City of Blaine
City Council

August 21, 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 7:08 PM by Mayor Sanders followed by the Pledge of Allegiance and the 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; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Communications Manager Ben Hayle; Public Works Director Nick Fleischhacker; and City Clerk Catherine Sorensen

2. Pledge of Allegiance

3. Roll Call

4. Awards - Presentations - Organizational Business

None.

5. Communications

Safety Services Director/Police Chief Podany shared background on law changes that resulted from the education bill regarding school resource officers and potential use of force with students when necessary, which is no longer allowed. He commented on the ripple effects this would have on school resource officers and described the work being done with the Attorney General on how to address this change. He explained the Blaine Police Department has contracts with the Centennial School District, Spring Lake Park School District and the Anoka-Hennepin School District to provide school resource officers. He reported he hoped to have some clarifying information from the Attorney General's office for his officers in the coming days and work with the schools to ensure staff and students remain safe.

Mayor Sanders stated it was unfortunate further restraints were being placed on police officers as they work to keep students and staff safe while in school and thanked Chief Podany for his efforts on this matter.

Mayor Sanders welcomed former Blaine Mayor Tom Ryan to the city council meeting.

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 7:17PM.

Jessica Bahr, 116 91st Lane NE, spoke about Item 11.3, Rules of Procedure and how agenda items are brought forward to a city council meeting or workshop. She shared frustrations with the current process and wanted to learn how to bring the discussion of the humane pet store ordinance before the council and requested this item be formally placed on a future agenda.

There being no further input, Mayor Sanders closed the Open Forum at 7:20PM.

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.

Councilmember Newland abstained from approval of Item 8.1, Schedule of Bills Paid.

Councilmember Robertson requested removal of Item 8.3 for further discussion.

Moved by Councilmember Massoglia, seconded by Councilmember Newland, to approve the Consent Agenda as amended removing Item 8.3.

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

8.1. 2023-379 Schedule of Bills Paid

Sponsors: Michelle Wolfe, City Manager

Approved

8.2. 2023-389 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

8.3. RES 23-123 Resolution Authorizing Parking Restrictions on the South Side of 103rd Lane from Lever Street to Sunset Avenue
Sponsors: Daniel Schluender, Director of Engineering

Councilmember Robertson discussed the parking restrictions near Centennial Middle School and confirmed this action still allows additional measures can be implemented in the future if needed. Director of Engineering Schluender explained staff would continue to monitor the neighborhood to see if there were inverse impacts on the neighbors.

Moved by Councilmember Robertson, seconded by Councilmember Fleming, to adopt a Resolution Authorizing Parking Restrictions on the South Side of 103rd Lane from Lever Street to Sunset Avenue.

Motion adopted unanimously.

8.4. 2023-374 Approve Temporary Road Closure for Blaine World Fest
Sponsors: Jerome Krieger, Sr. Recreation Manager

Approved

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

9.1. 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

City Planner 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. She reported the applicant has requested action on this item be postponed to the September 6, 2023 city council meeting.

Mayor Sanders opened the public hearing at 7:24PM.

There being no public input, Mayor Sanders closed the public hearing at 7:24PM.

Moved by Mayor Sanders, seconded by Councilmember Larson, to postpone action on this item to the September 6, 2023 city council meeting.

Motion adopted unanimously.

9.2. RES 23-129 Resolution Vacating all of the Public Street, Drainage and Utility Easement created by Document No. 1460013, Vacation No. V23-04
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated the city received a petition dated June 29, 2023 from Dave Erickson, representing KE Properties, LLC, requesting the vacation of all of the public street, drainage and utility easement created with Document No. 1460013 at Anoka County, Minnesota. Staff noted this area was being redeveloped and the easements were no longer required.

Mayor Sanders opened the public hearing at 7:26PM.

There being no public input, Mayor Sanders closed the public hearing at 7:26PM.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to Adopt a Resolution Vacating all of the Public Street, Drainage and Utility Easement created by Document No. 1460013.

Motion adopted unanimously.

9.3. RES 23-130 Resolution Vacating Public Drainage and Utility Easement created and dedicated by the plat of Flanders Pond 2nd Addition over, under and across that part of Lot 1, Block 1 of said plat of Flanders Pond 2nd Addition, Anoka County, Minnesota, Vacation No. V23-05
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated the city received a petition dated June 29, 2023 from Dave Erickson, representing KE Properties, LLC, requesting the vacation of the public drainage and utility easement created and dedicated by the plat of Flanders Pond 2nd Addition over, under and across that part of Lot 1, Block 1 of said plat of Flanders Pond 2nd Addition at Anoka County, Minnesota. Staff noted this area was being redeveloped for commercial purposes and the easements were no longer required.

Mayor Sanders opened the public hearing at 7:28PM.

There being no public input, Mayor Sanders closed the public hearing at 7:28PM.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to Adopt a Resolution Vacating Public Drainage and Utility Easement created and dedicated by the plat of Flanders Pond 2nd Addition over, under and across that part of Lot 1, Block 1 of said plat of Flanders Pond 2nd Addition, Anoka County, Minnesota.

Motion adopted unanimously.

10. Development Business

10.1. RES 23-118 Resolution Granting a Conditional Use Permit for a Zero Lot Line and Stand-Alone Car Wash in the B-3 (Regional Commercial) Zoning District at 8501 Springbrook Drive. Mister Car Wash (Case File No. 23-0047/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a conditional use permit for a stand-alone tunnel carwash with a zero lot line in the B-3 (Regional Commercial) District. The site currently has a vacant Burger King building and will be redeveloped with the car wash if approved. It was noted this item was continued from the August 7 city council meeting where potential stormwater and wastewater contamination concerns were brought up, along with how this project would use a great deal of water and may adversely impact Springbrook Creek.

Mr. Schluender explained staff has reviewed the stormwater application that was submitted to the Coon Creek Watershed. He reported this site currently has no stormwater features as it will drain directly to a pond. He noted this site would have three ponds that water would filter through before discharging into Springbrook Creek, which was a considerable distance away. He commented on the water quantity concerns and noted the car wash would have a reclamation system in place that would recycle 33% of the water. The last concern brought up was traffic and noted the previous fast food restaurant had 16% more trips. He reported there has been no reported traffic issues from the private drive onto Springbrook Drive or at the intersection of Springbrook Drive and 85th Avenue. Staff commented further on the PEL study that was being conducted on 85th Avenue and University Avenue.

Ms. Sellman reported the planning commission reviewed this item on July 11 and there was a lack of quorum at this meeting, which meant this item was coming to the city council without a recommendation. She indicated no comments have been received from the public on this request and staff recommended approval with five conditions.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to Adopt a Resolution Granting a Conditional Use Permit for a Zero Lot Line and Stand-Alone Car Wash in the B-3 (Regional Commercial) Zoning District at 8501 Springbrook Drive.

Councilmember Newland explained he fully supported this request, noting this would be a good use for the abandoned Burger King property. He appreciated the thorough background and assessment that was done for this project.

Councilmember Saroya stated she would not support approval of this project as she wanted to see something else built on this lot. She reported the city has an oversaturation of car washes in the community. She feared the city was moving backwards instead of forwards. She was of the opinion development of this lot should wait until the vision of the Northtown Area could be further considered.

Councilmember Robertson indicated the city council did not have the legal right to say no to this development. She reported the council's role with this request was to put conditions in place for the allowed use. She noted she would be supporting the request as recommended by staff with conditions. She feared what developers would think if the council began denying projects that were allowed per zoning code. She explained the job of the council was not to like or dislike projects, but rather to review the statutory requirements per city code and make decisions based on those requirements.

Councilmember Fleming stated this was a difficult request. She noted she spoke with the city attorney regarding the criteria that must be considered for this project and based on criteria four, she did not believe this project was needed. She said while she did not like saying no, she would not be supporting this project because it does not meet the overall needs of the city.

Councilmember Massoglia indicated he has been on the fence regarding this project as well. He commented on the number of car washes that were in and around the Northtown Mall area. He stated he agreed with Councilmember Fleming that this use was not needed and would not be offering his support for this project.

Mayor Sanders requested comment from the city attorney regarding the findings stating it was his understanding all eight have to be considered. City Attorney Loonan reported criteria four was subjective but at the end of the day the council has the authority to make a decision based on the eight criteria. He stated if the council, in their findings, gives more weight to one finding than another that is the findings staff will put together should the item be reviewed in court. Community Development Director Thorvig commented on the eight criteria the council must consider and noted he and Ms. Sellman have discussed the subjective nature of criteria four. He was of the opinion this project met the findings of seven of the criteria, but again the final determination would be made by the city council.

Mayor Sanders explained seven of the eight findings were being met with this request and this use was allowed per city code. Therefore, he would be offering his approval for this project. He feared the council would be entering dangerous ground if basing their decisions on only one of the eight criteria.

Councilmember Saroya stated, in addition to criteria four, she did not believe this use was compatible with the adjoining properties and existing or intended character of the zoning district. She reported she discussed this matter with the city attorney and was advised this is an opinion and the council may consider if this was the case. She believed both of these concerns were reasons to deny this request.

Councilmember Robertson asked if this item were challenged legally, would this challenge how the council has applied the zoning rules or conditional use permit requirements. While she understood where Councilmember Saroya was coming from, she was frustrated by the fact the city council voted to support some car washes at odd locations, but was now against a car wash at this location. She urged the council to be consistent with their votes so the reputation of the city is not damaged with the business community.

Councilmember Saroya stated she has been consistent with her voting as has voted against all three car washes that have come before the city council this year. She noted she brought the car wash moratorium before the council. She indicated this project was unique because it was within the Northtown Redevelopment Area. She wanted to see this area redeveloped with businesses that work well for both the residents and the city. She believed the city council was within their rights or obligations to deny this request.

Councilmember Massoglia anticipated the consistency remark was directed towards him because he did support the car wash on Lexington Avenue. He responded that request was unique because there were no other car washes within a few mile radius except for Kwik Trip. He noted there were a number of car washes within a short distance of the proposed property and, therefore, he did not believe this was a reasonable need.

Councilmember Larson stated she believed the number one priority for the council to consider should be what the residents of Blaine want. She indicated she did not prefer car washes because she was concerned about the city's water. She understood the council would be considering a moratorium on car washes and fully supported this action. However, this request came to the city prior to the moratorium being considered. She indicated the car wash does suit the zoning and criteria, and would bring a new business to this property. She stated based on this information, she would be offering her support to the request.

Motion adopted 4-3 (Councilmembers Fleming, Massoglia, and Saroya opposed).

10.2. RES 23-138 Resolution Approving a Variance to the Five-Foot Side Yard Setback for a Shed at 1866 120th Lane NE. Jason Merkel (Case File No. 23-0057/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a variance to allow a three foot setback for a 96 square foot shed in the rear yard.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to Adopt a Resolution Approving a Variance to the Five-Foot Side Yard Setback for a Shed at 1866 120th Lane NE.

Councilmember Massoglia thanked staff for their work on this item.

Motion adopted unanimously.

11. Administration

11.1. RES 23-137 Resolution Accepting a Bid from T. A. Schifsky & Sons, Inc. in the Amount of $78,971.00 for the 2023 Blaine Trail Maintenance Project, Improvement Project No. 23-42.
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated the city council previously approved a budget for the Parks & Trails Capital Improvement Program, which included $91,000 for trail maintenance projects in

2023. Plans and specifications were prepared and sent out to 10 contractors requesting quotes for the project. Three (3) quotes were received on July 31, 2023 and T. A. Schifsky & Sons, Inc. was the low bidder with a quote of $78,971. The project replaces/adds new ADA compliant pedestrian ramps, reclaims and paves approximately 2900 feet of trail, and seal coats approximately 2400 feet of trail. Staff commented further on the work that would be completed and recommended the council accept the bid for the trail maintenance project with a 15% contingency.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to Adopt a Resolution Accepting a Bid from T. A. Schifsky & Sons, Inc. in the amount of $78,971.00 (with a 15% contingency) for the 2023 Blaine Trail Maintenance Project.

Motion adopted unanimously.

11.2. ORD 23-2529 First 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. Direction was given at the August 14, 2023 workshop to place an item on the August 21 agenda to consider a six-month moratorium on car washes citywide to allow for a zoning study to be completed. Staff commented further on the information that would be gathered through the study and recommended the council introduce the ordinance.

Declared by Mayor Sanders that Ordinance No. 23-_____, "Interim Ordinance for a Moratorium on Car Washes" be introduced and placed on file for second reading at the September 6, 2023 Council meeting.

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

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 are being presented for council adoption. As noted at the workshop, 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, this resolution will formally replace Resolution 99-152 and all its adopted addendums that have occurred over time.

Councilmember Robertson supported this item being tabled to a future workshop meeting. She explained Councilmember Newland made a point at the last worksession meeting that the council has been abiding by the existing rules for eight months and she supported the council using the next four months to wisely plan for 2024. She hoped to further dialogue the hierarchy of how the council governs.

Motion by Councilmember Robertson, seconded by Mayor Sanders, to table this item to a future workshop meeting for further discussion on the hierarchy of how the city council governs.

Motion adopted 4-3 (Councilmembers Massoglia, Saroya, and Larson opposed).

Councilmember Massoglia expressed frustration with the fact this item would not be further discussed because a motion to table was made.

12. Other Business

Councilmember Massoglia stated it was unfortunate that Agenda Item 11.3 was not discussed. He reported this item has been dividing the council and creating frustration for staff. He believed the maneuver to table was extremely frustrating. He stated he spent a great deal of time on his proposed amendments and a conversation was not held. He believed the council should come to some sort of agreement on how items are placed on an agenda before January.

Motion by Councilmember Massoglia, seconded by Councilmember Fleming to adopt a policy regarding placement of items on the agenda as follows:

> 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.

Mayor Sanders asked if this motion would be allowed. Mr. Loonan stated because this was a policy change the motion could proceed.

Councilmember Robertson explained that she did not know that a motion to table would not allow for discussion. She reported she spoke with staff about tabling the matter in order to allow for further discussion at a future workshop meeting. She indicated it was not her intention to bring further division to an item that was already a concern.

Councilmember Massoglia reiterated his disappointment in tabling the item.

Mayor Sanders reported the council has had discussions around governing philosophy and the council did a lot of talking past each other without addressing the reality of how these things work in practice. He did not believe the council has only had conversations at one or two workshops. He supported the council further investigating what the charter says and how to move things forward. He believed there was still work to do with respect to this matter because items such as ordinances and resolutions cannot be introduced and acted upon at the same meeting per city charter. Rather, this takes informed discussions and consensus of council to provide direction to staff. He commented on how important it was to keep the public apprised of what items are going to be placed on agendas. He noted he did not support the motion on the floor but fully supported this item being forwarded to a future workshop meeting for further discussion so staff can help the council work through these issues to ensure all members of the council are abiding by established rules and all residents and businesses are being treated in the same manner.

Councilmember Massoglia respectfully disagreed with the mayor, noting the council first began discussing this matter in April or May. He stated the council was being given different directions on how to add an item to a council agenda and felt this was unacceptable and not conducive to a collaborative working environment. He stated the council was the policy making body and if he wanted to bring an item forward, he had the right to bring an item forward with a motion to second. He questioned why the council was trying to stop this action. He understood that staff may have to review items and make certain recommendations, but he did not support the council withholding council's rights to bring forward a motion for discussion. He supported the council passing this policy.

Mayor Sanders stated he understood what Councilmember Massoglia was saying but noted there were constraints within the city charter that had to be contemplated. He explained the council could not introduce and approve an ordinance at the same meeting.

Councilmember Massoglia reiterated that he was proposing a policy and not an ordinance. He indicated he was not trying to go around existing policies and if an item were brought forward by a councilmember and required a first and second reading, this would be determined by staff. He did not believe it was difficult to draft a resolution and bring it to council and staff. He stated staff could then determine if there were impacts on the budget and present this information to council at their next meeting.

Councilmember Saroya explained she supported Councilmember Massoglia's motion. She noted any councilmember can bring a motion forward with a second to the council for discussion. She indicated approval of this motion would still require a council majority. She asked that the council allow items to be brought forward for discussion and consideration. She discussed how, for transparency purposes, the public should be allowed to speak at workshop meetings. She read a portion of the orientation information she was provided, noting councilmembers could bring an item forward by calling the city manager prior to a meeting and request an item be added, or during the adoption of the agenda, make a motion with an appropriate second to add an item to the agenda. She stated this process was nothing new and was supported by many other city councils.

Councilmember Fleming commented she has been on the city council for seven months and she was extremely confused as to how this issues should be handled. She believed the arguments of

Councilmember Massoglia and the Mayor made sense. She indicated she was looking for a direction that was right, according to the charter. She did not believe the council has gotten there yet which was why she supported this item going back to a workshop meeting. She indicated she was torn regarding the motion on the floor. She stated she did not want to be blindsided by an item brought forward unplanned with no information provided to council. She explained she appreciated the educated discussions the council was able to have at workshop meetings prior to making decisions on matters. She reported that Coon Rapids City Council brings items to workshop meetings for discussion prior to action being taken at a council meeting. She stated this procedure made sense to her, but she also wanted her colleagues to be able to bring items forward if brought to staff a week ahead of time. It was her hope that the council could further discuss this matter at a workshop meeting in order to get the entire council on the same page.

Councilmember Newland explained the council has discussed this matter at length. He stated at some point the council needed to make a decision. He supported the motion to table because there were a lot of things in the proposal that council was pretty close on. He understood there were other items that the group would never agree on. He hoped the council could address the entire policy as a whole and not piecemeal it out. He stated he did not support changing or amending the policy at this time.

Mr. Loonan commented no matter what happens with this motion, the motion to table has happened and that explained that Councilmember Massoglia has proposed a policy change for formal action.

Councilmember Larson stated she liked what Councilmember Massoglia has put forth to the council. She indicated this doesn't mean this will be the policy each councilmember will choose. She believed there was value in having discussion, but the council would not be tied to just one method. She reported in 2021 under adoption of the agenda, it read this is the proper time for the mayor and councilmembers to add, delete or change items on the agenda. A majority of those present must approve additions, deletions or changes to the agenda and the agenda is adopted by motion. She questioned what changed between 2021 when this was the chosen language until now and did not agree with the urgency to change things now.

Mayor Sanders reported staff had requested the change because things were not clear and they didn't know how to answer questions. In addition, as Councilmember Massoglia stated, there has been conflicting information. He explained in 2021, at staff's suggestion, the council adopted a new method of how items were placed on the agenda. He stated this required a workshop request form and if there was support, items were placed on an agenda. He indicated that is the policy and how the council has operated. He stated now the council was looking to add items to agendas and the council needed to determine a governing policy taking into consideration what the charter says. He supported the council having clear rules in place on how items are placed on agendas for transparency purposes for the council, public and developers.

Councilmember Massoglia disagreed and indicated it was not about consensus to bring forth a policy item for discussion. He reported when he was on council in 2021, there were items he wanted to bring forward but because he did not have four councilmembers supporting his item he was not able to discuss the matter openly. He believed this was wrong. He understood some items required hearings, but noted the council was the policy making body for the city. He believed the council had the right to bring forward a policy item for discussion. He stated his motion would allow a councilmember to put an item on an agenda a week ahead of time. He did not like the fact there were restrictions in place that limited a councilmember's ability to put forth an item for discussion.

Mayor Sanders commented there is room for compromise. He stated if the council can refer items to a workshop for discussion, then items can be properly discussed. He indicated it was very different when items are added to an agenda seven days prior to a meeting and decisions are sought without items being properly reviewed by staff and the council. He stated this was his main concern. He reiterated that Blaine was a council-manager form of government and he understood the council was the policy making body. However, at each city council meeting, the vast majority of the items on each agenda were set by policy and not council direction. He believed there was a way to discuss items and this could be further addressed at a future workshop meeting. He stated adding items to an agenda could be sloppy and may not lead to good government or good policy making.

Councilmember Larson indicated she did not believe she was trying to make for sloppy governing, but rather was trying to maintain the right.

Mayor Sanders stated "right" was a strong word and it was not an inalienable right to add items to the agenda and was not what the charter allowed for councils. He explained the council has to work with consensus. He supported the council having discussions at a workshop but he did not support the right of a councilmember putting an item on an agenda because this did not respect the process, good government or the public.

Councilmember Massoglia respectfully disagreed noting Robert's Rules of Order protects the rights of the minority to allow a councilmember to make a motion and if this motion receives a second, a discussion can be held. He stated this is what is being done right now. He supported all councilmembers being able to bring forward policy matters for discussion at a council meeting and noted each councilmember has the right to vote no whenever they want.

Mayor Sanders explained for him this came down to how the council can make the best policy decisions. He indicated if items are just placed on an agenda without any information to make the best decision, this does not lead to the best public policy. He reported there were ways to have these discussions and the council was supposed to work together to address issues matters to constituents. He stated he was not hearing items being brought forward by councilmembers in this manner.

Councilmember Massoglia stated it was not up to the mayor of any councilmember to determine what was good policy. Rather, this should be determined by the voters and residents of the city . He explained the mayor had the right to vote no and he had the right to vote yes. He reiterated Roberts Rules of Order specifically protects the rights of the minority and if someone is recognized they can make a motion and if it was seconded, there was a right to discuss.

Mayor Sanders understood the point, noting discussion was one thing but adding an item to an agenda for action was a different thing. He reported the council's main responsibility was to dispense with the agenda and do the people's business. He wanted a process that gets the best public policy outcome at every single meeting. He hoped the council would strive for process that gives the best opportunities for the best outcome. He hoped to have further conversations that this was the case.

Councilmember Newland stated this conversation, and the length of time that it has been dragged out, was exactly why the council did not want to approve the proposed policy. He feared the proposed policy would open the door for a new process to continue at lenght. He indicated this conversation was not productive and he supported the council working through this at a future workshop meeting.

Councilmember Massoglia clarified the council tabled the original policy through their action on Item 11.3 and was now being asked to remove a portion of the policy for consideration. Mr. Loonan explained Councilmember Massoglia has brought a motion under Other Business to formalize a policy for councilmembers to place items on the agenda. He stated this does not change the tabling of Item 11.3 and bringing that item back to a workshop. He encouraged Councilmember Massoglia to restate his motion at this time.

City Manager Wolfe clarified if this policy were approved, staff would have to operate under this new policy but this would not preclude discussion as part of the overall tabled item. Mr. Loonan stated this was correct, noting adoption of the overall policy would be the formal adoption.

Motion by Councilmember Massoglia stated his motion was as follows:

> 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.

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

Ms. Wolfe explained staff would work to implement this new policy change and identify any challenges that may arise and schedule the overall topic of rules and procedures for an upcoming workshop.

13. Adjournment

CITY OF BLAINE
L'ETOILE DU NORD
ANOKA CO., MINN.

Signed by ______________________________

Tim Sanders, Mayor

Signed by ______________________________

Catherine M. Sorensen, CMC, City Clerk

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 8:46PM.

Motion adopted unanimously.