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 continuestoward 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

Signed by ______________________________
Tim Sanders, Mayor

Signed by ______________________________
Catherine M. Sorensen, CMC, City Clerk

The meeting adjourned at 10:33PM.