights and privileges of a council member by reason of acting as presiding officer. However, the mayor is primarily responsible for the conduct of the meeting. If he or she desires to personally engage in extended debate on questions before the council, he or she should consider turning the chair over to another member.

4.4 Question to be Stated

The mayor must verbally restate each question immediately prior to calling for the vote, upon request from any council member. Following the vote, the mayor will verbally announce whether the question carried or was defeated. The mayor will also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

4.5 Maintenance of Order

The mayor is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the mayor. All questions and remarks must be addressed to the mayor, or through the mayor to the appropriate council member, staff member, or other person in attendance.

4.6 Powers

The mayor has the following powers:

- (a) to rule motions in or out of order, including any motion obviously offered for obstructive or dilatory purposes;
- (b) to determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- (c) to entertain and answer questions of parliamentary law or procedure;
- (d) to call a brief recess at any time; and
- (e) to adjourn in an emergency.

A decision under (a), (b), or (c) may be appealed to the council upon motion of any member. This motion is in order only immediately after the challenged decision is announced. The member making the motion need not be recognized by the mayor, and the motion may not be ruled out of order if it is made timely.

5. RULES, DECORUM, AND ORDER

5.1 Points of Order

The mayor will determine all points of order subject to the right of any member to appeal to the council. If any appeal is taken, the question will be, "Should the decision of the mayor be sustained?" A majority vote will govern and conclusively determine the question of order.

5.2 Decorum and Order – Council Members

- a) A council member desiring to speak must address the mayor and upon recognition, must address only the question under debate.
- b) A council member desiring to question the staff must address the question to the city manager or city attorney, in appropriate cases, who will respond to the inquiry or designate a staff member to do so.
- c) A council member, once recognized, may be interrupted while speaking only if called to order by the mayor, a point of order is raised by another council member, or the speaker chooses to yield to questions from another council member.
- d) A council member called to order while speaking must cease speaking immediately until the question of order is determined. If ruled to be in order, he or she may proceed. If ruled to be not in order, he or she must remain silent or alter his or her remarks so as to comply with rules of the council.
- e) Council members must accord courtesy to each other, to city employees and to the public appearing before the council and must refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
- f) A council member may move to require the mayor to enforce the rules. Upon the affirmative vote of a majority of the council, the mayor must do so.

5.3 Decorum and Order – Employees

Staff members must observe the same rules of procedure and decorum applicable to members of the council. The city manager must ensure that they observe such decorum. Any staff member, including the city manager, desiring to address the council or members of the public must first be recognized by the mayor. All remarks must be addressed to or through the mayor.

5.4 Decorum and Order – Public

Members of the public attending council meetings must observe the same rules of order and decorum applicable to the council. The mayor may order the removal of any person who makes inappropriate remarks or who becomes boisterous while addressing the council and bar that person from further audience with the council.

5.5 Enforcement of Decorum

The city manager must carry out the orders and instruction of the mayor for maintaining order and decorum in the council chambers.

5.6 Personal Privilege

The right of a member to address the council on a question of personal privilege is limited to cases in which his or her integrity, character, or motives are questioned or impugned.

5.7 Conflict of Interest

Any council member prevented from voting because of a conflict of interest, must refrain from debate and voting. That council member may choose to leave the council chambers during debate and voting on the Issue.

5.8 Limitation of Debate

A council member normally should speak only once on a subject until every other member choosing to speak has done so.

5.9 Dissents and Protests

A council member has the right to express dissent from or to protest any action of the council. A council member wishing to have the dissent or protest entered in the minutes should state so with language such as "I would like the minutes to show that I am opposed to this action for the following reasons:"

5.10 Procedures in Absence of Rules

In the absence of a rule to govern a point or procedure, Robert's Rules of Order, Newly Revised, should be used as a guide.

5.11 Rulings of Mayor Final Unless Overruled

The mayor will decide all questions or interpretation of these rules, point of order or other questions of procedure, requiring ruling. Unless overridden or suspended by a majority vote of the members present and voting, a ruling is final and binding for purposes of the matter under consideration.

6. ADDRESSING THE COUNCIL

6.1 Manner of Addressing the Council

A member of the public desiring to address the council must proceed to the podium and wait to be recognized by the mayor. After being recognized, he or she must state his or her name and address for the record.

All remarks and questions must be addressed to the mayor and not to an individual council member, staff member or other person. Except as allowed by Rule 3.6 for comments on matters not on the agenda, all remarks must be limited to the agenda items under consideration. No person may enter into any discussion without being recognized by the mayor.

6.2 Addressing the Council after Motion is Made

After a motion has been made, or after a public hearing has been closed, no person may address the council without first securing permission from the mayor.

6.3 Limitations Regarding Public Comments and Reports

The mayor may limit or rule out of order a speaker who addresses the council on a topic that is currently before, or about to be submitted for consideration by, a city commission, board or other agency. If an appeal procedure is or was available, the mayor may not allow oral communication to the council outside that procedure. This rule is intended to ensure that a matter follows the appropriate process and that discussion takes place in the proper forum.

The mayor may establish reasonable limitations on public comment, including, but not limited to: limiting the total time available for public comment; establishing a per-speaker time limitation; and restricting speakers from speaking more than once. In establishing the time limits, the mayor may consider, among other things, the number of items on the agenda, the number of persons present desiring to speak on agenda items, and the number of previous meetings at which persons have had an opportunity to comment on the agenda item(s).

6.4 Written Correspondence

The city manager or designee is authorized to open and attend to all mail addressed to the mayor or council not marked "personal" and that appears to relate to city business. All administrative business in those communications that does not require council action may be disposed of between council meetings. A copy of any communication to the council must be sent to each council member weekly. Correspondence to the mayor or individual members not of general interest to the council should be forwarded to the person addressed.

A communication delivered to city hall relating to a matter pending, or to be brought before city council, must be included in the agenda packet for the meeting at which the item is to be considered. Letters of appeal from administrative or commission decisions must be processed under applicable ordinance provisions.

7. MOTIONS

7.1 Motions Out of Order

A member may make only one motion at a time. A substantive motion is out of order while another substantive motion is pending.

7.2 Division of Question

If the question contains two or more propositions, the mayor may, and upon request of a member must, divide the same.

7.3 Withdrawal of Motions

A motion may not be withdrawn by the mover without the consent of the person seconding it.

7.4 Precedence of Motions

When a motion is before the council, only procedural motions may be considered, in order of priority listed below. Unless otherwise noted, each motion listed below is debatable, may be amended, and requires a majority vote of those members present and voting for adoption.

7.5 Motion to Adjourn (not debatable)

A motion to adjourn is in order at any time except:

- a) when made as an interruption of a member while speaking;
- b) when discussion has ended, and vote on a motion is pending; and
- c) while a vote is being taken.

7.6 Motion to Fix Hour of Adjournment

Unless otherwise agreed by at least a majority of the council, all meetings and study sessions of the council must be adjourned by 12:00 midnight. A motion to set a different, specific time at which to adjourn, is not debatable and not subject to amendment except by unanimous vote of all members present.

7.7 Motion to Suspend the Rules

A motion to suspend provisions of these rules may be approved only by a vote equal to at least two-thirds of the actual membership of the council, excluding any vacant seats.

7.8 Motion to Table

A motion to table is not debatable and precludes all amendments or debate of the subject under consideration. If the motion prevails, the matter may be “taken from the table” at any time prior to the end of the next regular meeting, unless the motion is to either table indefinitely or to a date certain. If the motion is to table indefinitely, the matter may not be rescheduled without at least majority approval of the council.

7.9 Motion to Limit or Terminate Discussion

A motion to limit or terminate discussion may be used to limit or close debate on, or prohibit further amendment to, the pending motion. It is not debatable. If the motion fails, debate must be reopened; if the motion passes, a vote must be taken on the pending motion.

7.10 Motion to Amend

A motion to amend is debatable only as to amendment. A motion to amend an amendment is in order, but a motion to amend an amendment to an amendment is not in order. An amendment modifying the intention of a motion is in order, but an amendment relating to a different matter is not in order. A substitute motion on the same subject is acceptable, and voted on before a vote on the amendment. Amendments must be voted first, then the main motion as amended.

7.11 Motion to Continue

Motions to continue to a definite time are amendable and debatable as to propriety and time set.

7.12 Motion to Reconsider

A motion to reconsider action already taken must be made by a member who voted with the prevailing side, which is the majority side except that in the case of a tie, the "no's" prevail. The motion must be at the meeting during which the original vote was taken, including any continuation of that meeting. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment. If a motion to reconsider is adopted, the prior action taken by the council is rescinded, and the matter is returned to the status that it had immediately before the prior vote was taken. The motion previously voted upon will once again be pending.

7.13 Motion to Rescind or Repeal

A motion to rescind or repeal action previously taken is appropriate when the time for reconsideration has expired. A motion is not in order if rescission or repeal of an action is forbidden by law. If a motion to rescind or repeal fails, no motion to rescind or repeal the same action is in order until 12 months have elapsed after the failed motion.

8. VOTING PROCEDURE

8.1 Voting Procedure

The vote on each motion will be taken by roll call and entered in the minutes. The order of voting will be rotated each meeting with the mayor voting last. The clerk will call the names of members seated. Members will respond "yes," "no," or "abstain."

8.2 Failure to Vote

Every council member present must vote unless disqualified for cause.

8.3 Adoption by Majority Vote

Unless state laws, city charter, city ordinances, or these rules require a different number of votes, council motions must be adopted by a majority of all members of the council then holding office who are able to vote on the matter, whether or not they are in attendance.

8.4 Failure to Achieve Required Votes

A matter that fails to achieve the required number of votes for passage, including a tie vote, is deemed denied. The council members voting in opposition must state their reasons for the record. A matter is not deemed denied if the council continues the matter to another council meeting, by a motion adopted by a majority of members present and voting.

9. AMENDMENT OF RULES

These rules may be amended at any regular meeting or at a special meeting that includes amendment of the rules as one of the stated items to be considered. Adoption of an amendment requires an affirmative vote equal to at least two-thirds of all members of the council, excluding vacant seats.



**City Council Agenda Item 3.E
Meeting of July 24, 2023**

Title: August study session - topics and date

Report from: Sarissa Falk, Executive Assistant

Submitted through: Mike Funk, City Manager

Presenter: Mike Funk, City Manager

Action Requested: Affirm upcoming topics and date.

Summary Statement

This item is informational and is intended to provide the council with the upcoming study session agenda items and study session schedule.

Strategic Profile Relatability

Financial Strength & Operational Excellence

The study session work-plan enhances city operations by allowing council to discuss topics of priority and provide staff with directions.

Background

The Minnetonka city council is scheduled to hold a total of twice (12) study sessions in 2023. To maximize study session meetings, provide staff direction and focus on council priorities, council members ranked specific topics they expressed interest to review. At the Dec. 19, 2022 Study Session the city council reviewed these rankings, discussed priorities and provided direction to staff.

At the Jan. 30, 2023, regular council meeting the city council unanimously approved the 2023 Study Session Work plan. See attached. Staff committed that at each proceeding study session the topics for the upcoming study session will be provided.

Section 1.5 of the City Council Rules of Procedure states, individual council members may propose agenda items for future meetings at a study session, and the council may provide direction to the city staff regarding scheduling such matters. In essence, this document can be modified throughout the remainder of the year by a majority of council members.

Unless modified by the city council, the 2023 study session work plan agenda item for Aug. 14, 2023 is:

- 2024 budget discussion

Discussion Questions

Does the city council confirm upcoming topics and date?

Based on the request from two business owners at the July 17 city council meeting, does the city council want staff to research charitable gaming options? If yes, where does it fit in the list of priorities?

ATTACHMENTS:
2023 Study session work plan

2023 Council Study Session Work Plan

Quarter 1	
23-Jan	
	Board and Commission Interviews
	Sales and/or Lodging Tax
	Study session work plan
06-Feb	
	Housing updates (pathways and homelessness)
	Review and Update Council Policy & Rules of Procedure (1.3, 2.7)
	2023 Community Survey questions review
20-Mar	
	Council compensation
	Director presentations
	Overview of recreation programming
Quarter 2	
24-Apr	
	Public Safety master plan
	Buckthorn Pilot pick-up program
15-May	
	2024 Kick-Off Budget discussion
	New Commission structure (DEI)
	Concept Plan review process
12-Jun	
	2024 CIP/EIP
	Transit Orientated Development
19-Jul	Boards & Commissions dinner
24-Jul	
	Housing update
	Business programs update
	Police and Fire Master Plan implementation discussion
Quarter 3	
21-Aug	
	2024 budget discussion
31-Aug	Joint City Council, EDAC and Planning Commission Meeting
06-Sep	

	Joint City Council and Park Board Study Session and Tour
	Dog Park/Leash policy (start w/Park Board)
11-Sep	
	Storm water management fees
	Zoning - density (community development project)
23-Oct	
	Storage of garbage/recycling containers
	On-street parking regulations/enforcement
20-Nov	
	2024 Enterprise budget discussion
	2024 budget discussion
11-Dec	
	2024 Strategic Profile Action Steps
	2024 Study Session Work plan
	2024 Legislative Breakfast - confirm priorities
	2024 annual appointments

* No Mow May- Sustainability Commission to regular council meeting

Revised January 10, 2022

Roseville City Council and Advisory Commission Rules of Procedure

Rules Pertaining to Both the City Council and Commissions:

Rule 1 Rosenberg's Rules of Order

The City adopts Rosenberg's Rules of Order for all meetings.

Rule 2 Electronic and/or Paper Agenda Packets

In an effort to reduce the amount of paper generated, documents will be made available electronically, when feasible.

Rule 3 Public Comment

The City will receive public comment at meetings in accordance with the following guidelines:

- a. Public Comment at the beginning of a meeting and not pertaining to an agenda item is for the purpose of allowing the public the opportunity to express their viewpoints about policy issues facing their City government. Comments will be limited to 3 minutes per speaker or a different amount of time at the discretion of the chair.
- b. Public Comment pertaining to agenda items is for the purpose of allowing any member of the public an opportunity to provide input on that item. These public comments will generally be received after the staff presentation on that agenda item and before discussion and deliberation. These public comments are also limited to 3 minutes per speaker or a different amount of time at the discretion of the chair.
- c. Members of the public are always free, and encouraged, to reduce to writing their comments about city business and to submit written comments before, during, or after a meeting.
- d. Signs may be held and displayed during meetings but only at the back of the Council Chambers so that the view of the seated audience is not obstructed.
- e. Public comment, like staff and Council or commission member comments, will pertain to the merits of an issue; personal attacks will be ruled out of order.

- f. The Mayor or presiding officer may make special time-length arrangements for speakers representing a group.

Rule 4 Issue and Meeting Curfew

The City recognizes that meetings are for the benefit of the citizens of Roseville, so meetings should end by 9:00 p.m. At 10 p.m., meetings may be extended upon the majority vote of the City Council or commission members present, but at no time will a meeting run past 11:00 p.m. If business remains on the agenda, the Council or commission may continue the meeting to a future date or table such items until the next meeting, if needed.

Rule 5 Recording of Meetings

Except for closed executive sessions authorized under state law, all meetings of the City Council and commissions shall be shown live when technically possible and recorded in their entirety for replaying on the municipal cable channel and for web streaming except when the City Council directs by motion otherwise.

Rule 6 Suspension of Rules

Pursuant to Rosenberg's Rules of Order, these Rules may be suspended in specific situations upon a 2/3s vote of the members present.

Rule 7 Effective Date

These Rules shall become effective upon adoption by a majority of the City Council and shall remain in effect until amended or repealed by subsequent vote of the Council.

Rules Pertaining to the City Council Only

Rule 8 Timing of Council Packet Formation and Delivery

Every effort will be made to send draft agendas and supporting documents to Councilmembers ten days in advance of an item appearing on a Council agenda. This additional time will give Councilmembers adequate time to study an issue and seek answers to questions.

Rule 9 Agenda

The following shall be the order of business of the City Council:

- 1) Roll Call
- 2) Pledge of Allegiance
- 3) Approve Agenda
- 4) Public Comment
- 5) Recognitions and Donations
- 6) Items Removed from Consent Agenda
- 7) Business Items*
- 8) Council Direction on Councilmember Initiated Agenda Items

89 9) Approval of Minutes

90 10) Consent Agenda

91 11) Future Agenda Review, Reports, and Announcements - Council and City
92 Manager

93 12) Adjourn

94
95
96 * Business Items may include Presentations, Discussions, Public Hearings, Work Session Items,
97 and/or other Council Actions, as appropriate.

98
99 The Council will schedule a 10-minute break approximately two hours after the start of meeting.

100
101 Councilmembers are encouraged to introduce new items including background information and
102 supporting materials for discussion and possible action. Councilmembers have the right to place
103 items on the agenda as follows:

- 104
105 1. A Councilmember may, at a council meeting, request that an item be placed on a
106 future council agenda, or;
107
108 2. A Councilmember may make a request for an agenda item outside of a council
109 meeting by submitting an email request to the city manager, no later than noon of the
110 Wednesday preceding the council meeting.

111
112 An agenda item submitted per 1 or 2 above will be included on the agenda for the next council
113 meeting under the heading "Council Direction on Councilmember Initiated Agenda Items" at
114 which time the Council, on consideration of any preliminary material provided by the initiating
115 Councilmember for inclusion in the meeting packet, will by motion provide direction as to
116 whether, how, and when the agenda item will be taken up at a subsequent meeting, or;

117
118 Additionally, a Councilmember may request the addition of an agenda item at the same meeting
119 at which the item is proposed to be addressed. However, the addition of such an agenda item shall
120 require the approval of a majority of the Councilmembers present.

121 122 **Rule 10 City Council Task Force or Subcommittee Formation**

123 The Council may, as issues arise, establish a two-member task force to study the issue. The
124 membership will be agreed upon by the City Council majority. The task force will have a specific
125 topic or issue to address and the task force will report its findings or recommendations by a
126 specific deadline established by the Council.

CITY OF BLAINE

RESOLUTION NO. 76-12

RESOLUTION ADOPTING AGENDA FORMAT
FOR CITY COUNCIL MEETINGS

WHEREAS, it is the policy of the Blaine City Council to prescribe the order of business for City Council meetings annually by resolution, and

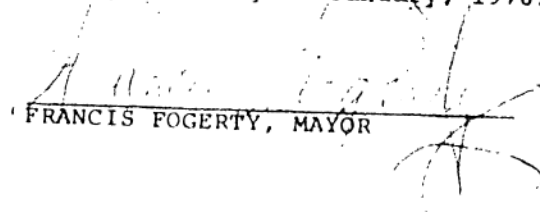
WHEREAS, the procedure outlined in this resolution is determined to be conducive to the proper handling of City Council business;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the business of the City Council shall be considered in the following order:

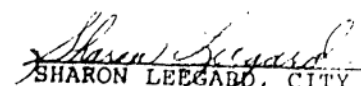
- (1) CALL TO ORDER
- (2) PLEDGE OF ALLEGIANCE
- (3) ROLL CALL
- (4) APPROVAL OF MINUTES
- (5) AUDIT THE BILLS
- (6) COMMUNICATIONS FROM CITY COMMISSIONS AND COMMITTEES
- (7) ITEMS FROM THE FLOOR (Limit of 5 Minutes Per Person and 15 Minutes for this Agenda Item)
- (8) UNFINISHED BUSINESS
- (9) NEW BUSINESS
- (10) REPORTS FROM CITY DEPARTMENTS
- (11) COMMUNICATIONS AND MISCELLANEOUS BUSINESS
- (12) ADJOURNMENT

BE IT FURTHER RESOLVED that no business shall be taken up by the City Council after 12:00 A.M., unless the City Council members present unanimously consent to continue the meeting past this hour.

PASSED by the Blaine City Council this 15th day of January, 1976.


FRANCIS FOGERTY, MAYOR

Attest:


SHARON LEEGARD, CITY CLERK

CITY OF BLAINE

RESOLUTION NO. 99-152

ADOPTING AGENDA FORMAT FOR CITY COUNCIL MEETINGS

WHEREAS, the City Council of Blaine has determined that the objective of the Council meetings is to formulate policy, hold public hearings, and discuss and debate business items; and

WHEREAS, the procedure outlined in this resolution is determined to be conducive to the proper expeditious handling of City Council business.

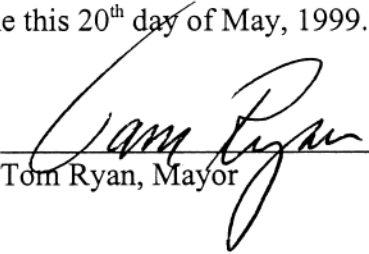
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the business of the Council shall be conducted in the following order:

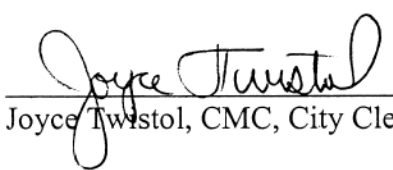
1. Call to Order by the Mayor or in his Absence the Mayor Pro Tem
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Approval of Minutes
5. Awards-Presentations-Organizational Business
6. Communications
7. Open Forum for Citizen Input
8. Adoption of Agenda
9. Public Hearings and Items Set for Certain Time
10. Consent Agenda
11. Development Business
12. Administration
13. Other Business
14. Adjournment

BE IT FURTHER RESOLVED that the City Manager or his designee shall direct the preparation of the agenda for each meeting. An agenda item may be added with the approval of a majority of the Council.

ADOPTED by the City Council of the City of Blaine this 20th day of May, 1999.

ATTEST:


Tom Ryan, Mayor


Joyce Twistol, CMC, City Clerk

DEFINITIONS AND EXPLANATION OF CITY COUNCIL ORDER OF BUSINESS

Addendum to Resolution 99-152

The items contained in the formally adopted order of business for the Blaine City Council will have the meanings commonly associated therewith unless otherwise defined or explained herein.

1. **OPEN FORUM:** This order of business provides a time during each Council meeting for any private citizen of Blaine to approach the Council and comment, ask questions, present a problem or make any other statement relating to City business that is not already on the agenda for that meeting. Each speaker will be limited to five minutes and will be cut off by the Mayor at the end of that time. The Mayor will advise the audience of the time limit when introducing the Open Forum portion of the meeting. The citizen will be asked to come to the podium set up for that purpose, use the microphone, state his or her name and address, and give his or her statement, questions, or problem. Councilmembers may speak briefly to an Open Forum item for the purposes of asking for clarification, providing additional, pertinent information, or responding to questions raised by the speaker or another Councilmember. The Mayor will explain to the citizen that the statement, question, or problem will be referred to the City staff for review and then a report will be sent to the citizen prior to the next regularly scheduled Council meeting. It is recognized that not all problems may be resolved at or prior to the next Council meeting, but the citizen will be informed of the progress on the problem prior to that next meeting. Staff is expected to provide Council and the citizen with a weekly status report on each item until it is finally resolved.
2. **ADOPTION OF AGENDA:** This order of business is the appropriate time for the Mayor and Councilmembers to add, delete, or change items on the agenda as proposed by the City Manager. A majority of those present must approve additions, deletions, or changes to the proposed agenda. After an agenda has been formally adopted, any change to the agenda will shall require a two-thirds (2/3) vote of all members present.
3. **PUBLIC HEARINGS:** The Mayor will make every effort to ensure that each speaker giving testimony at a public hearing provides new information and does not simply reiterate the testimony of a previous speaker. Persons will be allowed to associate themselves with previously expressed opinions by approaching the podium, stating their name and address, and indicating their concurrence with a particular prior speaker. The Mayor will also make every reasonable effort to control, and where possible prevent, demonstrations which might occur during public hearings whether the demonstrations are preplanned or spontaneous.
4. **CONSENT AGENDA:** Consent agenda items are those items of City business which must be acted upon by the City Council, but which are of a routine, non-controversial nature and normally do not require any discussion or debate. The City Manager will prepare the consent agenda items, but any Councilmember or the Mayor may request that a particular consent agenda item be removed from this agenda and placed on the regular agenda. This action should be taken at the time the agenda is formally adopted.
5. **OTHER BUSINESS:** This order of business provides an opportunity for Councilmembers and staff to bring up any issues which were not on the agenda. These issues may include, but are not limited to, such items as questions or concerns of Councilmembers, questions or

concerns that have been expressed to Councilmembers by private citizens and suggestions by Councilmembers for future workshops which will be scheduled upon an affirmative vote of a majority of the Council.

Items may be placed on or removed from an agenda by any Councilmember in accordance with the following procedures:

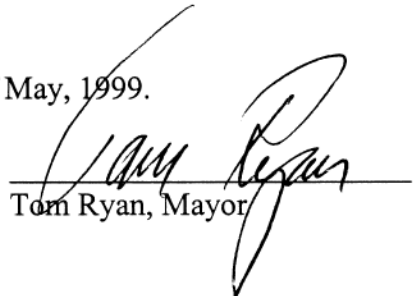
- A. **PLACEMENT OF ITEMS ON AN AGENDA.** Any Councilmember may have an item placed on a meeting agenda up until the time the agenda is formally adopted at the Council meeting. Thereafter, additions to the agenda will be permitted only upon a two-thirds affirmative vote of all members present in accordance with the adopted rules of procedure.

Items submitted by Thursday, one week preceding the Thursday Council meeting will be included in the original printing of the agenda. Thereafter, items requested by Councilmembers will be included in the recommended additions, deletions, and amendments distributed at the Council meeting.

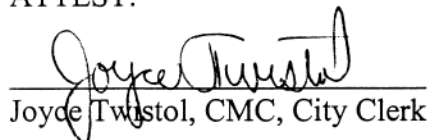
- B. **REMOVAL OF ITEMS FROM AN AGENDA.** Any Councilmember who has placed an item on an agenda will be given the courtesy to remove that item from the agenda at any time prior to the formal adoption of the agenda. Thereafter, an item may be removed from the agenda with a two-thirds affirmative vote of all members present in accordance with the adopted rules of procedure.

If an item that was placed on an agenda is removed from the agenda prior to the meeting at the request of the originator of that item, the City Manager will so advise the Council as part of the additional agenda materials provided to the Council prior to the meeting. Any such removed item may be placed on the next or any subsequent meeting agenda by the originator of the item or by any other Councilmember.

Adopted by the Blaine City Council this 20th day of May, 1999.


Tom Ryan, Mayor

ATTEST:


Joyce Twistol, CMC, City Clerk

RULES OF CIVILITY FOR OUR COMMUNITY

Following are some rules of civility the City of Blaine expects of everyone appearing at Council meetings – elected officials, staff, and citizens. It is hoped that by following these simple rules, everyone's opinions can be heard and understood in a reasonable manner. We appreciate the fact that when appearing at Council meetings, it is understood that everyone will follow these principles:

1. Show respect for each other's opinions
2. Actively listen to one another
3. Keep emotions in check
4. Use respectful language



Rules of Order and Procedure

1. *Call to Order*

The mayor, or in the mayor's absence the mayor pro tem, presides over all meetings of the city council and after determining that a quorum is present calls the meeting to order.

2. *Pledge of Allegiance*

Following the call to order, those in attendance are asked to join the council in reciting the Pledge of Allegiance.

3. *Roll Call*

The city clerk, deputy city clerk, city attorney or manager takes roll and announces the presence or absence of individual councilmembers.

4. *Adoption of Agenda*

This order of business formally adopts the agenda as posted in accordance with state statute, city charter, and open meeting law. Changes may be presented by the city manager that result in the need to amend the posted agenda (revised order of agenda items, removal of items, addition of items due to accelerated timelines or increased priorities, etc.). Addition of new items should be avoided in almost all instances to provide consistent, public transparency and public notice in accordance with open meeting law. In the event of extreme necessity, a motion for suspension of rules could be made and if approved by a super majority of council an item may be added. Addition of new items for future meetings should be addressed under Other Business.

~~4.5.~~ *Awards-Presentations-Organizational Business*

This order of business is the appropriate time to present awards, proclamations, or to recognize residents, staff, elected officials or others. It is also where business is conducted for the first meeting of the year to appoint council liaisons, designate the official newspaper and financial institutions.

~~5.6.~~ *Communications*

This section is designated as an opportunity to relay information to the city council and community that is not on the agenda. Items for discussion under this section could include presentations by other elected officials such as legislators or commissioners, reports by councilmembers on a conference they attended,

information presented by local organizations, or information council members feel would be important for the entire council.

6.7. Open Forum

The council welcomes suggestions and comments that meet the needs of the city and improve its operation. Open forum is a limited public forum set aside by the city. This order of business provides a time for any individual to approach and speak to the council. Participants may not speak on items otherwise being addressed by a public hearing on the same meeting agenda, or on items that have already had a public hearing at a previous meeting. If an agenda item allows for public comment, such as a public hearing, comment will be taken at that point in the agenda. Additional public comment may be allowed at the discretion of the mayor. In order to request to speak during a meeting a public comment card needs to be completed and submitted to the city clerk with your name and address for the record and the topic(s) you wish to address. Pursuant to Res. No. 99-152, each speaker will be limited to 3 minutes with a maximum of 15 minutes set aside for open forum. The mayor will advise the audience of the time limit when introducing the open forum portion of the meeting.

7.8. Consent Agenda

Those matters of business that require action by the council which are considered to be of a routine and non-controversial nature and normally do not require any discussion are placed on the consent agenda. Any councilmember or the mayor may request an item be removed from this agenda and placed on the regular agenda. Council can ask questions/make clarifications on any item without the need for formal removal/separate action from the consent agenda as a whole. This action should be taken at the time the agenda is formally adopted. The individual items on the consent agenda shall be approved, adopted or enacted by one motion of the council. Examples of such items include, but are not limited to:

- Approval of minutes (approved by full council even if absent from that meeting)
- Schedule of bills paid
- Renewal of licenses (i.e. tobacco, temporary nursery, peddlers/solicitors)
- Temporary on-sale 3.2 percent beverage licenses
- Premises permits for charitable gambling organizations
- Resolutions ordering public hearings
- Vacation of drainage/utility easement ordinances¹
- Site plan approvals
- Preliminary/final plats
- Conditional use permits
- Second readings of rezonings
- Development agreements/releases
- Variances
- Items with limited concerns/no public comment at public hearing

8.9. Public Hearings and Items Set for a Certain Time

All public hearings will be held after the meeting begins at 7:00PM following the consent agenda unless otherwise noted. This order of business allows speakers to give testimony concerning the item set for a public hearing. The council holds public hearings as required by city ordinance and state statute. All members of the community wishing to speak about items during a public hearing may do so either in-person or in writing, including email. If attending in person, sign the public comment card prior to the meeting located outside the chambers and submit to the city clerk. Sign-up is first-come, first-serve. When your name is called, please step to the podium and speak into the microphone to address the council.

9.10. Development Business

This section includes items that relate to planning and development within the city, such as conditional use permits, preliminary/final plat approval, land use and zoning changes, concept plan approval, etc.

10.11. Administration

Those items which relate to the administration and details of city business should be placed under this section. Examples include, but are not limited to:

- Approval or authorization to enter into contracts
- Establishing policies
- Ordinances¹ (other than zoning related)
- Accepting bids for projects
- Appointing members to boards or commissions
- Budget adjustments
- Capital purchases requiring council approval
- Appropriating money for projects or other items
- Agreements
- Other items or non-development items requiring discussion
- Items which have been postponed or tabled to later date
- Reports

12. Other Business

This order of business provides an opportunity for councilmembers and staff to bring up any issues items which were not included on the adopted agenda.

Additions that could be made ~~These issues~~ may include, but are not limited to:

- Questions or concerns of councilmembers
- Questions or concerns that have been expressed to councilmembers by private citizens residents or others
- Suggestions by councilmembers for future workshop and regular meeting agenda items
 - Items can be added to future workshop or regular meetings based on consensus reached during a council workshop.
 - Councilmembers can, by motion in a regular meeting, request items be added to future workshop or regular meetings. If seconded and adopted by a majority vote of the council, the city manager will schedule the item based on the amount of staff time needed for review and research for the item as well as priority of the item in relation to the priority of all other items.
 - Councilmembers can request items be added to future agendas through the workshop request form. The request form is not to discuss the item itself but reach consensus that a majority of council wish to discuss the item further. If consensus is reached to add the item to a future meeting, the city manager will schedule the item based on the amount of staff time needed for review and research for the item as well as priority of the item in relation to the priority of all other items.

12. Adjournment

A councilmember may propose to close the meeting by moving to adjourn. The meeting will close upon the majority vote of the council. A motion to adjourn will always be in order and decided without debate.

¹First and Second Ordinance Readings: As outlined in City Charter Sec. 3.05. - Procedure on Ordinances the enacting clause of all ordinances passed by the council shall be in the words, "The City of Blaine does ordain." Every ordinance shall be presented in writing at the meeting at which it is introduced. If a councilmember or one Blaine resident present at the meeting request[s] that the ordinance be read in its entirety, the ordinance shall be read at the meeting at which it is introduced. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced, nor before the next regularly scheduled meeting of the council. In order to ensure consistency surrounding public input for proposed ordinance readings:

a. First reading of an ordinance allows the city council to review the text and purpose of the proposed ordinance. At this reading council will ask questions of staff and the applicant(s) regarding the proposed ordinance contents and purpose, after which the clerk will hold first reading of the proposed ordinance number and title, unless requested its reading in its entirety.

b. Second reading of an ordinance will provide the city council an opportunity to hear public comment on the matters contained therein and allow the applicant(s) to present their request to the city council. Upon conclusion the council, by motion will vote to adopt, deny, postpone, or table second reading and ordinance adoption.



City of Blaine Anoka County, Minnesota Text File

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

File Number: MO 22-002

Agenda Date: 1/3/2022

Version: 1

Status: Passed

In Control: City Council

File Type: Motion

Agenda Number: 4.-3

Organizational Business - *Cathy Sorensen, City Clerk*

Title

Rules of Procedure and Quorum - Order of Business

Executive Summary

Council is asked to adopt the annual rules of procedure and quorum - order of business.

Background

Section 3.03 of the City Charter, Procedure of Council, states the Council shall determine its own rules and order of business. Proposed changes include:

- Revision to Open Forum clarifying items on the formal agenda that have already had public input participation could be spoken to through Open Forum
- Removal of formal Adoption of Agenda - any changes to agenda will continue to be announced at the beginning of the meeting.
- Clarification on Consent Agenda that unless corrections are needed, approval of the minutes can remain on the Consent Agenda and approved by the full Council present regardless of whether a member was in attendance or not as attendance is already reflected in the presented minutes.

No other changes are being recommended at this time.

Strategic Plan Relationship

This item relates to the organizational health strategic priority by maintaining governance processes that work.

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

N/A

Staff Recommendation

By motion adopt the proposed rules of procedure and quorum - order of business.

Attachment List

Order of Business



Rules of Order and Procedure

Agenda Item Additions Procedure:

Items can be added to future workshop and/or regular meeting agendas in the following manner:

- Any two members of Council may place an item on a council meeting agenda if the item is submitted by the end of the business day on Monday, one week preceding the Monday council meeting. Items must be presented in writing to the city manager. Items sent one week prior will be included in the original printing of the agenda. Thereafter, items requested by any two members of council prior to the time the agenda is formally adopted at the council meeting will be included in the recommended additions to the agenda by the city manager. These recommended additions will be adopted onto the agenda by a majority vote of council.
- Consensus reached during workshop, with consensus defined as the agreement of a majority of councilmembers present.
- Two (2) councilmembers can request an agenda item be added to an upcoming workshop during the Other Business portion of a regular meeting. No formal vote or consensus is needed to have the item added to workshop. When the item is discussed, consensus as defined above is required to bring the item forward for formal consideration at a regular council meeting.
- One (1) councilmember can request an item be added to a future workshop agenda through the workshop request form. The request form process does not provide discussion of the item itself but the opportunity for consensus as defined above to add the item to a future workshop.
- If an item has been reviewed at workshop and consensus as defined above is not reached to bring the item forward for formal consideration, one (1) councilmember may make a request under Other Business of any regular council meeting to add the item to a future council meeting. If the request is verbally supported on record by at least one (1) other councilmember, the item will be added to a future council meeting for formal consideration.

Agenda item addition requests not in compliance with this policy will be ruled out of order by the mayor/pro tem as chair of the meeting. Agenda item additions will be scheduled as soon as reasonably practicable, based on the priority of the item in relation to the priority of all other items as well as amount of staff time needed for review/research for the item.

1. *Call to Order*

The mayor, or in the mayor's absence the mayor pro tem, presides over all meetings of the city council and after determining that a quorum is present calls the meeting to order.

2. *Pledge of Allegiance*

Following the call to order, those in attendance are asked to join the council in reciting the Pledge of Allegiance.

3. *Roll Call*

The city clerk, deputy city clerk, city attorney or manager takes roll and announces the presence or absence of individual councilmembers.

4. *Adoption of Agenda*

This order of business formally adopts the agenda as posted in accordance with state statute, city charter, and open meeting law. Changes may be presented by the city manager that result in the need to amend the posted agenda (revised order of agenda items, removal of items, addition of items due to accelerated timelines or increased priorities, etc.). Addition of new items should be avoided in almost all instances to provide consistent, public transparency and public notice in accordance with open meeting law. Addition of agenda items for future meetings should be addressed under Other Business as outlined in the Agenda Items Additions Procedure.

4.5. *Awards-Presentations-Organizational Business*

This order of business is the appropriate time to present awards, proclamations, or to recognize residents, staff, elected officials or others. It is also where business is conducted for the first meeting of the year to appoint council liaisons, designate the official newspaper and financial institutions.

5.6. *Communications*

This section is designated as an opportunity to relay information to the city council and community that is not on the agenda. Items for discussion under this section could include presentations by other elected officials such as legislators or commissioners, reports by councilmembers on a conference they attended, information presented by local organizations, or information council members feel would be important for the entire council.

6.7. *Open Forum*

The council welcomes suggestions and comments that meet the needs of the city and improve its operation. Open forum is a limited public forum set aside by the city. This order of business provides a time for any individual to approach, speak to the council. Participants may not speak on items otherwise being addressed by a public hearing on the same meeting agenda. If an agenda item allows for public comment, such as a public hearing, comment will be taken at that point in the agenda. Additional public comment may be allowed at the discretion of the mayor. A public comment card is requested to be completed and submitted to the city clerk with your name and address for the record and the topic(s) you wish to address prior to speaking, but failure to

complete the card will not preclude someone's right to speak. Pursuant to Res. No. 99-152, e Each speaker will be limited to 3 minutes with a maximum of 15 minutes set aside for open forum. The mayor will advise the audience of the time limit when introducing the open forum portion of the meeting.

7.8. Consent Agenda

Those matters of business that require action by the council which are considered to be of a routine and non-controversial nature and normally do not require any discussion are placed on the consent agenda. Any councilmember or the mayor may request an item be removed from this agenda and placed on the regular agenda. Council can ask questions/make clarifications on any item without the need for formal removal/separate action from the consent agenda as a whole.

This action should be taken at the time the agenda is formally adopted. The individual items on the consent agenda shall be approved, adopted or enacted by one motion of the council.

Examples of such items include, but are not limited to:

- Approval of minutes (approved by full council even if absent from that meeting)
- Schedule of bills paid
- Renewal of licenses (i.e., tobacco, temporary nursery, peddlers/solicitors)
- Temporary on-sale 3.2 percent beverage licenses
- Premises permits for charitable gambling organizations
- Resolutions ordering public hearings
- Vacation of drainage/utility easement ordinances¹
- Final plats
- Development agreements/releases

8.9. Public Hearings and Items Set for a Certain Time

All public hearings will be held after the meeting begins at 7:00PM following the consent agenda unless otherwise noted. This order of business allows speakers to give testimony concerning the item set for a public hearing. The council holds public hearings as required by city ordinance and state statute. All members of the community wishing to speak about items during a public hearing may do so either in-person or in writing, including email. If attending in person, those wishing to speak are requested to please sign the public comment card prior to the meeting located outside the chambers and submit to the city clerk. Sign-up is first-come, first-serve. Names will be called and the speaker will step to the podium and speak into the microphone to address the council. Failure to complete a comment card will not preclude an individual's right to speak.

9.10. Development Business

This section includes items that relate to planning and development within the city, such as conditional use permits, preliminary/final plat approval, land use and zoning changes, concept plan approval, etc.

10.11. Administration

Those items which relate to the administration and details of city business should be placed under this section. Examples include, but are not limited to:

- Approval or authorization to enter into contracts
- Establishing policies
- Ordinances¹ (other than zoning related)
- Accepting bids for projects
- Appointing members to boards or commissions
- Budget adjustments
- Capital purchases requiring council approval
- Appropriating money for projects or other items
- Agreements
- Other items or non-development items requiring discussion
- Items which have been postponed or tabled to later date
- Reports

12. Other Business

This order of business provides an opportunity for councilmembers and staff to bring up issues items which were not included on the adopted agenda. Items to be addressed during this portion of the meeting. These issues may include, but are not limited to:

- Questions or concerns of councilmembers
- Questions or concerns that have been expressed to councilmembers by private citizens residents or others
- Future agenda items as outlined in the Agenda Item Additions Procedure

Additional items or topics may be considered during Other Business upon a motion to suspend the rules, which motion will require a second and approval of two-thirds of the body.

12. Adjournment

A councilmember may propose to close the meeting by moving to adjourn. The meeting will close upon the majority vote of the council. A motion to adjourn will always be in order and decided without debate.

¹*First and Second Ordinance Readings:* As outlined in City Charter Sec. 3.05. - Procedure on Ordinances the enacting clause of all ordinances passed by the council shall be in the words, "The City of Blaine does ordain." Every ordinance shall be presented in writing at the meeting at which it is introduced. If a councilmember or one Blaine resident present at the meeting request[s] that the ordinance be read in its entirety, the ordinance shall be read at the meeting at which it is introduced. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced, nor before the next regularly scheduled meeting of the council. In order to ensure consistency surrounding public input for proposed ordinance readings:

a. First reading of an ordinance allows the city council to review the text and purpose of the proposed ordinance. At this reading council will ask questions of staff and the applicant(s) regarding the proposed ordinance contents and purpose, after which the clerk will hold first reading of the proposed ordinance number and title, unless requested its reading in its entirety.

b. Second reading of an ordinance will provide the city council an opportunity to hear public comment on the matters contained therein and allow the applicant(s) to present their request to the city council. Upon conclusion the council, by motion will vote to adopt, deny, postpone, or table second reading and ordinance adoption.