



City of Blaine

City Council

December 4, 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. 2023-611 Recognition of Centennial Football Team

Sponsors:

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. 2023-594 Schedule of Bills Paid

Sponsors: Jason Zimmerman, Finance Director

8.2. 2023-592 Approval of Minutes

Sponsors: Cathy Sorensen, City Clerk

- 8.3.** RES 23-102 Approve Premise Permit for Lawful Gambling Activity for Blaine Backcourt Club dba Blaine Youth Basketball - Buffalo Wild Wings
Sponsors: Cathy Sorensen, City Clerk
- 8.4.** 2023-576 Tower Lease Amendment with Nextera Communications
Sponsors: Jason Zimmerman, Finance Director
- 8.5.** RES 23-191 Resolution Granting Final Plat Approval to Subdivide 12.72 Acres into Two Lots to be Known as Blaine Retail Center at 405 87th Lane NE. Newton RES LLC (PC23-0082/SAS)
Sponsors: Sheila Sellman, City Planner
- 8.6.** 2023-585 Approve Axon Enterprise Officer Safety Plan (OSP) Contract Renewal
Sponsors: Joe Gerhard
- 8.7.** RES 23-181 Resolution to Approve the SWAT JPA with Anoka County for a multi-jurisdictional SWAT Team
Sponsors:
- 8.8.** 2023-593 Approve Memorandum of Understanding (MOU) between the Blaine Police Department and the United States Postal Inspection Service.
Sponsors: Russ Clark
- 8.9.** 2023-598 Polling Place Designation Change - Precinct 3-6
Sponsors: Cathy Sorensen, City Clerk

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

- 9.1.** RES 23-194 Order Improvement and Order Preparation of Plans and Specifications for the Sanburnol Drive/85th Avenue Improvements, Improvement Project No. 23-14
Sponsors: Daniel Schluender, Director of Engineering
- 9.2.** ORD 23-2537 First Reading Repealing the Fee Schedule From City Code and Adopting the 2024 Fee Schedule
Sponsors: Cathy Sorensen, City Clerk

10. Development Business

- 10.1.** ORD 23-2535 First Reading
Ordinance Granting Annual Revisions to the Blaine Zoning and Parking Ordinances. City of Blaine (Case File No. 23-0076/EES)
Sponsors: Sheila Sellman, City Planner

- 10.2.** ORD 23-2534 First Reading
Ordinance Granting a Rezoning from Planned Office District (POD) to Development Flex (DF) at 4321 109th Avenue NE. Infinite Campus (Case File No. 23-0077/SAS)
Sponsors: Sheila Sellman, City Planner
- 10.3.** RES 23-184 Resolution Granting a Conditional Use Permit to Construct a 120 Square Foot Storage Building (Shed) on the East Side of the Building in a Regional Commercial (B-3) Zoning District at 13001 Central Avenue NE. Anoka-Hennepin Early Childhood Center (Case File No. 23-0075/SLK)
Sponsors: Sheila Sellman, City Planner
- 10.4.** RES 23-185 Resolution Granting a Conditional Use Permit Amendment to Allow a Clubhouse and Outdoor Pool in Lexington Waters in the Development Flex (DF) Zoning District at 13202 Jewell Street NE. Lexington Waters Clubhouse (Case File No. 23-0078/SLK)
Sponsors: Sheila Sellman, City Planner

11. Administration

- 11.1.** 2023-600RES 23-195 Awarding the sale of \$22,280,000 General Obligation Improvement and Utility Revenue Bonds, Series 2023A; fixing their form and specifications; directing their execution and delivery; and providing for their payment
Sponsors: Jason Zimmerman, Finance Director
- 11.2.** ORD 23-2536 Ordinance Amending Chapter 50, Offenses and Miscellaneous Provisions, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession
Sponsors: Brian Podany, Safety Services Manager/Police Chief

12. Other Business

13. Adjournment



City of Blaine Staff Report

File Number: 2023-611

Agenda Date

December 4, 2023

Status

In Control

City Council

File Type

Proclamation

Awards - Presentations - Organizational Business - City Council

Agenda Item # 4.1

Recognition of Centennial Football Team

Executive Summary

The Centennial High School football team recently won the Class 6A Minnesota High School State Championship. Centennial defeated Edina 28-27 in a thrilling championship game for the first football state championship in school history.

Background

Centennial High School is located in the City of Blaine and is attended by many Blaine students. The Blaine City Council wishes to recognize the accomplishments of the Centennial Cougars football team. The team won the 6A Minnesota state championship and represented the City of Blaine with honor and distinction throughout the 2023 season.

Strategic Plan Relationship

Board/Commission Review

Financial Impact

Public Outreach/Input

Staff Recommendation

Attachment List

1. Centennial Cougars Football Day in Blaine Proclamation



CITY OF BLAINE, MINNESOTA

PROCLAMATION

Recognizing the State Champion Centennial Cougars Football Team

WHEREAS, Centennial High School is located in the City of Blaine and is attended by many Blaine residents; and

WHEREAS, the Centennial Cougars football team represented the City of Blaine with distinction and honor during the 2023 season; and

WHEREAS, the Centennial Cougars football team compiled a 12-1 record this season; and

WHEREAS, the team, led by Head Coach Mike Diggins, marched through the playoffs to earn their first state championship game appearance since 1984; and

WHEREAS, the team competed in one of the most memorable state championship games in memory defeating Edina 28-27 in the Prep Bowl on November 24, 2023; and

WHEREAS, when Centennial celebrated their first football state championship after a dramatic goal line stop the entire City of Blaine joined with them to celebrate the victory.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Blaine hereby proclaims December 4, 2023, to be **Centennial Cougars Football Day** 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 4th day of December 2023.

Tim Sanders, Mayor

CITY OF BLAINE

SCHEDULE OF BILLS PAID

APPROVED ON 12/4/2023 FOR PAYMENTS THE WEEK OF 11/10/2023

Vendor Name	Description	Amount
AMAZON CAPITAL SERVICES	Batteries, computer cleaner	\$ 29.29
AMAZON CAPITAL SERVICES	supplies for events	\$ 18.90
AMAZON CAPITAL SERVICES	supplies for events	\$ 31.99
AMAZON CAPITAL SERVICES	pumpkin hunt	\$ 47.88
AMAZON CAPITAL SERVICES	PW Flashlight batteries	\$ 83.82
AMAZON CAPITAL SERVICES	Head Phones	\$ 49.99
AMAZON CAPITAL SERVICES	Velcro Tape with adhesive	\$ 19.57
AMAZON CAPITAL SERVICES	Memory Card and Reader for Drone	\$ 131.94
AMAZON CAPITAL SERVICES	Power cords for laptops in squads	\$ 67.90
AMAZON CAPITAL SERVICES	PW Business card holder/phone clips	\$ 45.71
AMAZON CAPITAL SERVICES	PW Television for GPS tracking	\$ 660.93
AMAZON CAPITAL SERVICES	Landing Pad for PD Drone	\$ 69.99
AMAZON CAPITAL SERVICES	tape, notebooks, chargers	\$ 405.85
AMAZON CAPITAL SERVICES	Shoe polish/brushes for PD	\$ 57.94
ANDERKAY ROSEMARIE	Refund Check	\$ 6.00
ANOKA COUNTY	Signal Painting	\$ 24,405.00
ANOKA COUNTY	2023 County Recordings	\$ 92.00
ANOKA COUNTY TREASURY DEPT	State Access Fee	\$ 6,120.00
AT&T MOBILITY	Cell Phone Service	\$ 9,572.82
AT&T MOBILITY	Cell Phones for PD	\$ 7,133.66
AUTOWASH SYSTEMS INC	Car Wash Chemicals	\$ 536.97
BEACON ATHLETICS LLC	Tarps for ball fields	\$ 435.00
BILL'S GUN SHOP & RANGE NORTH	range fees for new hire training	\$ 80.00
BILL'S GUN SHOP & RANGE NORTH	range fees for new hire training	\$ 80.00
BLAINE SQUARE II LLC	SP22-09, Blaine Square 3rd	\$ 73,000.00
BLAINE SQUARE II LLC	B23-00645/646	\$ 35,000.00
BOLTON & MENK INC	Final Design & Construction Services	\$ 1,422.00
BOLTON & MENK INC	Engineering Svcs-SW Area St Recon	\$ 19,924.50
BOLTON & MENK INC	Preliminary Survey/Design	\$ 3,847.50
BOLTON & MENK INC	Ulysses & 117th Ave Acquisition	\$ 2,717.21
BOLTON & MENK INC	Existing & Building Study	\$ 948.00
BOULDER CONTRACTING LLC	Escrow Refund - 13023 Packard St NE	\$ 4,800.00
BRAUN INTERTEC CORPORATION	Trail and Lot Assessments	\$ 3,543.25
BRAUN INTERTEC CORPORATION	Aquatone Bandshell Inspection	\$ 3,566.00
CAPITAL ONE TRADE CREDIT	Curb stop tools	\$ 54.01
CARGILL INCORPORATED	Pump/Motor for Brine Maker	\$ 3,474.78
CENTER FOR ENERGY AND ENVIRON	EDA HIL Loans	\$ 6,405.00
CENTRAL TURF & IRRIGATION SUPPLY	Irrigation Parts	\$ 34.68
CENTURYLINK	Siren	\$ 8.39
CENTURYLINK	Telephone Service	\$ 86.06
CHET'S SHOES INC	Antilla - uniform boots	\$ 199.00
CHET'S SHOES LLC	Safety/chainsaw Boots	\$ 605.00
CITY OF LEXINGTON	November 2023 Sewer	\$ 2,916.94
COMCAST	PW Cable TV	\$ 21.04
COMCAST	Internet for Public Wi-Fi	\$ 164.90
COMPUTER EXPLORERS	Fall computer camp	\$ 120.00
CONNEXUS ENERGY	951 124th Ln NE/Well #12,#13	\$ 9,565.00
CONNEXUS ENERGY	10801 Town Square Dr NE	\$ 9,249.44

CROWN IRON WORKS	SP21-0018 Refund	\$	30,000.00
CRYSTEEL TRUCK EQUIPMENT	Capital: Build up of 4623	\$	17,313.69
CUMMINS SALES AND SERVICE	Generator Mtce Contract	\$	1,132.37
CUMMINS SALES AND SERVICE	Generator Mtce Contract	\$	1,523.19
CUMMINS SALES AND SERVICE	Generator Mtce Contract	\$	346.21
DEGLER DALTON	Mileage/CDL Reimbursement	\$	449.27
DELPERDANG PAUL A	Grant Reimbursement	\$	4,603.20
DIAMOND MOWERS INC	Skid Shoe/Ground Roller	\$	248.35
DOUGLAS EMILY	for trunk or treat event	\$	43.23
DOUGLAS KERR UNDERGROUND LLC	Lift Station 13 FM Replacement	\$	742,973.72
ECM PUBLISHERS INC	2023 Public Hearing Notices	\$	155.87
ECM PUBLISHERS INC	Advertising & Public Notices	\$	64.50
ECM PUBLISHERS INC	Advertising & Public Notices	\$	225.75
ELECTRIC PUMP INC	LS 25 Repairs	\$	190.75
EVERLIGHT SOLAR	Overpayment	\$	300.00
FEDERAL EXPRESS CORPORATION	Freight charges for UPS	\$	174.00
FERGUSON ENTERPRISES LLC	Curb stop tools	\$	567.00
FLAGSHIP RECREATION	breakaway rim w/ net	\$	659.00
FLAGSHIP RECREATION	Installation of swing set	\$	1,812.32
GLOMB FRAN	Refund Check	\$	99.00
GLOMB FRAN	Refund Check	\$	99.00
GROUP HEALTH	monthly benefits charge for EAP	\$	240.00
GS DIRECT INC	Plotter Supplies	\$	359.21
HAWKINS INC	Water Treatment Chemicals	\$	5,690.45
HOLIDAY COMPANIES	Car Washes - PD	\$	435.00
HOLIDAY COMPANIES	Car Washes - Comm. Stds.	\$	5.00
INSIGHT PUBLIC SECTOR INC	Plant network upgrades	\$	1,552.35
INSIGHT PUBLIC SECTOR INC	Network Upgrades/switches	\$	10,408.83
INSIGHT PUBLIC SECTOR INC	Pocket jet printers for PD	\$	1,827.54
JACOBSON MAGNUSON	Travel Expenses Oct 2023	\$	1,115.41
JACOBSON MAGNUSON	2023 Federal Lobbyist Services	\$	4,500.00
JOHNSON LITHO GRAPHICS	Biz Connect + Mailing	\$	10,253.34
LAWSON PRODUCTS INC	Mechanic shop supplies	\$	1,275.29
LEAGUE OF MN CITIES INS	Workers Compensation Adj	\$	263,640.00
LENZ TRAVIS	Reimbursement for CDL	\$	19.00
LOWE'S HOME CENTERS INC	CH light bulbs	\$	98.08
LRS PORTABLES OF MINNESOTA	Satellite Rental - Parks	\$	975.00
MACQUEEN EQUIPMENT INC	Vehicle Tax	\$	11,668.59
MACQUEEN EQUIPMENT INC	Repair blower/rebuild board	\$	5,909.19
MANAGED SERVICES INC	CH janitorial monthly	\$	4,418.00
MANAGED SERVICES INC	PD janitorial monthly	\$	759.00
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	593.23
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	1,100.68
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	913.11
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	447.10
MC TOOL & SAFETY SALES	PPE New Employee	\$	66.50
MENARDS - BLAINE	Graffiti clean up supplies	\$	13.27
MN DEPARTMENT OF COMMERCE	2023 Unclaimed Property Transfer	\$	5,542.42
MINNESOTA EQUIPMENT	Lamp for #2425	\$	167.88
MN HWY SAFETY RESEARCH CENTER	PIT refresher training	\$	510.00
MINUTE MAKER SECRETARIAL	Council Minutes	\$	587.50
MINUTE MAKER SECRETARIAL	2023 Planning Minutes	\$	159.00
MN METRO NORTH TOURISM	Sept2023 + Addt'l Lodging Taxes	\$	19,170.04
NARDINI FIRE EQUIPMENT CO INC	Applied for wrong permit	\$	120.00
NEWMARK HOMES	Escrow Refund - 12922 Xylite St NE	\$	5,000.00

OMUNDSON DON	Refund Check	\$	99.00
OPTIMIZED ELECTRICAL SOLUTIONS	Power for FA system	\$	415.00
O'REILLY AUTOMOTIVE STORES INC	Break parts for 3411	\$	145.03
PARK CONSTRUCTION COMPANY	Preliminary Site Investigation	\$	6,496.00
PDQ.COM CORPORATION	PDQ Renewal	\$	5,100.00
PITNEY BOWES INC	Postage Equipment Agreement	\$	357.00
RCM SPECIALTIES INC	Street Patching Material	\$	746.76
RIVARD COMPANIES INC	Tree/Stump Removal	\$	13,758.00
ROSEDALE CHEVROLET	Brake Parts	\$	1,413.32
ROTARY CLUB OF BLAINE	Rotary Club Dues	\$	400.00
S & S INDUSTRIAL SUPPLY INC	Playground repair part	\$	3.42
SHEFFIELD DYANN	benefits fair supplies	\$	302.51
STEWART DONNA	Home Improvement Grant	\$	2,160.00
STREICHER'S	.223 practice ammo	\$	21,096.00
SUNDEEN JASON	Work Boot Reimbursement	\$	215.99
TYLER TECHNOLOGIES INC	Tyler Content Implementation	\$	5,800.00
VERTEX UNMANNED SOLUTIONS LLC	Drone- Capital Project	\$	15,139.00
VOLUNTEERS OF AMERICA	Van Driver Meals-October 2023	\$	70.00
WATER CONSERVATION SERVICES INC	Water Main Leak Detection	\$	352.93
WINBERG COMPANIES LLC	Parking Lot & Trail Project	\$	158,249.92
WOLFE ARTHUR R	planted/designed arrangement	\$	243.07
XTREME CUSTOM APPAREL	Facilities-uniform shirts & hats	\$	591.00
		\$	1,627,530.23

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 12/4/2023 FOR PAYMENTS THE WEEK OF 11/10/2023**

Vendor Name	Description	Amount
STREICHER'S	.223 practice ammo	\$ 21,096.00
ANOKA COUNTY	Signal Painting	\$ 24,405.00
CROWN IRON WORKS	SP21-0018 Refund	\$ 30,000.00
BLAINE SQUARE II LLC	B23-00645/646	\$ 35,000.00

CITY OF BLAINE

SCHEDULE OF BILLS PAID

APPROVED ON 12/4/2023 FOR PAYMENTS THE WEEK OF 11/17/2023

Vendor Name	Description	Amount
ABC SIGN & GRAPHIC INC	Sign for Tom Ryan Park	\$ 215.00
ACCESS	Data Storage	\$ 130.89
ADVANCED GRAPHIX INC	Repairs to squad 5318	\$ 69.50
AMAZON CAPITAL SERVICES	Holders for Emergency Plans	\$ 26.99
AMAZON CAPITAL SERVICES	Laptop Charger	\$ 18.88
AMAZON CAPITAL SERVICES	Magnets	\$ 7.88
AMAZON CAPITAL SERVICES	Photo Copy Paper	\$ 16.75
AMAZON CAPITAL SERVICES	Chest Waders	\$ 179.98
AMAZON CAPITAL SERVICES	Printer cables for new squads	\$ 65.94
AMAZON CAPITAL SERVICES	Wellness Supplies - Staircase Initiative	\$ 112.37
AMAZON CAPITAL SERVICES	fridge alarm, paper, pens	\$ 552.51
AMAZON CAPITAL SERVICES	Credit	\$ (7.88)
AMAZON CAPITAL SERVICES	Wellness Room Equipment	\$ 12.93
ANDERSON TODD E	music for Winter Celebration	\$ 450.00
ASPEN MILLS INC	uniforms and clothing	\$ 10.00
ASPEN MILLS INC	uniforms and clothing	\$ 279.30
ASPEN MILLS INC	uniforms and clothing	\$ 109.90
ASPEN MILLS INC	uniforms and clothing	\$ 15.00
ASPEN MILLS INC	uniforms and clothing	\$ 652.72
ASPEN MILLS INC	uniforms and clothing	\$ 22.00
ASPEN MILLS INC	uniforms and clothing	\$ 69.45
ASPEN MILLS INC	uniforms and clothing	\$ 643.08
ASPEN MILLS INC	uniforms and clothing	\$ 187.92
ASPEN MILLS INC	uniforms and clothing	\$ 1,307.80
ASPEN MILLS INC	uniforms and clothing	\$ 140.94
ASPEN MILLS INC	uniforms and clothing	\$ 89.95
ASPEN MILLS INC	uniforms and clothing	\$ 945.00
BARNUM COMPANIES INC	October gate maintenance	\$ 280.00
BARNUM COMPANIES INC	Quarterly Door Maintenance	\$ 1,466.00
BARR ENGINEERING COMPANY	WTPs 1-3 Upgrade Project	\$ 1,338.00
BATTERIES PLUS BULBS	CH emergency light batteries	\$ 202.94
BATTERIES PLUS BULBS	Battery for 2394	\$ 152.95
BAUER BUILT INC	Tires/labor for 1305	\$ 3,974.99
BAUER BUILT INC	Tires for Plow #1297	\$ 3,044.38
BAUER BUILT INC	Tires for #2418	\$ 1,427.44
BIEDERMANN KARLIN	Wellness Event Supplies	\$ 100.31
BILL'S GUN SHOP & RANGE NORTH	range fees	\$ 80.00
BILL'S GUN SHOP & RANGE NORTH	range fees for new hire training	\$ 80.00
BLAINE AREA PET HOSPITAL PA	Pills for K9 (Andy)	\$ 193.69
BLAINE BROTHERS INC	EGR Cooler replacement in 1277	\$ 17,826.11
BLAINE BROTHERS INC	Engine Repair - 1241	\$ 2,542.39
BLAINE BROTHERS INC	Air Line for #1200	\$ 34.15
BLUEBEAM INC	Subscription Renewal	\$ 2,340.00
BOLTON & MENK INC	89th Ave/Davenport Street	\$ 24,632.50
BOLTON & MENK INC	Lift Station 1 Force Main	\$ 2,024.20
BOYER TRUCKS	Ford F-350 for Sewer	\$ 59,465.16
BRAD'S CATCH BASIN REPAIR LLC	Bench Pad; Happy Acres	\$ 1,604.00

BRAD'S CATCH BASIN REPAIR LLC	Sidewalk/curb repairs	\$	24,750.00
BRAD'S CATCH BASIN REPAIR LLC	Main Break Curb repair	\$	3,122.00
CAPSTONE HOMES INC	Escrow Refund - 2803 129th Ln NE	\$	7,400.00
CARQUEST AUTO PARTS STORES	Tire valves	\$	23.36
CARQUEST AUTO PARTS STORES	Brake parts - PD 5319	\$	137.77
CARQUEST AUTO PARTS STORES	Alternator for 4462	\$	234.63
CARQUEST AUTO PARTS STORES	Transmission filters	\$	65.71
CARQUEST AUTO PARTS STORES	Valve Stem	\$	8.96
CARQUEST AUTO PARTS STORES	Break pads/rotor for 3411	\$	153.37
CARQUEST AUTO PARTS STORES	Filters for PW Stock	\$	124.59
CARQUEST AUTO PARTS STORES	Brake Rotors for 5244	\$	129.98
CARQUEST AUTO PARTS STORES	Credit	\$	(153.37)
CENTERPOINT ENERGY	Gas Service	\$	558.32
CINTAS CORPORATION	MAYC mats, mops, towels	\$	33.62
CINTAS CORPORATION	CH med cabinet supplies	\$	153.27
CINTAS CORPORATION	PW med supply cabinet	\$	279.39
COMCAST	Cable TV	\$	36.29
CORE & MAIN LP	1" Meters for Resale	\$	15,355.84
CRYSTEEL TRUCK EQUIPMENT	Build up of Plow 1315	\$	130,507.50
CRYSTEEL TRUCK EQUIPMENT	Build up of Plow 1315	\$	3,584.27
CRYSTEEL TRUCK EQUIPMENT	Cutting Edges for Plows	\$	4,198.03
CRYSTEEL TRUCK EQUIPMENT	Indicator for 1241	\$	51.04
CUB FOODS INC-NORTHTOWN STORE	Supplies for Sr Center dinner	\$	643.85
CUB FOODS INC-NORTHTOWN STORE	supplies for dinner	\$	207.71
D ERVASTI SALES COMPANY LLC	Home Plates for Ball fields	\$	1,003.88
DATA PRACTICES OFFICE	LE data practices training	\$	250.00
DATA PRACTICES OFFICE	LE data practices training	\$	250.00
DAVE PERKINS CONTRACTING INC	Water/Sewer Disconnect	\$	3,200.00
DETECTACHEM INC	multidrug/meth kits	\$	442.63
DIAMOND MOWERS INC	Caster axle Extension #1276-1	\$	138.28
DOUGLAS KERR UNDERGROUND LLC	Street Patching	\$	30,802.48
DOUGLAS KERR UNDERGROUND LLC	Hidden Oaks Area Street Rehab	\$	79,361.61
DOUGLAS KERR UNDERGROUND LLC	HYDRANT METER DEPOSIT REFUND	\$	4,500.00
DUCHENE MARK	Duchene - uniform 2 pants	\$	146.30
ECKBERG LAMMERS PC	Prosecution Fees	\$	22,038.28
ECKBERG LAMMERS PC	Outside of Retainer Services	\$	3,491.50
ECKBERG LAMMERS PC	Outside of Retainer Services	\$	3,250.00
ECKBERG LAMMERS PC	Outside of Retainer Services	\$	11,553.75
ECM PUBLISHERS INC	Advertising & Public Notices	\$	64.50
ECM PUBLISHERS INC	Advertising & Public Notices	\$	20.00
EMBROIDERY & MORE TOO LLC	Uniforms - PW	\$	263.55
EMERGENCY AUTO TECH	Push Bumper for Squad	\$	442.00
FACTORY MOTOR PARTS COMPANY	Batteries for PW Stock	\$	839.04
FACTORY MOTOR PARTS COMPANY	Batteries for PW Stock	\$	287.92
FACTORY MOTOR PARTS COMPANY	Batteries for PW Stock	\$	1,258.56
FACTORY MOTOR PARTS COMPANY	Battery for 5228	\$	197.87
FASTENAL COMPANY	Plow bolts for 1298 & 1306	\$	33.59
FASTENAL COMPANY	Plow bolts	\$	67.18
FERGUSON ENTERPRISES LLC #3325	Scale Repair at Plant 3	\$	349.33
FERGUSON WATERWORKS #2518	Hydrant Parts	\$	85.46
FERGUSON WATERWORKS #2518	Valve Box for Water	\$	1,210.00
FERGUSON WATERWORKS #2518	Curb Stop Repair Parts	\$	102.83
FERGUSON WATERWORKS #2518	Curb stop repair parts	\$	2,400.42
FLOWSEAL SURFACE MTCE INC	2023 Crack Sealing Project	\$	85,574.69

FRIENDLY CHEVROLET INC	Gear Oil for 5310	\$	132.36
FRIENDLY CHEVROLET INC	Vehicle Pumps - PD Stock	\$	21.20
GARY CARLSON EQUIPMENT CO	Rental of Air Compressor	\$	325.00
GONZALES MARK	Home Improvement Grant	\$	1,680.00
GOODIN COMPANY	Gas Valve for Well 16 heater	\$	125.73
GOPHER STATE ONE CALL INC	Water & Sewer Locate Fees	\$	1,485.00
GOSCH STEVE	HYDRANT METER DEPOSIT REFUND	\$	375.00
GRAINGER	Heater parts for Plants/Wells	\$	576.76
GRAINGER	Blower belts; WTP 4	\$	102.04
GWOKS	2024 Annual Support/Maintenance	\$	5,622.00
HANSON SPORTS LLC	Fall Sports Camps	\$	4,098.40
HELMKE BRUCE	DOT Health Card-MAYC BUS driver	\$	50.00
HOLIDAY COMPANIES	Car Washes - PD	\$	505.00
HOLIDAY COMPANIES	Car Washes - Comm. Stds.	\$	10.00
HOSE PROS LLC	Hydrant Parts	\$	152.46
INDELCO PLASTICS CORPORATION	Capital: Flanges for Brine Maker	\$	663.95
JEFF BELZER'S ROSEVILLE AUTO INC	Rotors/Pads; PD Stock	\$	571.50
JOHMAR FARMS LLC	Reindeer for Winter Celebration	\$	2,075.00
JOHNSON LITHO GRAPHICS	November MAYC Newsletter	\$	1,891.29
JOHNSON LITHO GRAPHICS	Nov/Dec City Newsletter	\$	13,325.34
KODRU-MOONEY INC	WTP 2 Valves/Actuators/meters	\$	67,836.00
LANGUAGE LINE SERVICES INC	Language Line charges	\$	357.81
LAWSON PRODUCTS INC	Cap Screws/Nuts for Sign Shop	\$	159.40
LEAGUE OF MN CITIES INS	Insurance Premiums	\$	162,533.00
LIBERTE CONSTRUCTION LLC	Permit Refund B23-03750	\$	80.00
LITTLE FALLS MACHINE INC	Repair pivot housing on wings 1269	\$	1,500.00
LOCAL GOVERNMENT INFO SYSTEMS	Special Assessment Software	\$	1,793.00
LOCKRIDGE GRINDAL NAUEN PLLP	2023 State Lobbyist Services	\$	3,166.66
MACQUEEN EQUIPMENT INC	Sight Gauge for 1314	\$	335.26
MACQUEEN EQUIPMENT INC	Outside mirror for 1314	\$	380.82
MAMARIL JESSE	Refund for rental license	\$	190.00
MANSFIELD OIL COMPANY	Motor Fuel	\$	13,581.40
MARCO TECHNOLOGIES LLC	Phone Network Support	\$	407.00
MARSDEN BUILDING MTCE LLC	PW janitorial services	\$	2,251.25
MARTIN MARIETTA MATERIALS	Patching Material	\$	924.01
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	303.16
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	290.80
MC TOOL & SAFETY SALES	PPE Insulated Bibs - Tim Tubbs	\$	86.00
MENARDS - BLAINE	supplies for brine maker	\$	32.84
MENARDS - BLAINE	Parts for Well 7 Heater	\$	674.94
MENARDS - BLAINE	Parts for Well 7 Heater Maint	\$	202.41
MENARDS - BLAINE	Parts for Well 7 Heater Maint	\$	47.88
MENARDS - BLAINE	Parts for Well 7 Heater Maint	\$	20.96
MENARDS - BLAINE	Parts for Well 7 Heater Maint	\$	27.64
MENARDS - BLAINE	Use of Force supplies	\$	48.92
MENARDS - BLAINE	CH light bulbs	\$	59.55
MENARDS - BLAINE	Irrigation Supplies	\$	20.55
MENARDS - BLAINE	Fluorescent bulbs/air filters	\$	67.20
MENARDS - BLAINE	Thermostats for Wellhouse heaters	\$	105.93
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	617.12
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	482.57
METRO-INET	Internet Support Services	\$	3,031.00
METROPOLITAN COUNCIL	MCES 2023 Wastewater Services	\$	421,854.86
MICKMAN BROTHERS INC	Weed Control	\$	1,335.71

MICKMAN BROTHERS INC	Weed Control	\$	2,921.90
MICKMAN BROTHERS INC	Weed Control	\$	1,139.00
MICKMAN BROTHERS INC	Weed Control	\$	1,139.00
MIDWAY FORD COMPANY	Tail light for 4604	\$	224.64
MINUTE MAKER SECRETARIAL	Council Minutes	\$	415.50
MINUTE MAKER SECRETARIAL	Park Board Meetings	\$	196.75
MTI DISTRIBUTING INC	Switch for 2390	\$	57.54
MUNICIPAL BUILDERS INC	WTP #2 Preventative Maintenance	\$	57,207.05
NORTHLAND CAPITAL EQUIP	Fitness Equipment Lease	\$	832.43
OLSEN CHAIN & CABLE INC	Poly Sling for shop	\$	143.04
PHASOR ELECTRIC COMPANY	Traffic Signal Repair	\$	454.00
PITNEY BOWES INC	Postage Machine supplies - red ink	\$	265.58
PLAISTED COMPANIES INC	Sand/Gravel for Gate Valve Project	\$	3,416.86
PLAISTED COMPANIES INC	Ball Diamond Agg	\$	3,639.19
PLAISTED COMPANIES INC	Gate Valve Repair Project	\$	1,202.00
PRINT CENTRAL	Parking notices for Plowing	\$	171.16
PRO-TEC DESIGN INC	Door repair	\$	331.50
PRO-TEC DESIGN INC	card reader repairs	\$	51.00
PRO-TEC DESIGN INC	card reader repairs	\$	51.00
QUADIENT INC	DS35 Folder-Yearly Mtcs	\$	1,147.10
RAY JORDAN & SONS INC	HYDRANT METER DEPOSIT REFUND	\$	4,500.00
RCM SPECIALTIES INC	Street Patching Material	\$	377.19
RIDGEWAY & ASSOCIATES	Mental Wellness Program	\$	4,110.00
RIVARD COMPANIES INC	Stump Removal/Restoration	\$	2,160.00
ROADKILL ANIMAL CONTROL	Disposal of Dead Deer	\$	515.00
RUFFRIDGE JOHNSON EQUIP	Discharge tube for 1221	\$	933.28
SAFE-FAST INC	Barricades for Sign Shop	\$	2,998.30
SAM'S CLUB/SYNCHRONY BANK	items for Liver and Onions	\$	321.01
SAM'S CLUB/SYNCHRONY BANK	Liver and Onions Dinner - MAYC	\$	86.32
SAM'S CLUB/SYNCHRONY BANK	supplies for winter events	\$	68.82
SAM'S CLUB/SYNCHRONY BANK	supplies for senior center	\$	1,835.27
SHERWIN-WILLIAMS COMPANY	CH name plates supplies	\$	94.72
SHERWIN-WILLIAMS COMPANY	Spray tip/guard for 2362	\$	128.66
SHRED-IT C/O STERICYCLE INC	September/October shred	\$	170.16
SNELL BRYAN JAY	Home Improvement Grant	\$	1,898.00
STREICHER'S	practice ammo	\$	21,096.00
TL ERICKSON ENTERPRISES LLC	Asbestos survey	\$	400.00
TOLL GAS & WELDING SUPPLY	Welding Bay Supplies	\$	103.67
TOLL GAS & WELDING SUPPLY	Carbon Dioxide for Water Dept	\$	98.75
TOWMASTER INC	Charging harness for trailer 2418	\$	95.06
TRANS UNION LLC	Credit Reports for employees	\$	37.12
TRUGREEN PROCESSING CENTER	Contract for weed spraying in parks	\$	7,684.00
TWIN CITIES TRANSPORT	Tow for Squad 5318	\$	125.00
TWIN CITIES TRANSPORT	Tow for Squad 5321	\$	125.00
VEIT & COMPANY INC	Demo Refund - 11967 Radisson Rd NE	\$	2,000.00
VEIT & COMPANY INC	Demo Refund - 11985 Radisson Rd NE	\$	2,000.00
VEIT & COMPANY INC	Escrow Refund - 11290 Central Ave NE	\$	2,000.00
VOIGT'S SCHOOL BUS SERVICES INC	Blaine Manufacturing Day	\$	518.70
WHITE CAP LP	Water Break Restoration Supplies	\$	108.83
WSB & ASSOCIATES INC	99th Ave/Baltimore St Roundabout	\$	43,420.00
WSB & ASSOCIATES INC	Southeast Area Reconstruction	\$	30,894.75
WSB & ASSOCIATES INC	NW Area Street Reconstruction	\$	19,184.00
XCEL ENERGY	Signal - Electric	\$	75.01
XCEL ENERGY	Monument Sign - Electric	\$	17.45

XCEL ENERGY	Siren - Electric	\$	14.64
XTREME CUSTOM APPAREL	Citizens Academy clothing	\$	631.00
XTREME CUSTOM APPAREL	City Branded Apparel	\$	71.00
XTREME CUSTOM APPAREL	Logo Apparel for Clerk Staff	\$	492.50
		\$	1,519,354.92

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 12/4/2023 FOR PAYMENTS THE WEEK OF 11/17/2023**

Vendor Name	Description	Amount
STREICHER'S	practice ammo	\$ 21,096.00
ECKBERG LAMMERS PC	Prosecution Fees	\$ 22,038.28
BOLTON & MENK INC	89th Ave/Davenport Street	\$ 24,632.50
BRAD'S CATCH BASIN REPAIR LLC	Sidewalk/curb repairs	\$ 24,750.00
DOUGLAS KERR UNDERGROUND LLC	Street Patching	\$ 30,802.48
WSB & ASSOCIATES INC	Southeast Area Reconstruction	\$ 30,894.75
WSB & ASSOCIATES INC	99th Ave/Baltimore St Roundabout	\$ 43,420.00



City of Blaine

City Council Workshop

November 13, 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; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; Finance Analyst Jenna Trittin; Public Works Director Nick Fleischhacker; and City Clerk Catherine Sorensen.

2. New Business

- 2.1.** 2023-558 Utilities Enterprise Funds 2024 Rates
Sponsors: Jason Zimmerman, Finance Director

Finance Director Zimmerman stated the utility rate study was presented to City Council at the August 14, 2023, workshop and the 2024 budgets were presented by staff at the October 9, 2023, workshop. At the October 9 workshop, Council directed staff to increase the higher tiers of the water rates and to review each utility to address the minimum cash requirements and the funds with a negative change in net position. The rates presented at the October 9 workshop and an alternative option for rates are included below for each utility.

Finance Analyst Trittin provided further comment regarding the proposed rates for water, sanitary sewer and stormwater for 2024 and requested comments or questions from the council.

Councilmember Robertson explained she supported the increased rates because it would put the city in a better position going forward.

Councilmember Newland agreed stating he believed the proposed increases were more palatable than in 2017. He commented on how this was a critical need and the city had to ensure the proper amount of revenue was coming in to cover expenditures. He thanked staff for their efforts on the new rates.

Councilmember Fleming asked how the city would deal with an excess in a utility fund. Mr. Zimmerman reported any excess could be used to buy down some of the capital that was anticipated in future years.

Councilmember Robertson asked when was the last time the council approved significant rate increases for water, sewer and stormwater. Ms. Trittin stated increases were approved last year, but prior to that it had been 10 years since the city increased the water, sewer and stormwater rates.

City Manager Wolfe reported during her first year with the city, there was a significant water line break that drained \$1.5 million from the city's utility fund. She indicated the city had to repair the break while also staffing round the clock overtime until the lines could function on their own.

Councilmember Massoglia requested further information regarding the city's pond maintenance program. Public Works Director Fleischhacker commented on the city's pond maintenance program, noting both financing and staffing were in place. He estimated the city maintained 10 ponds per year. It was noted the city had over 500 ponds to maintain.

Further discussion ensued regarding the tree removal that was needed surrounding the city's ponds.

Mayor Sanders asked how the council wanted to proceed with the utility rates.

Councilmember Newland stated he supported the proposed increases as recommended by staff.

Councilmember Robertson explained she supported the proposed increases, but asked that staff not perceive the increased rates as approval to go forward and purchase new equipment.

Councilmember Massoglia indicated he appreciated the tiered approach for water within the rate structure. He commented on how the city had to continue to invest in its critical infrastructure and noted he could support the proposed utility rates. He questioned if the council should consider an even bigger increase in order to eliminate the need for future debt.

Councilmember Robertson questioned if now was the right time to approve larger increases to the utility rates, given the fact residents would also be seeing a property tax increase. She supported the council continuing to discuss the utility rates on a yearly basis. She stated it was not uncommon for municipalities to levy debt for capital improvement projects. She anticipated it would be atypical for a city to pay straight cash for their improvement projects. Ms. Wolfe indicated a three-year plan to elevate rates could be considered by the council and then the rate increases could be backed down. She stated this would help the city improve the health of its fund balances.

Councilmember Newland stated he believed it made sense to phase in the utility rate increases.

Councilmember Robertson inquired if Aveda would be adversely impacted by the new tiered water rates. She stated she did not want Aveda to be put off by increased water rates and have them looking to move to another community. She encouraged staff to consider how the city will be impacted over the next two years as additional development, hotels and residents come into the city and how this would impact utility rates. Ms. Wolfe reported that even with the proposed increases, Blaine would remain on the low end when it comes to water and sewer rates.

Council supported the revised recommended rates for water, sewer and stormwater as presented.

2.2. 2023-560 2024 Capital Equipment Fund

Sponsors: Jason Zimmerman, Finance Director, Brian Podany, Safety Services Manager/Police Chief, Nick Fleischhacker, Public Works Director

Ms. Trittin stated the capital equipment requested for 2024 was presented at the September 25 council workshop (Item 3.3). At the workshop, councilmembers requested further information on the fleet rightsizing study and for staff to quantify why the items are needed. Additional information on capital equipment was presented to Council at the October 30 council workshop where Council requested to see a proposal that included reducing the equipment requested in the Capital Equipment Fund to \$3 million. Public Works has evaluated their requested equipment and prepared a list with the impacts of deferring purchases. The Police Department has also reviewed their requested equipment and has identified three items that could be deferred as well as items that could be paid for using public safety aid. A summary sheet was reviewed, outlining an option that reduces the Capital Equipment request from \$3.8 to \$2.98 million. If the council wishes to adopt a capital plan that is levy/debt funded at approximately \$3 million, the revised plan achieves that goal.

Safety Services Director Police Chief Podany commented on the grants he would be pursuing for the license plate reader and discussed the partnerships he was pursuing with the county and MNDOT.

Ms. Wolfe discussed the electric mower that would be purchased, noting she viewed this piece of equipment as a pilot program. She stated staff would be monitoring the expense

and maintenance needs for the new electric mower.

Councilmember Larson asked if neighboring communities were using electric mowers and, if so, if they had any feedback for the city. Mr. Fleischhacker reported he has spoken to several other cities that do like them. He commented that he was concerned about battery life, which was why staff wanted to try one out.

Councilmember Massoglia thanked staff for all of their efforts on the capital equipment fund. He stated he would be offering his support. He supported the council having a deeper discussion regarding the sidewalk snow plow machine. He reported that in his neighborhood everyone shovels their sidewalk. He indicated the city has an ordinance in place that requires residents to shovel their sidewalks. He suggested community outreach be done regarding the city's sidewalks and that questions be asked if this expense should continue to be assumed by the city.

Mayor Sanders stated there are also sidewalks and trails that are city owned that have to have snow removed during the winter months.

Councilmember Newland reported he does not have sidewalks in his neighborhood, but if the sidewalk at 85th and County Road J was not plowed quickly, residents would be walking in the road. He commented on how many calls he receives after snowfalls if sidewalks were not cleared.

Councilmember Massoglia agreed the major artery sidewalks and city-owned sidewalks have to be cleared. However, he did not support the city clearing all sidewalks in the city.

Councilmember Robertson agreed it was important to have the sidewalks cleared for pedestrian safety purposes. She indicated she did not support the city clearing all residential sidewalks.

Councilmember Saroya stated because sidewalks have been cleared by the city for so many years, residents have come to expect this. She supported the council having a deeper conversation regarding this topic and recommended the city communicate with residents as to what the expectation was when it comes to snow removal.

Councilmember Robertson agreed there may be confusion amongst residents and the city should work to clear this up when it came to sidewalk and boulevard maintenance. City Clerk Sorensen read a portion of city code from the city's website which stated residents were responsible for snow removal.

Councilmember Robertson stated she would like to see the city hold off on the electric mower purchase in 2024. She did not believe this was the year to experiment with new equipment given the utility rate and property tax levy increases. She requested staff gather data from other communities regarding the electric mowers and that this purchase be reconsidered in 2025.

Councilmember Newland indicated he supported the capital improvement fund as proposed. He commented on how the electric mower would point to the fact the city was looking into becoming more sustainable.

Councilmember Fleming supported the electric mower being taken out of the budget. She did not believe it was wise to spend \$22,000 on one mower in order to try it out when staff could learn from other cities on how this equipment was working. Mr. Fleischhacker explained that staff had spoken with other cities and noted the feedback was that they were seeing benefits. He stated his main concern and why he wanted to purchase an electric mower was to test the battery life.

Councilmember Saroya recommended the mower be kept in the budget.

Councilmember Larson indicated she could support the purchase of one electric mower.

Council supported the proposed reduced capital plan funding for levy/debt as presented for \$2.98 million and public safety funding. In addition, the council supported considering other sidewalk plowing options, such as requiring residents to clear sidewalks.

2.3. 2023-550 Assessment Review Outline, Part 3

Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated staff reviewed special assessments at the council workshop in January 2023. The review provided for an initial discussion and provided the council with information and background on the use of special assessments within the framework of the city's pavement management plan. He explained in January, staff reviewed the Purpose and Authority of Special Assessments as outlined in Minnesota Statutes Chapter 429. Background information was provided from the League of Minnesota Cities' Special Assessment Toolkit Information Memo, which outlines the process a city can use to assess the benefits to selected properties. Staff also reviewed how the City's Public Improvement Special Assessment Policy has been utilized on street reconstruction projects over the past 10+ years. Finally, staff reviewed the current funding method(s) used by the city of Blaine, which is a combination of special assessments and property taxes. Staff and council then discussed other potential funding sources available for these projects.

Mr. Schluender reported at that meeting, staff was directed to further research the opportunities and impacts for funding street projects under different funding scenarios, including a flat rate, changes in cost sharing percentages (25/75, 30/70, 35/65, 40/60), and a levy that would cover 100% of the costs (i.e. no assessments). Staff was also directed to research the possibility and financial impacts of removing tax-exempt properties from the assessment policy and if there are any existing programs available for hardship(s). In May 2023, staff reviewed with Council, and Council provided feedback on deferral of assessments due to hardship as well as the possibility of exempting tax-exempt properties from assessments. It was noted the city attorney recommends the city continue to assess tax-exempt properties. In June 2023, staff reviewed with council, and council provided feedback on the funding options for street reconstruction projects (flat rate, changes in percent of cost share, 100% levy) and their financial impacts. Staff provided further comment on the current assessment process for street improvement projects and requested direction from the council on how to proceed.

Councilmember Saroya asked if the city had any type of hardship that addressed job loss or emergency situations. Mr. Schluender stated the city does not address either of these within the assessment policy.

Councilmember Larson recommended the assessment policy remain in alignment with state statute because this was something well defined the city could point to. Councilmember Newland agreed.

Councilmember Massoglia stated he was frustrated by the late information included in the memo regarding tax-exempt properties. He noted he has had multiple conversations with the city attorney and understood it was possible to not assess tax-exempt properties. He reported the Minnesota Supreme Court requires assessments to be uniform on the same class of properties. He indicated he brought this to the council for consideration and was frustrated with the information that was now being presented to the council on this topic. Mr. Schluender stated City Attorney Loonan could not attend this meeting, which was why he requested a memo regarding the tax-exempt properties.

Councilmember Massoglia stated it would be difficult to have conversations regarding this matter without the city attorney in attendance. Mr. Schluender recalled that the city attorney's position on this matter had not changed since this item was brought up by the council.

Councilmember Robertson explained she understood Councilmember Massoglia's frustration but reiterated that the city attorney had been telling the council this could not be done since the topic was brought up. She stated even if the city was allowed to do this, she would still not support moving in this direction.

Councilmember Massoglia stated he didn't care one way or the other but rather was frustrated with the fact that it appeared his idea was decided upon and he was given notice of it through a memo at the meeting. He questioned if Councilmember Robertson had discussed this topic prior to this meeting. Councilmember Robertson indicated she had only discussed this topic with Councilmember Massoglia at other workshop meetings.

Councilmember Saroya explained she missed the meeting when this topic was discussed. She stated she liked this idea and supported staff looking into it further.

Councilmember Massoglia did not believe it was worth staff's time investigating this topic further.

Mr. Schluender commented further on the difference between a tax-exempt property and a tax-exempt entity.

Mayor Sanders stated he could support Councilmember Massoglia having a further discussion on this topic with the city attorney in the room.

Councilmember Larson indicated she did not support making a change to the assessment policy. She feared that there would be room for error on which properties would and would not be exempted.

Councilmember Newland did not support the assessment policy being changed either. He reported tax-exempt properties were already not paying for any city services.

Ms. Wolfe commented staff does not have a position on this topic. She understood discussions were held in workshop meetings but noted she had not discussed this topic with the city attorney outside of other workshops.

Councilmember Massoglia stated this topic was discussed at three separate workshop meetings and he had three or four follow-up conversations with the city attorney afterwards and it was his understanding from these follow-up conversations that it was possible to not assess tax-exempt properties. Ms. Wolfe indicated the disconnect was staff did not have the same conversation with the city attorney. She reported the message in the memo appeared to be consistent with the message he presented to staff and council at the workshop meetings.

Councilmember Fleming commented on how Councilmember Massoglia inferred that Councilmember Robertson was having closed door meetings and that staff was against this. She stated this may be where some of the emotions were raised regarding this topic.

Councilmember Robertson reported the dialogue surrounding this topic has remained the same, and perhaps Councilmember Massoglia didn't like the answer he was receiving from the city attorney. She appreciated the fact the council had a space to raise topics and ask questions. She was of the opinion that all of the questions had been answered on this topic. While she didn't like receiving handouts from staff last minute, she stated the information within the memo was nothing that hadn't already been said to the council at previous workshop meetings.

Mayor Sanders encouraged the council to overcommunicate with City Manager Wolfe about items that have to be further discussed. He wanted to be assured that councilmembers had the space and time for items to be discussed.

Mr. Schluender clarified that the last minute memo was generated by the city attorney at his request so that information could be presented to the council without misinterpretation. He apologized for not getting this information to the council sooner. He then asked for council feedback regarding the assessment split.

Councilmember Newland stated he supported the split changing to 33%/67%.

Councilmember Robertson explained this was a complex issue and she appreciated the dialogue the council was having regarding this matter. She understood assessments were tricky but noted they were a one off cost. She feared if the city were to reduce the assessments for residents, then the city would be increasing its debt. She believed the council had to take a deeper look at the street management plan and how projects are financed.

Councilmember Saroya asked what the maximum assessment would be for a residential property. Mr. Schluender stated the most residents would have to pay is \$8,000 and this could be paid over 15 years.

Councilmember Saroya questioned what residents could do if they do not want a street improvement project to move forward. Mr. Schluender explained these residents would have to come before the city council in order to make their voices heard.

Councilmember Saroya indicated most residents do not have \$10,000 in savings to pay for a street assessment. She supported the city reducing the resident portion of assessments to 25%.

Councilmember Robertson reported the assessment rate for residents used to be 25%, but the city could not keep up with the infrastructure objectives within the PMP. She indicated staff then proposed 50% for residents and the council compromised at 35%. She recalled that streets have been pulled out of the plan.

Councilmember Fleming stated she was not in favor of lowering the assessment rate for residents because this would only lead to further increases in the tax levy. She recommended the assessment rate for residents remain at 35%.

Councilmember Massoglia and Councilmember Larson supported keeping the assessment rate at 35% as well.

Mr. Schluender thanked the council for their input and noted he would come back to the council with a more in depth discussion on the pavement management plan debt levy in early 2024.

2.4. 2023-554 Northtown Area Zoning Discussion
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated at the September 6 and 11, 2023 Council workshops, the Council discussed creating a new zoning district for the Northtown area. At these meetings, the council reviewed uses and discussed performance standards for the district. Staff has drafted a mixed use district for the council to review and provide feedback and direction on. The intent of the mixed-use district is to promote development and redevelopment that encourages mixed-uses that combine new or existing retail development with a variety of housing, offices, retail or other complementary uses, and to create a mix of land uses, and at the same time protect the interest of surrounding properties, in the following ways:

- By establishing a mixed-use land use pattern and neighborhood design that is consistent with the vision, goals, and policies of the Blaine Comprehensive Plan.
- By creating cohesive, yet diverse, neighborhoods with increased economic and cultural opportunities, contributing to greater livability and a healthier local economy
- By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
- By creating attractive neighborhoods that promote pedestrian-friendly, human interaction, safety and livability.

Ms. Sellman explained as proposed, the development procedure will be as follows:

- All new buildings and additions require site plan approval through the Planning Commission and City Council.
- A development agreement is required as part of the development approval and shall address, at a minimum, approved site and building design criteria, approved sign locations and design criteria, construction phasing, parking, cash escrow and/or letter of credit for construction of on-site and off-site improvements generated by the development.

Ms. Sellman reported the council previously discussed setbacks for multi-family residential next to single-family residential. Staff reviewed the proposed apartment building setbacks, apartment parking setbacks, and building height information in further detail with the council and requested comments or questions.

Councilmember Saroya stated her main concern was with privacy. She feared that those living adjacent to an apartment building would lose all privacy, even with a 100 foot setback. She recommended no apartment buildings be allowed adjacent to single family homes. She anticipated that many people who have purchased homes in the Northtown Mall area were not anticipating a massive apartment building in their backyard.

Mayor Sanders stated there were only several parcels that would work for apartments in the Northtown Area. Ms. Sellman reviewed the location of the two parcels that would allow for an apartment building.

Further discussion ensued regarding why the entire area was proposed for rezoning. It was noted this change would assist with future redevelopment that meets the council's needs.

Councilmember Fleming stated she understood the tension that arises when residents don't know what is happening in their backyard. She indicated not all residents do their due diligence to understand the zoning and guidance for properties. She discussed how the property surrounding the Northtown Mall was more urban than rural.

Councilmember Newland reported the intent was to change the Highway 10 corridor, allowing for retail to mix with residential. He did not support eliminating high-density residential altogether. He supported the recommendations from staff and noted the single family homes would be quite far away from the proposed high-density residential.

Councilmember Robertson asked how a high-rise was defined. Ms. Sellman stated this was defined as a seven-story building.

Councilmember Robertson spoke to a unique neighborhood she visited in Fargo, North Dakota. She explained she did not want the city to limit itself when it comes to building height, because she did not want every building in the Northtown Mall area to be the same height.

Mayor Sanders agreed the neighborhood in Fargo was unique and there was nothing like it in the metro area. He stated he would not be opposed to something like this because it would be new. He hoped to create a new energy for this area in order to draw people to this

area. In addition, he hoped the bus lines would be able to be adjusted in order to draw young professionals that wanted to live in Blaine and could work downtown Minneapolis.

Councilmember Larson stated she supported the five story limit for apartment buildings. She reported Blaine already had 70,000+ people and she did not want there to be an oversaturation of people in the community. She indicated she was from North Dakota and she urged the city to not emulate Fargo.

Mayor Sanders stated the Northtown Mall area needs revitalization, which means the area needs an influx of new people and exciting amenities.

Councilmember Saroya urged the council to remember that some residents have lived in the Northtown Mall area for the past 50 years. She stated she could not support seven-story buildings in the mall area because this would adversely impact the existing residents. She encouraged the council to be reasonable and to only allow three or four story apartment buildings.

Councilmember Newland indicated the Northtown Mall opened 50 years ago and has been in decline for a number of decades. He reported this area was in need of revitalization and change. He stated building height directly corresponded to the financial feasibility of projects. He understood that some residents were not supportive of change. However, he noted he had spoken to residents that understood there was a need for change in the Northtown Area. He spoke to how change and revitalization would assist in reducing crime. He explained the new mall owner wants this change. He reported the residents living in this area don't want apartments adjacent to their homes, and this has been taken into consideration by the city council.

Councilmember Robertson supported the city creating a mixed use standard that would allow for more height for flexibility purposes. She indicated she did not want to argue the semantics. Ms. Sellman stated this could be done.

Councilmember Saroya questioned if the mall owner was asking for seven-story buildings. Ms. Sellman reported that staff had recommended five-story buildings and Councilmember Robertson had suggested seven-story buildings.

Councilmember Fleming explained workshop meetings are a time for dialogue and for bringing up ideas, and the council can then come to a consensus. She appreciated Councilmember Robertson bringing up a new idea for her to consider. She indicated the council has hired an expert to assist with the revitalization of this area. She stated she would be relying on their expertise when it comes to redeveloping this area.

Councilmember Saroya urged the council to not forget the people that live in and around this area and how they will be impacted by the change. She stated she cared about these residents.

Ms. Sellman commented on the future timeline for the Northtown zoning ordinance and asked if the council supported this matter moving forward.

Councilmember Newland recommended the building height be set at five stories and that

the ordinance then move forward.

Mayor Sanders, Councilmember Massoglia and Councilmember Robertson supported the ordinance moving forward as well.

2.5. 2023-561 105th Avenue Redevelopment Project Updates
Sponsors: Erik Thorvig, Community Development Director

Community Development Director Thorvig provided the council with updates on the general development project, including the project schedule, work currently being completed by the developer, and the master plan for the 105th Avenue Redevelopment Area. He commented further on the project financing, reviewed upcoming actions and detailed the project schedule.

Robb Bader, Bader Development, stated this project was very exciting. He appreciated how the pieces were coming together. He thanked the MASC, NSC, staff members and council for all of the time they have put into this project. He commented further on the site control agreement that had been approved, noting this project had moved from Phase I of the development agreement to Phase II. He stated he was ready to leap into further design elements. He further walked the council through the project timeline, regulatory approvals, and commitments he was making to the project.

Corey Burstad, Elevage Development, commented further on the plans for the turf fields and how an environmental study had been triggered. The horizontal design phase was described along with the west campus plans. He discussed how the stadium and fieldhouse would be designed. He commented on how the baseball team was working to get involved in this development. He noted entitlements would be submitted by the end of this year. He appreciated the momentum this project had and he looked forward to the impact this district would have on the city of Blaine. He stated the quicker revenue can be generated from this project, the better for all parties involved.

Councilmember Saroya requested further information regarding the baseball team. Mr. Burstad reported this would be an expansion team, filling the void of the St. Paul Saints. He discussed how work was being done on the fields and the bonding that was being pursued for this district. He commented on how the stadium could be used throughout the year for events for the community.

Councilmember Newland indicated the NSC has begun working on the fields. He asked if soil borings had been done at the NSC. Mr. Burstad reported soil borings had been taken and different construction methods were being considered for this site.

Councilmember Newland questioned what the baseball teams timeline was. Mr. Burstad anticipated their timeline would be to announce the team in the spring.

Mr. Thorvig reviewed the financing proposals for this project. He commented on the turf field funding, noting this would be a \$12 million general obligation tax abatement bond with a 15 year term. He indicated this debt would be issued in the spring of 2024 before the

construction of the fields and the debt would be paid through tax abatement revenues. He discussed the meetings that were held with the county and school board, noting he had the feeling the votes were there to support this project. He described how providing this financing for the turf fields it unlocks property for the developer. He noted that after year 16, all of the taxes would return to the tax rolls. Staff commented further on the value of this project and outlined how the city would pay for the annual debt service. The financing for the stadium was further reviewed. It was noted in year six, the baseball team would be revenue sharing, which would cover the debt service on the stadium. The debt deficit for years one through five would have to be covered by the city and this could potentially be done through land sale revenues.

Mr. Burstad commented further on the revenue projections from the baseball team. He stated the baseball related sponsorships were conservative averages. He discussed how critical it would be to have these fields ready for use by next November, noting this will fuel the economic engine behind this project. He reported his goal within this project would be to beat the projected numbers. He discussed how the design team will spend approximately \$2 million in order to get the horizontal design plans in place for this project.

Mr. Thorvig explained the developers were looking for some form of bond commitment to be made around the time the baseball team is announced next spring. He indicated the bonds may not have to be funded until sometime later in the summer.

Mayor Sanders stated he was pleased the project had gotten to this point. He was excited to see how this development would impact Blaine and the surrounding region. He thanked the master developers for their leadership and assistance with this project.

Mr. Burstad commented on the meetings he has had with other developers on what this project would have to have in order to attract other uses. He explained the developers were very impressed by this development.

Mayor Sanders asked for questions or thoughts from the developers.

Councilmember Saroya questioned who would own the stadium. Mr. Burstad discussed how the baseball team would have a lease for the space and the ownership group would manage the stadium.

Councilmember Saroya asked how many years the baseball team would be required to remain in Blaine. Mr. Bader stated terms would be written into the lease to keep the team in place.

Councilmember Saroya inquired if there were plans for meetings with residents in order to gain their input and feedback. Mr. Burstad reported part of his role would be to carry out open houses in order to learn more from the public. He stated he would be working with city staff and the council to determine when these events should occur. Mr. Bader indicated this work would be completed as part of Phase III of this project.

Councilmember Saroya requested further information regarding the residential proposed for this development. Mr. Burstad stated the project was proposed to have 600 housing units and 400 hotel rooms. Mr. Thorvig indicated the TIF used for the east district would not be for the physical structures, but rather would be used for infrastructure improvements

and parking structures.

Councilmember Saroya requested staff speak with the school district to ensure they understand another 600 housing units would be constructed in this area. Mr. Thorvig indicated it was his understanding the school district would welcome additional students.

Mikaela Huot, Baker Tilly, commented on how the values were based on current assumptions. She noted she was meeting with the county in order to better understand what the market values for properties will be in the future.

Councilmember Newland requested further information regarding the east side timing. Mr. Burstad stated he was working with staff and was hoping to meet the entitlement phase of July 2024. He noted hotel conversations were already underway.

Councilmember Massoglia thanked the developers for all of their work on this project. He asked if there was an alternative if the county and school district do not support the turf fields. Ms. Huot stated she had only briefly discussed an alternate plan and reported the hope would be to have the school district and county participate.

Mayor Sanders commented on how the county saw the value of the proposed development and noted the tax abatement district may only have an 11 or 12 year term, versus a TIF district which would have a 26 year term. Mr. Burstad discussed how this project would not have moved forward without the participation of the city, bringing partners together and noted this development would be a huge win for everyone.

Councilmember Massoglia stated he would like to learn more about the financial projections for the baseball team. He explained he looked into the St. Paul Saints and noted the state gave this team \$25 million for their project which meant St. Paul only had to bond \$8 or \$9 million. He supported the city pursuing additional state bonding for this project.

Mr. Thorvig summarized the next steps for this project, noting a term sheet would be reviewed by the council next Monday. He reported staff would be providing the council with another update on this project on Monday, December 11.

3. Other Business

None.

4. Adjournment

The workshop was adjourned at 9:13PM.



City of Blaine

City Council Workshop

November 20, 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 (arrived at 5:43PM).

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; Finance Analyst Jenna Trittin; Senior Parks & Recreation Manager Jerome Krieger; Director of Engineering Dan Schluender; City Attorney Tom Loonan; and City Clerk Catherine Sorensen.

2. New Business

- 2.1. 2023-584 2024 General Fund Budget
Sponsors: Jason Zimmerman, Finance Director

Finance Director Zimmerman 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. At the September 18 council workshop, staff provided additional information on the General Fund and Council adopted a preliminary city levy of \$44,222,501, an increase of 19.2 percent, at the September 18 council meeting.

Finance Analyst Trittin provided further information regarding the 19.2 percent preliminary levy increase, while commenting on the range of options available to the council and requested feedback on how to proceed.

City Manager Wolfe commented on how the tax levy last year resulted in some residents in Blaine seeing a property tax decrease. She indicated the proposed increase would bring these residents back to the property taxes they were paying in the previous year.

Councilmember Newland asked if staff had any updates from Anoka County for the financial assumptions. Mr. Zimmerman reported home values were slightly lower than initially proposed by the county.

Councilmember Newland explained he supported the city manager's proposed budget with the final levy being 19.2%. In addition, he wanted to see the city addressing the debt levy. He explained he wanted to leave the city better than it was, which took money and investments.

Councilmember Massoglia thanked staff for all of their work on the budget and reported he supported a 5% to 7% levy increase. He stated he wanted to see the city begin to level out its spending. He commented on how he supported addressing the debt levy, but he did not support the city spending more money in every category.

Councilmember Newland stated in speaking with constituents in his ward, he learned they want the city to continue to invest in city services, parks and streets in order to receive a fair return on their investment when they look to sell their home in the future. He discussed how the city would begin to receive returns on its investments with both the Northtown and 105th Avenue redevelopment areas.

Councilmember Massoglia explained he supported the union contracts moving forward but did not see the need to go beyond the 3% COLA for non-union staff members. He believed there were other areas in the budget that the council could look at ways to reduce spending.

Councilmember Larson requested further information regarding worker's compensation costs. Mr. Zimmerman provided the council with further information regarding worker's comp and the internal fund that was used to cover the premiums. He explained the city has done a tremendous job in addressing worker's comp by being proactive in planning in order to reduce the rate. He discussed how the proposed budget and levy would assist with proactively funding the premium.

Mayor Sanders stated he understood Councilmember Massoglia's comments and appreciated how he was trying to be respectful to the Blaine taxpayers but noted Blaine runs very lean when compared to other like-sized cities and does not have a lot of waste. He indicated he would not support budget cuts that would come at staff expense and stated scenario 2 may be the best option for the council at this time. He commented on how important it was for the council to consider the service levels the residents of Blaine were seeking and how additional budget cuts would impact service levels.

Ms. Wolfe explained Blaine was a growing city and stated scenario 4 would only cover increases requested from SBM Fire and two additional police officers. She stated reducing

the budget beyond this point would require the loss of positions. She commented further on the percentage of the levy that was allocated to staff and noted meaningful reductions could not be made without impacting costs related to personnel.

Mr. Zimmerman reported scenario 4 would require the city to spend \$500,000 of cash on hand to cover debt service payments.

Councilmember Larson asked how the proposed increase compared to previous years. Mr. Zimmerman discussed how the city worked to keep the tax capacity flat in previous years and noted in 2022 the city approved a 6.49% tax levy increase. Ms. Wolfe reviewed the proposed tax levy increases for 2024 for comparable cities. She stated even with the proposed 19.2% tax levy increase, Blaine was still on the low end when looking at comparable cities. She discussed how the city has been conservative and lean with its spending for years and explained this has finally caught up with the city.

Councilmember Larson questioned why other revenue sources such as franchise fees, municipal liquor, and others were not considered by the city in order to lessen the burden on taxpayers.

Councilmember Robertson reported franchise fees were considered unpopular by the business community.

Councilmember Newland discussed how franchise fees were a hidden fee that hides the cost of operating services for cities within a utility bill. He supported fees from the city being clearly stated on a property tax bill.

Ms. Wolfe commented on how the city's fiscal disparities went down in 2022, noting this would require the city to increase its tax levy.

Mayor Sanders discussed how the new commercial zones of Northtown and the 105th Area would assist in growing the city's commercial tax base. He stated the city could look at a taxing district for the 105th Area or consider whether the city should operate municipal cannabis or liquor stores.

Council consensus was to continue to meet with staff to provide direction prior to the truth in taxation hearing on December 18.

Mayor Sanders thanked staff for all of their efforts on behalf of the community and stated he supported the closing of all city offices on Tuesday December 26 to allow staff to have an additional day off this year.

Councilmember Newland commented on the number of holidays that were offered to public workers versus private workers and stated he would like to review a calendar before offering his support to this matter.

Councilmember Massoglia stated he fully supported staff having December 26 off.

Ms. Trittin stated the 2024 Charitable Gambling Fund budget was presented to the council at the September 25 workshop. At the workshop, the council directed staff to:

- Base allowable annual allocations of charitable gambling proceeds on the amount received in the last full fiscal year (\$215,265 for 2024)
- Create and distribute a form for requesting organizations to submit
- Create and distribute a councilmember scoring sheet to allocate funding
- Average the scoring sheet amounts from all councilmembers
- Require that for an organization to receive funding, at least 3 councilmembers must allocate funding on their score sheets

Ms. Trittin explained in October, staff developed and distributed a form to organizations who received or requested funding in the last year. The City Council received 21 applications for charitable gambling funds with \$331,500 in requests. The budgeted amount to award is \$215,265. Councilmembers were provided with the submitted forms, supplemental information, historical funding, and a scoring sheet in early November. The attached shows the returned scoring allocations and the average award which is the average of the allocations rounded to the nearest \$10 (non-weighted). The council-recommended funding for each organization will be what is brought forward for the 2024 Charitable Gambling Fund budget for adoption on December 18.

Councilmember Saroya asked if all of this funding would remain in Blaine. Ms. Trittin explained each of the organizations were asked to describe how they help Blaine residents.

Councilmember Saroya indicated she was confused about the lack of donation support for the veteran's park memorial as four councilmembers voted to allocate any charitable gambling dollars to this park. She commented on what a positive impact this park had on the community and noted she supported allocating a portion of the charitable funds to this park.

Councilmember Massoglia explained he understood the great work Steve Guider was doing in the community and appreciated veteran's memorial park however did not support the allocation of any charitable gambling funds to the park but instead supported the council further discussing how to support this park outside of charitable gambling funds.

Councilmember Larson reported there were some concerns with Mr. Guider's accounting and explained she did not appreciate his recent Facebook post where he disparaged the city. Ms. Wolfe commented on how staff has been working with Mr. Guider to get his non-profit registered with the state.

Councilmember Newland stated he appreciated seeing the scoring sheet. He explained he supported the city offering equal funding to all three high schools. In addition, he recommended the same level of funding be provided to all the food shelves. He indicated he liked going through this process each year and suggested the city move forward with donations based on averages.

Councilmember Robertson recommended the food shelves be given the same donation. She stated the council has nothing but good things to say about the veteran's memorial park but understood there were some things that needed to be worked out with Mr. Guider before additional dollars were committed from this fund. She indicated she was not supportive of the booster fund requests, nor did she support the donations being based on averages. She explained the city did not have to spend all the charitable funds and suggested the city not do this.

Councilmember Larson supported the schools and food shelves receiving the same donation amount in order to be consistent.

Council supported donations in equal amounts to the food shelves and high schools. Discussion was held on the Veterans Memorial Park's requested amount and how the city could offer support in other ways.

- 2.3.** 2023-571 Closed Session Pursuant to MN Statute 13D.05(3)(c)(3) - Discuss Purchase of 10550 Radisson Road
Sponsors: Erik Thorvig, Community Development Director

The council moved and seconded a motion to meet in closed session pursuant to Minnesota Statute 13D.05(3)(c)(3) to discuss the purchase of 10550 Radisson Road.

3. Other Business

None.

4. Adjournment

The workshop was recessed at 7:03PM then reconvened at 9:25PM to conclude discussion on the closed item; Councilmember Saroya was absent for the reconvening. Upon conclusion of the closed session discussion, the workshop was adjourned at 9:44PM.



City of Blaine

City Council

November 20, 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 7:03PM 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; Finance Analyst Jenna Trittin; Senior Parks & Recreation Manager Jerome Krieger; Director of Engineering Dan Schluender; City Attorney Tom Loonan; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

Mayor Sanders congratulated the Centennial High School football team for making the State tournament.

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.

Ashley, resident of Brooklyn Park, shared concerns regarding the conditions of breeders used by Four Paws and a Tail to purchase puppies. She stated the standards for breeders were not sufficient and explained state records show one breeder failed two inspections in 2021. She asked the council to no longer condone these actions and encouraged adoption of a humane pet store ordinance.

Kailez Campbell, 632 100th Court, voiced concerns regarding the mayor's actions and business interests in The Ball Park and the lack of transparency regarding this project.

Councilmember Massoglia suggested these comments be completed during the public hearing. Mayor Sanders stated he would allow Ms. Campbell to complete her statement.

Ms. Campbell requested a thorough investigation be completed on the potential use of public resources for personal benefit by the mayor, the ethical consideration surrounding the mayor's financial gain in relation to his official duties, the process by which the project was approved, the nature of the mayor's relationship with the developer and any potential advantages gained. She reported the goal as residents to was to make sure the city's governance was guided by transparency. She asked that the council review these issues in order to maintain the community's integrity.

There being no input, Mayor Sanders closed the Open Forum at 7:12PM.

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

Motion adopted unanimously.

- 8.1.** 2023-574 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director
- 8.2.** 2023-569 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk
- 8.3.** RES 23-167 Request the State Commissioner of Transportation Perform a Speed Study on Lever Street NE from 125th Avenue NE to 131st Lane NE
Sponsors: Daniel Schluender, Director of Engineering
- 8.4.** RES 23-175 Resolution to Approve Local Road Improvement Program Agreement
Sponsors: Daniel Schluender, Director of Engineering
- 8.5.** RES 23-179 Resolution to Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement Lying Over, Under and Across Outlot A, Preserve at Lexington Waters, Vacation No. V23-06
Sponsors: Daniel Schluender, Director of Engineering
- 8.6.** RES 23-187 Resolution Approving the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant
Sponsors: Mark Boerboom
- 8.7.** RES 23-180 Resolution to Approve Joint Powers Agreement No. C0009928 with Anoka County for Intersection Improvements at CSAH 14 and CR 53, Improvement Project No. 23-10
Sponsors: Daniel Schluender, Director of Engineering
- 8.8.** RES 23-182 Resolution Granting Final Plat Approval to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0028/EES)
Sponsors: Sheila Sellman, City Planner

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

- 9.1.** 2023-535 Approve Renewal of Currency Exchange Licenses

Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated staff had received the attached correspondence regarding currency exchange license renewals from the Minnesota Department of Commerce for the following locations:

SJB Enterprises Inc., d/b/a/ Your Exchange, 10545 University Avenue NE, Blaine, MN
AL'S Check Cashing LLC, 1434 93rd Lane NE, Blaine, MN

Ms. Sorensen reported the renewal requests were forwarded to the Police Department for review and no items of concern were raised. Staff commented on the renewals in further detail and recommended approval.

Mayor Sanders opened the public hearing at 7:14PM.

There being no public input, Mayor Sanders closed the public hearing at 7:14PM.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to approve the Renewal of Currency Exchange Licenses.

Motion adopted unanimously.

- 9.2.** RES 23-173 Resolution Granting a Conditional Use Permit Amendment for a Recreational Use and a Restaurant with an Approximately 2,350 Square Foot Outdoor Dining Area and Live Entertainment in the PBD (Planned Business District) Zoning District at 10650 Baltimore Street NE, Suite 100. The Ball Park Twin Cities (Case File No. 23-0080/EES)
Sponsors: Sheila Sellman, City Planner

Mayor Sanders recused himself from discussion of this item as part owner of The Ball Park Twin Cities and left the Council Chambers.

City Planner Sellman stated the Ball Park received a conditional use permit for indoor recreation and outdoor dining as Resolution 23-45. The applicant is proposing modifications to the plans that relocate the outdoor dining from the east (rear) side of the building to the west and south sides (front and side), and is also now proposing live entertainment. A CUP amendment is required for the proposed modifications. Staff commented further on the proposed site plan and recommended approval of the CUP amendment.

Mayor Pro Tem Robertson opened the public hearing at 7:19PM.

Ryan Meekum, 3151 117th Lane NE, explained he supported the project as it was a small family-oriented business that would bring investment to the community and noted this property had been vacant for years. He stated with or without the mayor's involvement, he supported this project moving forward. In addition, he appreciated the mayor's financial investment in the community.

Michael Jordan, 2982 Aspen Lake Drive, stated he loved the northern suburbs and he supported the continued investment in the city which would provide more dining and retail options in Blaine. He reported he appreciated the mayor's leadership and he believed the city was moving in the right direction.

Oaklyn Smith, 9564 Monroe Street, expressed concerns regarding conflicts of interest, preferential treatment, and lack of transparency involving the mayor's personal dealings with the city of Blaine. She stated she was unclear about the process that was followed when projects go to the planning commission. She discussed how the mayor's financial interests in the Ball Park would extend to the new sports entertainment district nearby. She understood this district would include a baseball stadium in which the city was investing millions of dollars. She reported the developer for this project was a friend of the mayor's and she was unclear if the mayor had a financial interest in this project. She requested further information regarding the possible misuse of public funds via staff time on behalf of the mayor, ethical questions of the mayor's personal financial gain as it relates to his office and these business deals, improper use of the office/abuse of power, and the mayor being friends with the developer.

Don Kveton, Flanders Circle, explained he has lived and invested in Blaine for many years. He believed Mayor Sanders was doing a great job leading this community and questioned why the public was judging or questioning what the mayor was investing in. He discussed how this project would open a new business in Blaine and reported it was the mayor's right to invest in the city.

Nate Raich, 3122 117th Avenue, indicated he supported local businesses and supported The Ball Park project moving forward. He discussed the comments that were made by a councilmember and explained these comments were very concerning to him as well as being embarrassing to the city. He reported he was passionate about the city and urged all councilmembers to work to better the community. He urged the councilmembers not to work on self-promotion or smearing other councilmembers, especially those interested in investing in the community. He commented on how one councilmember was repeatedly playing the victim card and was anti-development/anti-business. He encouraged this councilmember to consider how their votes may be perceived as being anti-Blaine and stated he was looking forward to having The Ball Park in Blaine.

Ed Higgins, 4041 Washington Street NE in Columbia Heights, expressed concerns regarding the lack of transparency with this project and stated he didn't see the wisdom or need for investing in baseball. He did not believe the mayor should be making money off of businesses going into their community.

Chris Massoglia, 821 129th Lane NE, explained he served on the city council and was a citizen of Blaine. He explained there was a public hearing regarding this project in March. He stated if the public needed or wanted more information, residents could always speak with staff about the process. He explained he owns a business in Blaine, as does Councilmember Newland, Councilmember Fleming and Councilmember Larson, and they recuse themselves from action in the event of a conflict of interest. He stated Mayor Sanders recused himself from voting on this matter in March. He believed this situation was very sad and did not understand why the public was choosing this issue to smear the

mayor.

John Pitzl, 3133 120th Court NE, stated he supported the proposed project, noting it would serve as a gathering place for the community. He reported he was a large proponent of small businesses and if done at arms length, a member of the council should be allowed to own a business in Blaine.

Ryan Briggs, 2975 117th Avenue, explained as a coach and youth sports supporter, he believed there was a need for a facility like this. In addition, he felt the process was handled appropriately.

Heidi Green, 2826 Aspen Lake Drive, said she and her husband own a dental practice in Blaine. She explained she fully supported this city council. She encouraged the council to focus on the CUP amendment, noting the comments being made by some members of the public were not good for anyone. She discussed how comments questioning transparency were an attack on the mayor, the council and the city. She reported there has not been a lack of transparency, which was made abundantly clear by staff through the staff report. She encouraged the council to continue to work on the public's behalf because residents approved of the new amenities that would be coming into the community.

Mike Ojile, 2474 Tournament Player Circle South, stated he has been a resident of Blaine for the past 22 years and he has raised four boys in the community. He reported youth sports have been a big part of his life over the past 22 years. He supported any project that encourages more investment in Blaine, families and youth sports.

Mike Welch, 2781 103rd Court, indicated he was pro business, pro Blaine, and pro baseball. He explained he has four boys and he has coached baseball for over 10 years. He commented on how the physical and mental well being of young athletes should be considered, and discussed how this new project would enhance or improve the well being of athletes in the community. He stated he fully supported this project moving forward. He explained he fully trusted this council to make the right decision on this project.

Kailez Campbell, 632 100th Court, stated she was not opposed to the project or developing Blaine but felt everyone should have an equal chance for businesses and asked for transparency and honesty from the local government.

John Kierkhising, 2939 Aspen Lake Drive, stated he was a lifelong resident of Blaine. He explained he was part owner of Crisp and Green and described the continued interest he had in this site. He reported he supported the mayor's investment in the community and believed Mayor Sanders was pro business.

Kevin Landry explained he owned a small business in Blaine. He stated he had no issue with the proposed business, but felt the issue was regarding ethics as it was a liability to the city and that he should recuse himself completely from this project.

Ruth Lupa, 13212 Aberdeen Street, stated her husband and son work in baseball and she just started her own small business. She did not understand the concerns regarding this project as the process was transparent. She supported this project moving forward.

Beverly Dahl, 9303 Bataan Avenue, explained she moved to Blaine for the baseball associations. She stated many teams and families depend on these activities and discussed how this business would provide a gathering place for dinner and celebrations. She encouraged the council to think about the youth when making a decision regarding this project.

Oaklyn Smith, 9564 Monroe Street, said everyone was in agreement that vacant properties should be transformed into thriving businesses so this was not about pro or anti business but rather this project was about transparency, ethics, and equal opportunities. She feared the city may be setting a precedent on what projects are be propped up and those that are not.

John Pitzl, 3133 120th Court NE, reported nine out of ten businesses fail in the first six years, so it is not a guarantee that this or any other business will be successful. He did not see that the city was giving this business preferential treatment and stated he supported the council approving this project.

Kels Campbell believed it was immoral that government funds be used to open businesses as this would be a wasted investment.

Don Kveton confirmed no public money would be going into this business outside of an SBA loan.

Allie Schmit, 1058 98th Avenue NE, spoke out regarding the accusations against the mayor, stating the partnership owners are all people who want what's best for Blaine and the community's youth. She explained she supported Mayor Sanders and this project.

Kevin Landry spoke to conflict of interest laws and suggested these topics be covered in the council's code of conduct.

Kailez Campbell said the mayor and his business partners may all be respectable but she did not believe that it was not appropriate for elected officials to do government business with their friends and was looking forward to learning more about this project.

There being no additional public input, Mayor Pro Tem Robertson closed the public hearing at 7:57PM.

Community Development Director Thorvig reviewed the request before the council, noting the business was approved in March of 2023 as was the outdoor patio. He indicated the applicant was requesting to move the location of the outdoor patio and was seeking approval for live entertainment. He reported this vote would require four affirmative votes in order to move forward.

Mayor Pro Tem Robertson confirmed no city dollars were incorporated in this project.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Conditional Use Permit Amendment for a Recreational Use and a Restaurant with an Approximately 2,350 Square Foot Outdoor Dining Area and Live Entertainment in the PBD (Planned Business District) Zoning District at 10650 Baltimore

Mayor Pro Tem Robertson requested the city attorney speak to the city's code of conduct when it comes to conflict of interest. City Attorney Loonan stated the city adopted a conflict of interest policy that mirrors state law. He reviewed the two different types of conflict of interest, which were contractual and non-contractual. He stated this project would be a non-contractual conflict of interest, due to the fact the mayor has financial interest in a CUP question for a property. Pursuant to state law and city policy, the requirement was for a member of city council to disclose the conflict of interest to the group and abstain from the council discussion, debate and vote, which Mayor Sanders has done each time this item has come before the city council.

Councilmember Newland asked why the patio location was moved on the property. Ryan Carlson, applicant, commented on the reasons for moving the outdoor patio stating their intention was to provide live entertainment that would highlight local musicians. He discussed how the full-length batting cages would be oriented in the building, noting it made more sense to move the patio to the front of the building while moving the batting cages to the rear.

Councilmember Newland questioned if this establishment would be a family-oriented business. Mr. Carlson explained this would be a family oriented business.

Councilmember Newland inquired if the live entertainment would be family oriented. Mr. Carlson reported this would be the case.

Councilmember Newland asked what the hours of operation would be for live entertainment. Mr. Carlson stated the hours of operation have not been set, but explained he was not anticipating the entertainment would be going late into the evening.

Councilmember Newland commented on how the council recently approved live entertainment at the Rusty Bumblebee. He inquired if there were any conditions set regarding the hours of operation for the Rusty Bumblebee, given the fact this establishment was quite close to residential units. Ms. Sellman stated the city did not set any limitations to the hours of operation for the Rusty Bumblebee but used the city's noise ordinance as a guide.

Councilmember Newland thanked staff for this information and stated his concerns regarding the live entertainment at The Ball Park were minimal given the fact this property was quite a distance from residential properties. He stated he fully supported this project moving forward.

Councilmember Larson reported she had no idea this was such a controversial issue and was of the opinion this would be a great amenity in Blaine. She discussed how the councilmembers do not make a great deal of money serving as councilmembers and had other full-time jobs. She stated she supported the CUP amendment as requested.

Councilmember Saroya explained a resident in her ward posted concerns on Next Door regarding this project regarding conflict of interest, lack of transparency and preferential treatment. She believed these issues should have been discussed in March and because

these issues were not discussed shows there was a problem with this process. She reported she did not remember approving this item in March, which was due to the fact she was traveling on spring break. She was told by staff that she would have to find a public place in order to participate in this meeting which she felt was unsafe due to the 3:00AM meeting time for the timezone she was in. She indicated this was the only council meeting she had missed since being elected to the city council. She noted The Ball Park item was added to the March meeting agenda that she could not attend. She believed the public was asking legitimate and reasonable questions and questioned why the council was using intimidation to shut down conversation. She indicated this was troubling to her given the fact this was a local government meeting. She was of the opinion everyone had the right to speak and ask questions without intimidation from developers. She explained she was pro-business and appreciated the developer who was willing to invest \$31 into the Northtown Mall area. She discussed how Ward 1 was struggling and suffered from different issues than other wards in the community. She feared there was a distrust among her ward members when it came to the city council and mayor. She reported she would continue to advocate and ask questions for her residents. She commented on the small business owners she was working with in order to keep them in the community. She indicated the way this project was playing out was raising more questions for her. She explained she does not work for the mayor or staff, rather she works for Ward 1 residents. She believed this was the ethical thing to do. She stated she was overwhelmed by the number of calls and emails she received regarding this project. She indicated she would continue to do what was best for the entire community. She questioned why the residents within the mobile home community were not invited to attend and provide comments at this meeting. She discussed how the proposed live entertainment could adversely impact these residents. She explained she liked this business idea, but feared there was not enough transparency. She questioned if the CUP that was approved in March was even valid, given the fact the mayor signed it. She was of the opinion the optics for this project were off and this venue was an extension of the proposed baseball stadium and sports entertainment district on 105th Avenue. She noted she had additional questions regarding the mayor's ownership interests in this project. She inquired if the city's conflicts of interest have been further explored by an attorney that was not employed by the city. She then asked if this type of development was typical and had any other previous mayors or mayors in other communities entered into business deals in their city. She questioned if this project was related to the 105th Avenue Redevelopment Sports District.

Councilmember Massoglia asked for a point of order then explained the packet included an email from city staff to Councilmember Saroya where these questions were answered.

Councilmember Saroya noted not all of her questions were answered. Councilmember Massoglia disagreed.

Mayor Pro Tem Robertson encouraged Councilmember Saroya to ask questions and allow staff to answer them. She urged the council to keep their comments respectful at this meeting. She requested staff speak to the signature on the CUP and stated it was her understanding a default electronic signature from the mayor is utilized. City Clerk Sorensen reported an electronic signature is placed on items once the action by council was recorded and that all ordinance and resolutions are required by Charter to be signed by either the mayor or two other councilmembers.

Mayor Pro Tem Robertson asked if Councilmember Saroya had additional questions different from the ones that have been asked and answered by staff. Councilmember Saroya reported she had a list of questions that had not yet been answered by staff.

Mayor Pro Tem Robertson questioned if staff had responded to the list of questions provided by Councilmember Saroya. Mr. Thorvig explained staff received a list of 11 questions from Councilmember Saroya and noted staff answered them to the best of their ability. He reported he did not take time to research if a neutral attorney should be involved or if other mayors had requested a business in their own community. With that being said, he noted in other communities he has worked in, elected officials have pursued business or real estate interests in their own community and abstained from action on these items.

Councilmember Massoglia expressed frustration with the fact Councilmember Saroya was not asking questions to get to the truth. Rather, she was asking questions to raise ethical concerns to smear someone. He explained there were clear and obvious answers to the questions that were being asked. He reported the question regarding whether the item added to the agenda in March in an unusual manner was no and the question regarding if other CUPs go to the city council without going to the planning commission was yes and had occurred 28 times in the past two years. He stated Councilmember Saroya could ask if it is unusual for a mayor or councilmember to own a business in the city they represent and the answer would be no. He feared that Councilmember Saroya did not care about the truth or the answers, but was using this time to smear the mayor. He indicated he was not a yes man as he voted against the 99th project and the apartments at Northtown. He expressed concern with how Councilmember Saroya's comments could be construed to mean the entire city council had a lack of transparency, which was wrong. He stated he was disappointed in Councilmember Saroya's comments because he had given her the benefit of the doubt on matters and has worked to hear her opinions. He was of the opinion that Councilmember Saroya's statements lacked substance, noting there was no ethical concern with the mayor having a business in Blaine. He encouraged Councilmember Saroya to speak with staff if there were questions she needed answers to.

Mayor Pro Tem Robertson explained the city council was voted to these positions to make difficult decisions and serve the community. She stated at certain times, people may not like the answers to the questions they are raising. She had the understanding questions have been asked and answered, going back to May. She understood the council would not always agree, and it was okay to have disagreements. However, she encouraged the council to not make this personal. She reported the matter before the council was a CUP amendment that would allow a patio to be moved to the front of a building. She stated she was grateful for the developers' willingness to invest in the community, which was a sentiment she shared with all developers that were willing to invest their dollars in the city of Blaine. She urged the council to be better and to not have these arguments. She discussed how she loves her job and loves this community, but she does not love this part. She reiterated that the request before council was to move a patio from one side of a building to another and to add live entertainment.

Councilmember Saroya stated the council could be setting a dangerous precedent. She believed the council should be questioning ethical concerns. She asked why raising questions was being referred to as smears. She questioned why the council was not investigating the concerns of the public further but instead was shutting down the dialogue.

She did not support the developer shutting down conversations. She reported when an elected official was involved in a business deal in his or her own community, it should go through every hoop and hurdle. She believed the community needed to understand how favors were received and that the law had been followed to a "T". She stated this was all she was asking and should not be considered a smear. She explained she would continue to raise resident concerns and would not be intimidated into silence. She suggested an independent review be done of this project to ensure this project was handled appropriately then indicated a lot of people do not trust staff.

Mayor Pro Tem Robertson raised objections to Councilmember Saroya's comments regarding staff and explained her questions had been asked and answered. She reported no development comes before the city and receives a rubber stamp approval but rather, each project was different and was reviewed per city requirements.

Councilmember Newland called the question.

Motion adopted 4-1 (Councilmember Saroya opposed).

10. Development Business

None.

11. Administration

- 11.1.** RES 23-149 Resolution to Approve Term Sheet with Elevage/Bader for the 105th Avenue Redevelopment Project
Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated an update was provided to the city council on November 13, 2023, regarding the 105th Avenue Redevelopment project. Significant time has been spent over the last six months negotiating various agreements with the MASC/NSC that outline mechanisms to allow the developer the ability to ground lease land from MASC for private development. During this negotiation, the developer wasn't able to move forward with various aspects of the site planning, engineering, etc., as the project scope would have been impacted if there wasn't the ability to develop MASC property. Now that these agreements are in place, the developer is now able to move forward with various site planning items such as environmental review, engineering, negotiating with potential end users, etc. Additionally, there are discussions regarding financing of the turf field project and other components of the redevelopment at the city level.

Mr. Thorvig explained any formal action on project financing will not occur until early 2024. Given that the developer needs to spend time and dollars on the aspects mentioned above immediately to stay on schedule, there needs to be some clarity on the overall expectations of both the city and the developer. These expectations are outlined in the form of a term sheet. The term sheet will identify various roles and responsibilities of both the city and the developer over the next six months. The term sheet is non-binding and does not commit the

city to anything formally, but lays out a road-map for the project and expectations of each party to stay on schedule and achieve the ultimate vision. Much of the information identified in the term sheet was presented to the city council at the workshop on November 13. Staff commented further on the proposed non-binding term sheet, reviewing key dates for the 105th Avenue Redevelopment Project and recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt a Resolution to Approve Term Sheet with Elevage/Bader for the 105th Avenue Redevelopment Project.

Councilmember Saroya said it appeared she was the only councilmember with questions then inquired if the city had held public hearings regarding this project in order to create a shared vision for the community. Mr. Thorvig reported there would be various public hearings for different aspects of the project, such as when debt is issued for the turf fields and proposed stadium. He explained the developer will also be holding listening sessions once they have their revised plan completed.

Councilmember Robertson noted she has asked many questions regarding this project as she prepared for this meeting which have been answered by staff, adding this is an extremely complicated project. She thanked the developer for choosing Blaine and for being willing to work with the Blaine City Council. She stated this was a very exciting time for the city of Blaine with the funding for TH65, this project and the redevelopment coming to the Northtown Mall area. She did not anticipate there was another community in the metro area that would be seeing a billion dollars worth of reinvestment in their community.

Councilmember Massoglia questioned if the term sheet should be viewed as a preliminary agreement or roadmap. Eric Larson, Ekberg Lammers, advised the term sheet was non-binding, but as with any term sheet, it was deemed by staff and the developer to be appropriate to lay out this roadmap and bring it forward for council approval. He indicated the term sheet lays out the next logical stages for both parties for this project for the next six months. He reported the environmental review process would require public involvement and public hearings.

Councilmember Newland commented he reviewed the term sheet and addressed his questions with staff and thanked staff for going above and beyond to accommodate his questions. He believed the term sheet summarized where the city was at and was a great starting point. He thanked staff for their tremendous efforts on the term sheet.

Councilmember Saroya stated it was her understanding residents do not support paying taxes for stadiums. She asked if any tax funding would be used for this project. Mr. Thorvig explained the analysis was still taking place, but as was presented last week, the current structure would fund \$28.5 million from direct revenue sharing from the baseball team. He indicated the \$1.5 million gap in the first five years was still being discussed between the developer and staff. He reported the potential of using EDA funds from the sale of the property was being considered. However, if the council does not want to use city funding, additional sources could be considered.

Mayor Sanders reported it has been a priority throughout this entire project to not go back to the tax payers for additional funding and believed there were tools available to secure

this project.

Councilmember Saroya questioned if there would be a tax increase to any residents in Ward 1. Mr. Thorvig explained the turf field financing would be completed through tax abatement. He stated a \$12 million bond would be pursued which would have a \$1.3 million annual debt service. He stated the city would need \$125,000,000 in developmental value to produce \$1.3 million in taxes, if the city, county and schools are involved. He explained the developer has identified \$100,000,000 in development and noted a new apartment project (valued at \$25,000,000) which was recently completed in the city has been identified. He noted this apartment building has not been placed on the tax rolls because it just opened. He indicated the taxes on this property could be abated and it could be incorporated into the district. He reported this option was still being explored by staff.

Councilmember Saroya requested further information as to which properties the city was looking to acquire for this project. She noted these were Ward 1 businesses and she wanted to advocate for Ward 1 businesses. Mr. Thorvig stated it was public knowledge that the council has been holding closed sessions to discuss the 2043 105th Avenue and 10550 Radisson Avenue properties but explained he could not discuss the specifics for these properties because they were under negotiations. He indicated there were two additional properties the city was pursuing on the northeast and northwest corners of 105th Avenue and Nassau Street.

Councilmember Saroya questioned which staff members were attending the negotiations for these properties, noting as the Ward 1 councilmember, she has not attended these meetings. Mr. Thorvig reported the four agreements that have been worked on to date have been completed with MASC, NSC, the developer and the city. He explained the Mayor, Eric Larson and himself represented the city in these meetings and the NSC was represented by Todd Johnson, Neil Ladd and Attorney Bill Kretsky. He noted the developer was represented by Robb Bader, Corey Burstad and Aaron Mather, along with the board chair for MASC.

Councilmember Saroya requested further information regarding the components of this project. Mr. Thorvig stated in 2022 the council hired an architect and put together a vision for the 105th Avenue Redevelopment Project. He reported this area was to become an entertainment district that would capitalize on the tourism at the NSC drawing from the region, while also catering to Blaine residents. He indicated the project area would have public space, hotels, restaurants, residential, office and retail components. He explained a master developer was selected a year ago and was working on a plan that includes sports-oriented uses in the west district, with a stadium, food hall, hotel and public parking. He stated Invictus would remain in place. He commented on how the agreement with MASC would include four acres of public space.

Councilmember Saroya indicated for the record she would not support any additional apartments in Ward 1 and therefore would not be supporting this project.

Councilmember Larson explained the three proposed apartment buildings on 105th Avenue were new to her. She reported she was told by staff that these properties were rezoned in 2022, which was before she served on the city council. Mr. Thorvig commented on the visioning process that was followed for this project, noting this included the creation of a specific zoning district for the 105th Avenue area.

Councilmember Larson asked if any of the proposed housing would come back to the council for further discussion since it was approved in 2022. Ms. Sellman reported all site plans within the 105th Avenue Area Redevelopment District would be reviewed and considered by both the planning commission and city council. She explained some uses were listed as permitted and others were conditional uses. Mr. Thorvig stated multi-family residential, townhomes and apartments were listed as a permitted use and conditional uses included hotels and buildings over 50 feet in height.

Mayor Sanders stated this would be a truly remarkable project for the Twin Cities. He indicated this project would bring entertainment experiences, restaurants, food halls and hotels to Blaine. He stated he was proud to be working with a city council that would be bringing these types of amenities to the residents of Blaine. In addition, the city would be able to house and provide new amenities for the 7 million sports visitors that come to Blaine each year.

Motion adopted 5-1 (Councilmember Saroya opposed).

- 11.2. RES 23-190** Declaring the Official Intent of the City to Reimburse Certain Expenditures Related to the 105th Area Redevelopment Project from the Proceeds of Tax-Exempt Bonds
Sponsors: Jason Zimmerman, Finance Director

Mr. Thorvig stated on November 6, 2023 the city council approved a funding agreement with the National Sports Center Foundation (NSCF) which requires the city to provide the NSCF with up to \$500,000 for preparation work related to the construction of ten turf fields. This compensation is part of the overall financing structure that has been proposed to facilitate the 105th Avenue Redevelopment Project. While the city isn't obligated to issue bonds to participate in financing the remaining \$11,500,000 required to complete the turf field project construction, the proposed reimbursement resolution follows Internal Revenue Service (IRS) regulations allowing the city to reimburse itself using debt sale proceeds for the initial \$500,000 of project related expenditures.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to Declare the Official Intent of the City to Reimburse Certain Expenditures Related to the 105th Area Redevelopment Project from the Proceeds of Tax-Exempt Bonds.

Motion adopted 5-1 (Councilmember Saroya opposed).

- 11.3. RES 23-188** Certify 2023 Delinquent Utility Accounts, Nuisance Abatements, and Other Special Charges to Anoka County
Sponsors: Jason Zimmerman, Finance Director

Finance Director Zimmerman stated the council annually certifies delinquent utilities and unpaid invoices for mowing, false alarms, and meter repairs to Anoka County for collection with the following year's property taxes. This process protects the city by establishing the

unpaid amounts as a lien on the related properties. The certification process also serves as the city's collection process.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to Certify 2023 Delinquent Utility Accounts, Nuisance Abatements, and Other Special Charges to Anoka County.

Motion adopted unanimously.

11.4. 2023-407 Authorizing the Acquisition of Right-of-Way Consistent with State Law for the Ulysses Street and 117th Avenue Roundabout Project, Improvement Project 23-09

Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated the city council previously authorized the design and preparation of plans and specifications for improvements to the Ulysses Street and 117th Avenue intersection. The design proposes a roundabout to be constructed at this intersection to provide the best level of service and safety. The proposed improvements require right-of-way as well as permanent and temporary easements to be acquired from adjacent land owners to complete the project as designed. The pending project and need for additional right-of-way and easements has been discussed with the property owners and they are willing to consider offers for these acquisitions. An appraisal was done and a price of \$108,300.00 was negotiated with the Abundant Life Community Church property at 1105 117th Avenue.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to Authorize the Acquisition of Right-of-Way Consistent with State Law for the Ulysses Street and 117th Avenue Roundabout Project, Improvement Project 23-09.

Councilmember Massoglia thanked Director of Engineering Schluender for working so well with this property owner on this project.

Motion adopted unanimously.

11.5. RES 23-183 Resolution to Receive Feasibility Report and Order Public Hearing for the Sanburnol Drive (85th Avenue) Improvements Project, I/P 23-14

Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated council is asked to receive the feasibility report for the Sanburnol Drive (85th Avenue) Improvements Project. At the July 5, 2023 City Council meeting, Council initiated the Sanburnol Drive Improvements Project which involves the reconstruction of Sanburnol Drive(85th Avenue) from Elm Drive NE to University Avenue Service Drive and University Avenue Frontage Road from Sanburnol Drive to Northtown Mall ring road. Staff reviewed the roadways within the street improvement project. It was noted the north half of Sanburnol Drive is located within the City of Blaine, while the south half lies in Spring Lake Park. The portion of the University Avenue Frontage Road on this proposed project lies

entirely within the City of Blaine. Elm Drive and 83rd Avenue both lie entirely within Spring Lake Park.

Mr. Schluender explained the City of Blaine will pay for the proportional cost of the Sanburnol Drive (85th Avenue) improvements for the portion of the street within the City of Blaine and the entire costs for the University Avenue Frontage Road. The City of Spring Lake Park will pay for a proportion of the cost of Sanburnol Drive and the full costs associated with Elm Drive and 83rd Avenue as they lie entirely within the City of Spring Lake Park. The estimated total project cost is \$1,171,600. The estimated cost split is \$446,575 for the City of Blaine and \$722,025 for the City of Spring Lake Park. For the City of Blaine portion, the estimated amount to be assessed is \$82,937 and the remaining \$ 363,638 is proposed to be paid from the City's Pavement Management Program Fund and the City's Municipal State Aid Funds.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt a Resolution to Receive the Feasibility Report and Order a Public Hearing for the Sanburnol Drive (85th Avenue) Improvements Project, I/P 23-14.

Motion adopted unanimously.

- 11.6.** RES 23-189 Resolution Accepting a Change Order from T.A. Schifsky & Sons, Inc. in the Amount of \$9,245 for the 2023 Trail Maintenance Project, Improvement Project No. 23-42 and Amending the 2023 Budget
Sponsors: Jerome Krieger, Sr. Recreation Manager

Senior Parks and Recreation Manager Krieger stated at the August 21, 2023 council meeting, the city council awarded the bid for the 2023 Trail Maintenance Project to T.A. Schifsky & Sons, Inc. with Resolution 23-137. The contract was for \$78,971.00. Council also approved a 15% contingency to bring the project budget to \$90,816.65. The 2023 CIP for Trail Maintenance was \$91,000. The project consisted of replacing/adding new ADA compliant pedestrian ramps, seal coating, reclaiming and reconstructing various paved trails throughout the city. Staff commented on how the soils within the project area were worse than anticipated, which would require a change order for this project.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Accepting a Change Order from T.A. Schifsky & Sons, Inc. in the Amount of \$9,245 for the 2023 Trail Maintenance Project, Improvement Project No. 23-42 and Amending the 2023 Budget.

Motion adopted unanimously.

- 11.7.** ORD 23-2536 First Reading - Ordinance Amending Chapter 50, Offenses and Miscellaneous Provisions, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Safety Services Manager/Police Chief Podany stated council is asked to hold first reading of an ordinance updating the current code regarding drug paraphernalia to more accurately reflect the new cannabis products law and move the language from Offenses Involving Underage Persons to new Sec. 50-3. - Drug Paraphernalia. It was noted during this session the Minnesota Legislature removed the state level crime of possessing drug paraphernalia. Staff is recommending the City amend the ordinance to continue to criminalize transportation or possession of such items based on the new law, Statute 342.09 except in conjunction with cannabis. The new law also defines cannabis paraphernalia: "Subd. 18. Cannabis paraphernalia. "Cannabis paraphernalia" means all equipment, products, and materials of any kind that are knowingly or intentionally used primarily in:

- (1) manufacturing cannabis products;
- (2) ingesting, inhaling, or otherwise introducing cannabis flower or cannabis products into the human body; and
- (3) testing the strength, effectiveness, or purity of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products."

Police Chief Podany explained while the city does not have the authority to regulate the possession and transportation of cannabis paraphernalia as it is expressly permitted by statute, this amendment would still provide law enforcement the ability to stop or expand searches based on non-cannabis paraphernalia now that the law is silent.

Declared by Mayor Sanders that Ordinance No. 23-2536, "Ordinance Amending Chapter 50, Offenses and Miscellaneous Provision, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession," be introduced and placed on file for second reading at the December 4, 2023 Council meeting.

- 11.8.** ORD 23-2532 An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated council is asked to hold second reading and adopt an interim ordinance establishing a moratorium prohibiting the sale, testing, manufacturing, cultivating, commercial transporting, delivery, and distribution of hemp and cannabis products in the city to provide time to consider reasonable restrictions on time, place, and manner of operation for businesses and receive information and guidance from the newly-created Office of Cannabis Management.

Moved by Councilmember Newland, seconded by Councilmember Larson, to adopt an Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine.

Councilmember Larson stated she believed it was great the council was discussing this item and taking extra time to review this matter.

Councilmember Saroya explained at the last council meeting there were members of the

public that spoke at the Public Forum regarding this issue. She indicated she did not get any follow up from staff regarding the questions that were raised by these residents. She asked if the city would be completing a study and would there be costs to the city for this study. She questioned if local businesses who were already selling cannabis products would be impacted by this ordinance. Ms. Sorensen reported staff would be completing this study, which means there would not be any outside costs. She explained the moratorium will not impact any current or new businesses that are selling (low potency) edible products.

Motion adopted 5-1 (Councilmember Saroya opposed).

12. Other Business

None.

13. Adjournment

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adjourn the meeting at 9:16PM.

Motion adopted unanimously.



City of Blaine Staff Report

File Number: RES 23-102

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Cathy Sorensen, City Clerk

Agenda Item # 8.3

Approve Premise Permit for Lawful Gambling Activity for Blaine Backcourt Club dba Blaine Youth Basketball - Buffalo Wild Wings

Executive Summary

Council is being asked to approve a premise permit for Blaine Youth Basketball to conduct charitable gambling at Buffalo Wild Wings, 1540 109th Avenue NE, Suite 300.

Background

Joseph Claussen, Blaine Youth Basketball gambling manager, has submitted an application to conduct charitable gambling at Buffalo Wild Wings. If approved, they will conduct paper pull tabs with dispensing devices, electronic pull tabs and electronic bingo at this location. A copy of the lease for lawful gambling and the premise permit application for the State Gambling Control Board are attached.

Per current code, no organization may maintain more than four lawful gambling locations in the City at one time. If approved, this will be their second site in Blaine.

Mr. Claussen has completed a background investigation and nothing was found to disqualify Blaine Youth Basketball from obtaining this permit.

The Gambling Control Board may not issue a lease for charitable gambling within a city unless a sponsoring organization obtains approval through a resolution to the Gambling Control Board or otherwise forfeit their gambling activities.

Strategic Plan Relationship

This item relates to the economic development strategic priority in the 2023-2026 strategic plan by providing additional opportunities for businesses to thrive while ensuring safe practices are employed.

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

N/A

Staff Recommendation

Adopt a resolution approving a new premise permit to allow Blaine Youth Basketball to conduct charitable gambling at Buffalo Wild Wings.

Attachment List

1. Premise Gambling Permit Request
2. 2023 Premise Permits
3. Premise Gambling Permit Lease



City of Blaine

Signature Copy

Resolution: RES 23-102

Approve Premise Permit for Lawful Gambling Activity for Blaine Backcourt Club dba Blaine Youth Basketball - Buffalo Wild Wings

WHEREAS, Blaine Backcourt Club dba Blaine Youth Basketball has submitted an application for a premise permit to allow charitable gambling and raffles to be conducted at Buffalo Wild Wings located at 11540 109th Avenue NE, Suite 300, Blaine, Minnesota; and

WHEREAS, Minnesota Statute 349.213, Subd. 2, states that the Gambling Control Board may not issue a new premise permit for charitable gambling within a city unless the City Council approves the premise permit within ninety (90) days from the date of their application for the new premise permit.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Blaine as follows:

The application for the premise permit for the purpose of conducting charitable gambling, including raffles, is hereby approved.

A certified copy of this resolution shall be provided to the applicant as soon as possible for submittal to the Gambling Control Board.

PASSED by the City Council of the City of Blaine this 4th day of December, 2023.



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

LG214 Premises Permit Application**Annual Fee \$150 (NON-REFUNDABLE)****REQUIRED ATTACHMENTS TO LG214**

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

Mail the application and required attachments to:

Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.**ORGANIZATION INFORMATION**Organization Name: Blaine Back Court Club DBA Blaine Youth Basketball License Number: 93071Chief Executive Officer (CEO) Brian Lindstrom Daytime Phone: 612-384-1646Gambling Manager: Joseph Claussen Daytime Phone: 763-354-0137**GAMBLING PREMISES INFORMATION**Current name of site where gambling will be conducted: Buffalo Wild Wings (Blaine, MN)

List any previous names for this location:

Street address where premises is located: 1540 109th Ave NE #300
(Do not use a P.O. box number or mailing address.)

City: <u>Blaine</u>	OR	Township:	County: <u>Anoka</u>	Zip Code: <u>55449</u>
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Does your organization own the building where the gambling will be conducted?

☐

Yes

☒

No

If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site?

☐

Yes

☒

No

☐

Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site?

☐

Yes

☒

No

☐

Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTABank Name: 21st Century Bank Bank Account Number: 11162591Bank Street Address: 9380 Central Ave NE City: Blaine State: MN Zip Code: 55434**ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES**

Address (Do not use a P.O. box number): City: State: Zip Code:

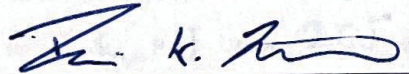
11880 Central Ave NE Blaine MN 55434MNMN

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
City Name: _____	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (If none, attach meeting minutes.)
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date Signed: _____	Title: _____ Date Signed: _____
Local unit of government must sign.	TOWNSHIP NAME: _____ Complete below only if required by the county. On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.) Print Township Name: _____ Signature of Township Officer: _____ Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises. 2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law. 3. I have read this application and all information submitted to the Board is true, accurate, and complete. 4. All required information has been fully disclosed. 5. I am the chief executive officer of the organization. | <ol style="list-style-type: none"> 6. I assume full responsibility for the fair and lawful operation of all activities to be conducted. 7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them. 8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect. 9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license. 10. I understand the fee is non-refundable regardless of license approval/denial. |
|--|---|

 _____ Signature of Chief Executive Officer (designee may not sign)	11/27/23 _____ Date
---	----------------------------------

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public	information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;	Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.
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This form will be made available in alternative format, i.e. large print, braille, upon request.

An equal opportunity employer

**CITY OF BLAINE
2023 GAMBLING LICENSE HOLDERS**

Organization	Locations	Premise Permit Issued
Blaine Backcourt Club dba Blaine Youth Basketball Joseph Claussen	The Rusty Bumblee 10950 Club West Pkwy Suite 160 Blaine, MN 55449	June 5, 2023
Blaine Youth Hockey Suzanne Slawson	Ole Piper Inn 1416 - 93rd Lane NE Broadway Bar & Pizza 11822 Aberdeen Street NE Wild Bill's Sports Saloon 10950 Club West Pkwy, #100 Clives Roadhouse Blaine, Inc. 10400 Baltimore Street NE #200	December 6, 2007 2009 January 6, 2011 May 3, 2018
Blaine Festival Mary Weinhold	Blainbrook Entertainment 12000 Central Avenue NE Blaine, MN 5543	May 17, 2012
Centennial HS Football Boosters Autumn Gohman	Lucy's Burgers Blaine 4365 Pheasant Ridge Dr. #102 Blaine, MN 55449 Applebee's Grill and Bar 4345 Pheasant Ridge Drive #202 Blaine, MN 55449	March 2021 April 2022
Sgt. John Rice VFW Post 6316 N. P. Hockert	Sgt. John Rice VFW 6316 1374 - 109th Avenue NE Blaine MN 55434	June 21, 2007
Spring Lake Park Lions Club Amanda Jackson	Acapulco Mexican Restaurante 9360 Baltimore Street Blaine, MN 55449 X-Golf 298 Northtown Drive NE Blaine, MN 55434 Fogerty Arena/Moe's Ice House 9250 Lincoln Street NE Blaine, MN 55434	March 16, 2020 September 21, 2020 December 19, 2022
Spring Lake Park District #16 Youth Hockey Association Sarah Clark	The Roadside 12540 Ulysses Street NE Blaine MN 55434 El Norte Mexican Bar & Grill 3453 Lake Drive NE Blaine, MN	October 21, 2019 December 10, 2022

LG215 Lease for Lawful Gambling Activity**LEASE INFORMATION**

Organization:	License/Site Number:	Daytime Phone:
Blaine Backcourt Club DBA Blaine Youth Basketball	93071	763-354-0137
Address:	City:	State: Zip:
P.O. Box 490143	Blaine	MN 55449
Name of Leased Premises:	Street Address:	
Buffalo Wild Wings	1540109th Avenue Northeast	
City:	State: Zip:	Daytime Phone:
Blaine	MN 55434	763.783.4515
Name of Legal Owner:	Business/Street Address:	
Blazin Wings, Inc.	Attn Laura Carlson-Heideman, 3 Glenlake Parkway	
City:	State: Zip:	Daytime Phone:
Atlanta	GA 30328	952.516.8175
Name of Lessor (if same as legal owner, write "SAME"):	Address:	
Same		
City:	State: Zip:	Daytime Phone:

Check applicable item:

- ☒ **New or amended lease.** Effective date: 01/01/2024. Submit changes at least ten days **before** the effective date of the change.
- ☐ **New owner.** Effective date: _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

- | | |
|---|---|
| ☒ Pull-Tabs (paper) | ☒ Electronic Pull-Tabs |
| ☒ Pull-Tabs (paper) with dispensing device | ☒ Electronic Linked Bingo |
| ☒ Bar Bingo ☐ Bingo | Electronic games may only be conducted: |
| ☒ Tipboards | 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or |
| ☒ Paddlewheel ☐ Paddlewheel with table | 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100. |

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: ____%, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750**.
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 15%, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: 20%, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: ____%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 - ⇒ **Rent may not be paid for bar bingo.**
 - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 90 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

6/15 Page 2 of 2

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor:

Date:

Signature of Organization Official (Lessee):

Date:

Print Name and Title of Lessor:

Print Name and Title of Lessee:

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:

Minnesota Gambling Control Board
1711 W. County Road B, Suite 300 South
Roseville, MN 55113

Fax: 651-639-4032



City of Blaine Staff Report

File Number: 2023-576

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Jason Zimmerman, Finance Director

Agenda Item # 8.4

Tower Lease Amendment with Nextera Communications

Executive Summary

Nextera Communications provides voice, data, and internet services to businesses across Minnesota. Nextera has leased space on City water towers for over 20 years, allowing for service to be provided to businesses in Blaine. The contract with Nextera was renewed in 2018 and is requested to be amended to include past due payments from prior years.

Background

Historically, Nextera has paid their annual lease associated with equipment located at water tower #3 (9318 Hamline Avenue) timely and in full. The contract for this service was renewed in 2018, for a term of up to 25 years with annual rent increases of four percent.

In 2019, the City experienced vacancies in the accounts receivable area of finance, which resulted in the failure to invoice Nextera in accordance with the terms of the agreement. As a result, Nextera stopped remitting payment, yet continued to maintain their equipment located on City property. In the summer of 2022, City staff discovered this failure to collect, which was subsequently confirmed by Nextera.

The City billed Nextera for 2023 which was paid in full and on time, but Nextera was unable to make a one-time payment to clear prior years' outstanding balances, citing difficulties due to the Covid-19 pandemic. City staff, along with the City Attorney, have negotiated a payment plan, in which Nextera will make monthly installments over the next 5 years to clear the outstanding balance alongside their regular annual payments.

Strategic Plan Relationship

This amended contract aligns with the strategic plan goals of financial stability and infrastructure management.

Board/Commission Review

N/A

Financial Impact

The attached contract amendment allows the City to establish a formal payment plan between the City and Nextera Communications.

Public Outreach/Input

N/A

Staff Recommendation

By motion, authorize the Mayor and City Manager to execute the amended agreement with Nextera Communications.

Attachment List

1. Blaine - Nextera Water Tower Amendment to Lease

**FIRST AMENDMENT
TO
WATER TOWER LEASE AGREEMENT**

THIS FIRST AMENDMENT TO THE WATER TOWER LEASE AGREEMENT (this “Amendment”) is entered into as of _____, 2023 (“Execution Date”) and is effective as of January 1, 2024 (“Effective Date”), by and between the CITY OF BLAINE, a Minnesota municipal corporation (“Landlord”) and NEXTERA WIRELESS, LLC, a Minnesota limited liability company (“Tenant”). Landlord and Tenant may hereinafter be referred to individually as a “Party” or collectively, as the “Parties”.

RECITALS

A. Landlord and Tenant are parties to that certain Water Tower Lease Agreement dated January 1, 2018 (“Lease”), pursuant to which Tenant leased from Landlord approximately 50 square feet of Land and space on a Tower located at 9318 Hamline Avenue, City of Blaine, County of Anoka, State of Minnesota (“Premises”).

B. The Lease term commenced January 1, 2018 and continued for a period of five (5) years after which date the Lease automatically renews for four (4) successive five (5) year renewal terms unless either party provides notice of nonrenewal as set forth in the Lease.

C. Pursuant to the terms of the Lease, Tenant agreed to pay Landlord annual Rent in the amount of \$17,763.13 for the first year increasing 4% each subsequent year with one annual Rent payment due January 1 of each year.

D. Tenant failed to pay Rent for the years 2019, 2020, 2021, and 2022 resulting in a total outstanding delinquent amount of \$78,447.71 (“Delinquent Amount”) which Delinquent Amount remains due and owing to Landlord pursuant to the terms of the Lease.

E. Landlord and Tenant desire to continue the Lease through the first renewal term in accordance with all terms and obligations of the Lease except as otherwise specifically provided for in this Amendment.

AGREEMENTS

NOW THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Recitals; Definitions. The Recitals set forth above are hereby incorporated by reference as if set forth in the body of this Amendment. All capitalized but undefined terms shall have the meanings given them in the Lease.
2. Delinquent Amount. In satisfaction and in lieu of Tenant’s obligation to pay the Delinquent

Amount, Tenant shall pay Landlord, as Additional Rent, a monthly payment in the amount of \$1,307.46 (the “Monthly Additional Rent”). The Monthly Additional Rent shall be payable to Landlord on or before the first day of each month commencing on January 1, 2024 and continuing on the first day of each month thereafter until December 1, 2028. The Monthly Additional Rent shall be paid in addition to Tenant’s continuing obligation to pay Rent pursuant to the Lease. For elimination of doubt, Tenant’s obligation to pay Rent shall remain an annual obligation as provided under Section 3 of the Lease, and Tenant’s obligation to pay the Monthly Additional Rent shall be a monthly obligation continuing for 60 months as provided under this Amendment. Landlord acknowledges and agrees upon completion of all payments of the Monthly Additional Rent by Tenant, the Delinquent Amount due and owing to Landlord under the Lease shall be satisfied.

3. Effect of Default. In the event Tenant fails to make a payment of Monthly Additional Rent when due, and such payment remains outstanding after 30 days written notice from Landlord, Tenant shall be in default of the Lease (“Default”). In the event of Default, Landlord shall be entitled to (i) declare the entire Delinquent Amount then unpaid immediately due and payable without notice or demand; and (ii) terminate Tenant’s rights under the Lease upon five (5) days’ written notice.

4. Successors and Assigns. This Amendment shall be binding upon and shall inure to the benefit of the Parties, and their respective representatives, successors, and assigns.

5. Governing Law. This Amendment shall be governed and interpreted in accordance with the laws of the State of Minnesota.

6. Acknowledgment. Landlord and Tenant acknowledge that this Amendment fulfills all requirements that the Lease may only be amended in a signed writing.

7. Authority. Landlord and Tenant each represent and warrant that the Parties have full right, power and authority to enter into this Amendment and that each individual executing below on behalf of the

8. Final Agreement. This Amendment represents the final agreement between the Parties as to the subject matter hereof and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of the Parties. There are no unwritten oral agreements between the Parties.

9. Reference to and Effect on the Lease. Other than as specifically enumerated in this Amendment, all other terms of the Lease shall remain in full force and effect. Any capitalized term(s) not defined herein shall have the meaning set forth in the Lease. If the definition of any capitalized term(s) in this Amendment contradicts the definition of any such term(s) in the Lease, the definition of any such term(s) as set forth in this Amendment shall control.

10. Execution in Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute but one and the same instrument. Executed copies of the signature pages of this Amendment transmitted electronically shall be treated as originals, fully binding and with full legal force and effect. The Parties agree that any electronic signature of a Party to this Amendment, whether digital or

encrypted, is intended to authenticate the execution of this Amendment by the Party, and shall bind the Party to its terms and conditions with the same force and effect as a physical signature. Electronic signature means any electronic sound, symbol, or process attached to or logically associated with a record and executed and adopted by a person with the intent to sign the record, including DocuSign® or other electronic signatures.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Amendment to be executed by their duly authorized officers as of the day and year first above written.

LANDLORD:
CITY OF BLAINE

By: _____
Name: Tim Sanders
Its: Mayor

By: _____
Name: Michelle Wolfe
Its: City Manager

TENANT:
NEXTERA WIRELESS, LLC,
a Minnesota limited liability company

By: _____
Name:
Its:



City of Blaine Staff Report

File Number: RES 23-191

Agenda Date	Status
December 4, 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 to Subdivide 12.72 Acres into Two Lots to be Known as Blaine Retail Center at 405 87th Lane NE. Newton RES LLC (PC23-0082/SAS)

Executive Summary

The applicant is requesting a final plat to subdivide 12.72 acres into two lots. One lot will be for the existing strip mall and the other lot will be for the vacant Rainbow box. No new development is proposed. The final plat is consistent with the preliminary plat approved on December 19, 2022.

Background

Planning Commission Public Hearing	11/09/22
City Council (Preliminary Plat)	12/19/22
City Council (Final Plat)	12/04/23
Action Deadline	01/15/24

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. 22-214.

Zoning

The subject site is zoned B-3 (Regional Commercial).

Land Use Designation

The subject site has a land use designation of Community Commercial.

Surrounding Zoning and Land Uses

The parcels to the north and east of the site are zoned R-1 (Single Family) and guided low density residential. Properties to the west and south are zoned B-3 (Regional Commercial) and have a land use

designation of Community Commercial.

History and Existing Conditions

The existing strip center was built in 1990. The existing uses are retail and surface parking. The former Rainbow Foods vacated the property in 2014. A Conditional Use Permit was approved on November 6, 2023 for a zero lot line with shared parking and access.

Evaluation of Request

At this time the applicant is requesting approval of a final plat, the buildings will remain, and no new development is proposed with the subdivision. The applicant would like to put the vacant Rainbow box into a different partnership and in order to do that it needs to be subdivided from the retail center.

Plat

The applicant is proposing to subdivide the property into two parcels. Lot 1 will be 6.211 acres and Lot 2 will be 7.007 acres. Lot 2 will retain the strip center and Lot 1 will retain the vacant Rainbow Foods building.

Park Dedication

The property was previously platted in 1974 and there is no evidence that park dedication was paid. With further subdivision of the property, park dedication becomes due for the two lots at the commercial rate at the time of recording of the plat. The 2023 rate is \$8,704 an acre.

Access/Street Design/Sidewalks/Trails

No new public streets, sidewalks or trails are proposed with the plat.

Easements/Right-of-Way/Permits

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

Northtown redevelopment is identified in the Strategic Plan under Growth Management. The subject site is part of the Northtown Redevelopment Plan.

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 23-191

Resolution Granting Final Plat Approval to Subdivide 12.72 Acres into Two Lots to be Known as Blaine Retail Center at 405 87th Lane NE. Newton RES LLC (PC23-0082/SAS)

WHEREAS, an application has been filed by Newton RES LLC as Case File No. 23-0082 for a final plat known as Blaine Retail Center; and

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

Parcel 1:

Lots 1, 2, and 3, Block 1; Lots 1 and 2, Block 2; and Lot 1, Block 6; all in Muir's Northtown 3rd Addition, according to the recorded plat thereof, Anoka County, Minnesota.

AND

Lot 9, Auditor's Subdivision No. 143, according to the recorded plat thereof, Anoka County, Minnesota.

AND

That part of Lot 8, Auditor's Subdivision No. 143, according to the recorded plat thereof, Anoka County, Minnesota, described as follows: Commencing at the southeast corner of Lot 9, said Auditor's Subdivision No. 143, and proceeding thence West on the south line of said Lot 9 to the southwest corner of said Lot 9; and proceeding thence South and parallel to the east line of said Lot 8 for a distance of 90 feet; and proceeding thence East and parallel to the south line of said Lot 9 to the east line of said Lot 8; and proceeding thence North on the said line to the point of commencement herein.

AND

That part of Terrace Road vacated by Ordinance No. 89-1153 recorded as Document No. 863875, and Ordinance No. 89-1172 recorded as Document No. 880521, all in the records of the County Recorder, Anoka County, Minnesota.

AND

That part of Jefferson Street vacated by Ordinance No. 89-1172 recorded as Document No. 880521 in the records of the County Recorder, Anoka County, Minnesota. (ABSTRACT PROPERTY)

WHEREAS, the Blaine City Council granted preliminary plat approval on December 19, 2022, subject to the conditions as contained in Blaine City Council Resolution No. 22-214; and

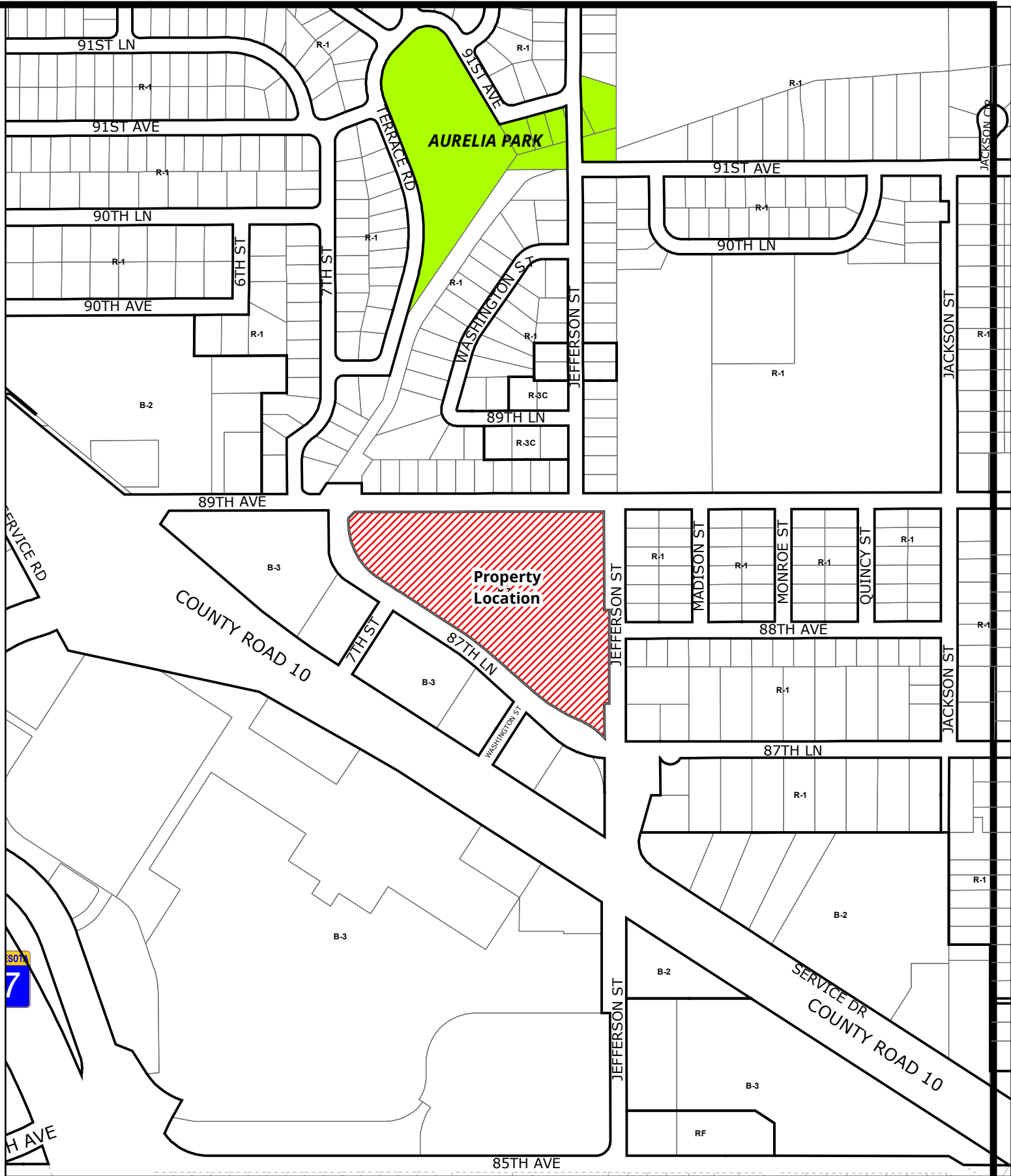
WHEREAS, the final plat is in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for Blaine Retail Center 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 Blaine Retail Center.

1. Park dedication is required for the two lots at the rate that is in effect at the time of recording the plat. This amount must be paid prior to releasing the plat mylars for recording at Anoka County. If recorded in 2023, the amount is \$110,714.
2. All development signage by separate review.
3. The developer is responsible for recording the plat mylars with Anoka County. Proof of recording must be provided to the City prior to issuance of building permits.

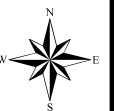
PASSED by the City Council of the City of Blaine this 4th day of December, 2023.



BlaineMN.gov

Case File No. 23-0082 Blaine Retail Center

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



BLAINE RETAIL CENTER

CITY OF BLAINE
COUNTY OF ANOKA
SEC. 31, T. 31, R. 23

KNOW ALL PERSONS BY THESE PRESENTS: That 405 87th LLC, a Minnesota limited liability company, owner of the following described property:

Lots 1, 2 and 3, Block 1; Lots 1 and 2, Block 2; and Lot 1, Block 6, all in Muir's Northtown 3rd Addition, according to the recorded plat thereof, Anoka County, Minnesota.

AND

Lot 9, Auditor's Subdivision No. 143, Anoka County, Minnesota.

AND

That part of Lot 8, Auditor's Subdivision No. 143, Anoka County, Minnesota, described as follows: Commencing at the southeast corner of Lot 9, said Auditor's Subdivision No. 143, and proceeding thence West on the south line of said Lot 9 to the southwest corner of said Lot 9; and proceeding thence South and parallel to the east line of said Lot 8 for a distance of 90 feet; and proceeding thence East and parallel to the south line of said Lot 9 to the east line of said Lot 8; and proceeding; thence North on said east line to the point of commencement herein.

AND

That part of Terrace Road vacated by Ordinance No. 89-1153 recorded as Document No. 863875, and Ordinance No. 89-1172 recorded as Document No. 880521, all in the records of the County Recorder, Anoka County, Minnesota.

AND

That part of Jefferson Street vacated by Ordinance No. 89-1172, recorded as Document No. 880521 in the records of the County Recorder, Anoka County, Minnesota.

Has caused the same to be surveyed and platted as BLAINE RETAIL CENTER and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as shown on this plat.

In witness whereof said 405 87th LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.

405 87TH LLC

By: _____, as _____

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this ____ day of _____, 20____ by _____, as _____ of 405 87th LLC, a Minnesota limited liability company, on behalf of the company.

(signed) (print)

Notary Public, _____ County, Minnesota
My Commission Expires _____

SURVEYOR'S CERTIFICATE

I Mark R. Salo 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__.

Mark R. Salo, Licensed Land Surveyor, Minnesota License No. 43933

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this ____ day of _____, 20____ by Mark R. Salo.

(signed) (print)

Notary Public, _____ County, Minnesota
My Commission Expires _____

BLAINE PLANNING COMMISSION

Be it known that at a meeting held on this ____ day of _____, 20__, the Planning Commission of the City of Blaine Minnesota, did hereby review and approve this plat of BLAINE RETAIL CENTER.

Planning Commission, City of Blaine, Minnesota
By: _____, Chairperson

CITY COUNCIL, CITY OF BLAINE, MINNESOTA

This plat of BLAINE RETAIL CENTER 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

ANOKA 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__.

By: _____
David M. Zieglmeier, 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

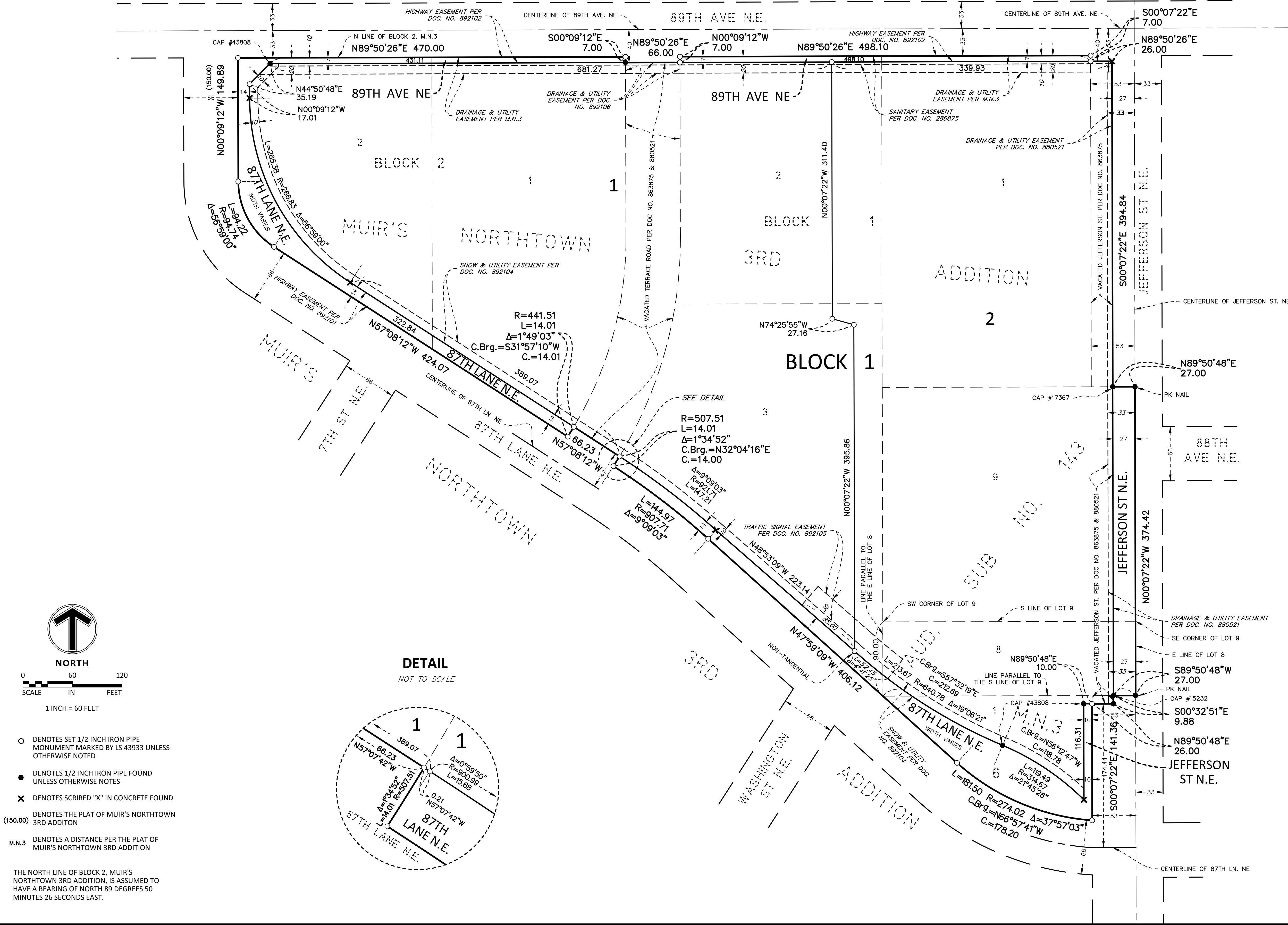
I hereby certify that this plat of BLAINE RETAIL CENTER was filed in the office of the County Recorder/Registrar of Titles for public record on this ____ day of _____, 20__, at ____ o'clock ____M. and was duly recorded as Document Number _____.

County Recorder/Registrar of Titles

By _____, Deputy

BLAINE RETAIL CENTER

CITY OF BLAINE
COUNTY OF ANOKA
SEC. 31, T. 31, R. 23



SAMBATEK, LLC
ENGINEERING, PLANNING
AND LAND SURVEYING



City of Blaine Staff Report

File Number: 2023-585

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 8.6

Approve Axon Enterprise Officer Safety Plan (OSP) Contract Renewal

Executive Summary

The Police Department currently has one year remaining on a 5-year contract with Axon Enterprise. The Axon contract includes body worn cameras, squad cameras, tasers, and evidence.com storage. The Police Department would like council approval to enter into a new 10-year contract beginning in 2024. Axon has agreed to keep the current 2024 contract pricing the same. Once we enter into the contract, the pricing is set for the duration of the contract.

Background

The Police Department (PD) has contracted with Axon Enterprise Inc. for squad video cameras, body worn cameras (BWC), tasers, and a digital evidence system since 2019. The PD is currently in a 5-year contract and would like to enter into a new 10-year contract starting in 2024. Once we enter into the contract, the pricing is set for the duration of the contract with no chance of higher inflationary cost increases that we would be subject to if we did not enter into a long-term contract. As an example, squad cameras have increased 27% in recent years. The Axon 10-year contract locks in the pricing with a yearly inflation cost of 4-6%. If not in a long-term contract, the PD would be subject to inflationary and equipment cost increases of an estimated 7-12% each year.

Moving to a new contract will also include upgraded hardware for body worn cameras, squad cameras, and tasers. The hardware is on a retention schedule, which depending on the device, (2.5 years for BWC and 5 years for squad cameras), will be switched out with new equipment ensuring the PD has the best technology available.

Finance requested a more consistent cost increase year over year and entering into a 10-year contract would accomplish this. The PD does not anticipate moving away from Axon within the 10-year timeframe as no other company can match the integration and technology Axon provides. Cancelling the contract would require removing our data from the Axon servers within 90 days as well as returning

all equipment in 30 days.

The 10-year contract quote is attached for your review.

Strategic Plan Relationship

The Axon Enterprises Inc. 10-year contract ensures that the Blaine Police Department has the necessary equipment and resources to continue to provide exceptional public safety services with the highest degree of professionalism, transparency and accountability.

Board/Commission Review

No Board/Commission Review

Financial Impact

The financial impact over the 10-year contract period is \$3,253,953.10. The 2024 budget includes funds for the contract cost of \$259,270.10.

Public Outreach/Input

No

Staff Recommendation

Council is asked to approve the Axon Enterprise Officer Safety Plan (OSP) 10-Year Contract Renewal.

Attachment List

1. Q-520416-45230.007CC



Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-520416-45230.007CC

Issued: 10/30/2023

Quote Expiration: 12/05/2023

Estimated Contract Start Date: 03/01/2024

Account Number: 113447

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
10801 Town Square Dr NE 10801 Town Square Dr NE Minneapolis, MN 55449-8100 USA	Blaine Police Dept. - MN 10801 Town Square Dr NE Minneapolis MN 55449-8100 USA Email: 41-6008302

SALES REPRESENTATIVE	PRIMARY CONTACT
Nick Butier Phone: Email: nbutier@axon.com Fax:	Brian Podany Phone: Email: bpodany@blainemn.gov Fax:

Quote Summary

Program Length	120 Months
TOTAL COST	\$3,253,953.10
ESTIMATED TOTAL W/ TAX	\$3,253,953.10

Discount Summary

Average Savings Per Year	\$143,725.69
TOTAL SAVINGS	\$1,437,256.90

Payment Summary

Date	Subtotal	Tax	Total
Feb 2024	\$259,270.10	\$0.00	\$259,270.10
Feb 2025	\$274,000.51	\$0.00	\$274,000.51
Feb 2026	\$288,686.02	\$0.00	\$288,686.02
Feb 2027	\$303,371.53	\$0.00	\$303,371.53
Feb 2028	\$318,057.04	\$0.00	\$318,057.04
Feb 2029	\$332,742.56	\$0.00	\$332,742.56
Feb 2030	\$347,428.07	\$0.00	\$347,428.07

Payment Summary

Date	Subtotal	Tax	Total
Feb 2031	\$362,113.58	\$0.00	\$362,113.58
Feb 2032	\$376,799.09	\$0.00	\$376,799.09
Feb 2033	\$391,484.60	\$0.00	\$391,484.60
Total	\$3,253,953.10	\$0.00	\$3,253,953.10

Quote Unbundled Price:	\$4,691,210.00
Quote List Price:	\$3,874,940.00
Quote Subtotal:	\$3,253,953.10

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1			\$1.00	\$10,214.47	\$10,214.47	\$0.00	\$10,214.47
100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1			\$1.00	\$94,777.83	\$94,777.83	\$0.00	\$94,777.83
Fleet3ARe	Fleet 3 Advanced Renewal	23	60	\$214.29	\$178.74	\$178.74	\$246,661.20	\$0.00	\$246,661.20
Fleet3ARe	Fleet 3 Advanced Renewal	23	60	\$214.29	\$178.74	\$178.74	\$246,661.20	\$0.00	\$246,661.20
OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	120	\$351.99	\$286.94	\$234.44	\$2,588,217.60	\$0.00	\$2,588,217.60
A la Carte Hardware									
72036	FLEET 3 STANDARD 2 CAMERA KIT	23			\$2,695.00	\$0.00	\$0.00	\$0.00	\$0.00
H00001	AB4 Camera Bundle	92			\$849.00	\$0.00	\$0.00	\$0.00	\$0.00
H00002	AB4 Multi Bay Dock Bundle	11			\$1,595.00	\$0.00	\$0.00	\$0.00	\$0.00
A la Carte Software									
ProLicense	Pro License Bundle	12	120		\$39.00	\$46.82	\$67,420.80	\$0.00	\$67,420.80
Total							\$3,253,953.10	\$0.00	\$3,253,953.10

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
AB4 Camera Bundle	100147	AXON BODY 4 - NA - US FIRST RESPONDER - BLK - RAPIDLOCK	92	02/01/2024
AB4 Camera Bundle	100147	AXON BODY 4 - NA - US FIRST RESPONDER - BLK - RAPIDLOCK	3	02/01/2024
AB4 Camera Bundle	100466	USB-C to USB-C CABLE FOR AB4	102	02/01/2024
AB4 Camera Bundle	74028	WING CLIP MOUNT, AXON RAPIDLOCK	102	02/01/2024
AB4 Multi Bay Dock Bundle	100206	AXON BODY 4 - 8 BAY DOCK	11	02/01/2024
AB4 Multi Bay Dock Bundle	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	11	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100390	TASER 10 HANDLE, YLW, CLASS 3R	92	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100390	TASER 10 HANDLE, YLW, CLASS 3R	3	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100393	TASER 10 LIVE DUTY MAGAZINE BLACK	92	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100393	TASER 10 LIVE DUTY MAGAZINE BLACK	3	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100394	TASER 10 HALT TRN MAGAZINE BLUE (HOOK-AND-LOOP-TRAINING)	4	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100395	TASER 10 LIVE TRAINING MAGAZINE PURPLE	4	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100396	TASER 10 INERT MAGAZINE RED	4	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100399	TASER 10 LIVE CARTRIDGE	1840	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100400	TASER 10 HALT CARTRIDGE	560	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100401	TASER 10 INERT CARTRIDGE	37	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100611	TASER 10 SAFARILAND HOLSTER, RH	92	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100623	ENHANCED HOOK-AND-LOOP TRAINING (HALT) SUIT (V2)	2	02/01/2024
Officer Safety Plan 10 Plus, 10YR	20018	TASER BATTERY PACK, TACTICAL	92	02/01/2024
Officer Safety Plan 10 Plus, 10YR	20018	TASER BATTERY PACK, TACTICAL	16	02/01/2024
Officer Safety Plan 10 Plus, 10YR	20018	TASER BATTERY PACK, TACTICAL	3	02/01/2024
Officer Safety Plan 10 Plus, 10YR	20242	TASER CERTIFICATION PROGRAM YEAR 6-10 HARDWARE	92	02/01/2024
Officer Safety Plan 10 Plus, 10YR	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1	02/01/2024
Officer Safety Plan 10 Plus, 10YR	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1	02/01/2024
Officer Safety Plan 10 Plus, 10YR	71044	BATTERY, SIGNAL SIDEARM, CR2430 SINGLE PACK	184	02/01/2024
Officer Safety Plan 10 Plus, 10YR	74200	TASER 6-BAY DOCK AND CORE	1	02/01/2024
Officer Safety Plan 10 Plus, 10YR	75015	SIGNAL SIDEARM KIT	92	02/01/2024
Officer Safety Plan 10 Plus, 10YR	80087	TASER TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	2	02/01/2024
Officer Safety Plan 10 Plus, 10YR	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	2	02/01/2024
A la Carte	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	02/01/2024
Officer Safety Plan 10 Plus, 10YR	100399	TASER 10 LIVE CARTRIDGE	190	02/01/2025
Officer Safety Plan 10 Plus, 10YR	100400	TASER 10 HALT CARTRIDGE	550	02/01/2025
Officer Safety Plan 10 Plus, 10YR	100399	TASER 10 LIVE CARTRIDGE	180	02/01/2026
Officer Safety Plan 10 Plus, 10YR	100400	TASER 10 HALT CARTRIDGE	550	02/01/2026
Officer Safety Plan 10 Plus, 10YR	73309	AXON CAMERA REFRESH ONE	95	08/01/2026
Officer Safety Plan 10 Plus, 10YR	73689	MULTI-BAY BWC DOCK 1ST REFRESH	11	08/01/2026
Officer Safety Plan 10 Plus, 10YR	100399	TASER 10 LIVE CARTRIDGE	190	02/01/2027
Officer Safety Plan 10 Plus, 10YR	100400	TASER 10 HALT CARTRIDGE	550	02/01/2027
Officer Safety Plan 10 Plus, 10YR	100399	TASER 10 LIVE CARTRIDGE	180	02/01/2028
Officer Safety Plan 10 Plus, 10YR	100400	TASER 10 HALT CARTRIDGE	550	02/01/2028

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
Fleet 3 Advanced Renewal	72040	FLEET REFRESH, 2 CAMERA KIT	23	02/01/2029
Officer Safety Plan 10 Plus, 10YR	73310	AXON CAMERA REFRESH TWO	95	02/01/2029
Officer Safety Plan 10 Plus, 10YR	73688	MULTI-BAY BWC DOCK 2ND REFRESH	11	02/01/2029
Officer Safety Plan 10 Plus, 10YR	73345	AXON CAMERA REFRESH THREE	95	08/01/2031
Officer Safety Plan 10 Plus, 10YR	73347	MULTI-BAY BWC DOCK 3RD REFRESH	11	08/01/2031
Fleet 3 Advanced Renewal	72040	FLEET REFRESH, 2 CAMERA KIT	23	02/01/2034
Officer Safety Plan 10 Plus, 10YR	73346	AXON CAMERA REFRESH FOUR	95	02/01/2034
Officer Safety Plan 10 Plus, 10YR	73348	MULTI-BAY BWC DOCK 4TH REFRESH	11	02/01/2034

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Advanced Renewal	80400	FLEET, VEHICLE LICENSE	23	03/01/2024	02/28/2029
Fleet 3 Advanced Renewal	80401	FLEET 3, ALPR LICENSE, 1 CAMERA	23	03/01/2024	02/28/2029
Fleet 3 Advanced Renewal	80402	RESPOND DEVICE LICENSE - FLEET 3	23	03/01/2024	02/28/2029
Fleet 3 Advanced Renewal	80410	FLEET, UNLIMITED STORAGE, 1 CAMERA	46	03/01/2024	02/28/2029
Officer Safety Plan 10 Plus, 10YR	100801	RECORDS OSP	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	20248	TASER 7 EVIDENCE.COM LICENSE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	20248	TASER 7 EVIDENCE.COM LICENSE	1	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73478	REDACTION ASSISTANT USER LICENSE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73618	AXON COMMUNITY REQUEST+ LICENSE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73638	STANDARDS ACCESS LICENSE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73680	RESPOND DEVICE PLUS LICENSE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73682	AUTO TAGGING LICENSE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	920	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73686	EVIDENCE.COM UNLIMITED AXON DEVICE STORAGE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73739	PERFORMANCE LICENSE	92	03/01/2024	02/28/2034
Officer Safety Plan 10 Plus, 10YR	73746	PROFESSIONAL EVIDENCE.COM LICENSE	92	03/01/2024	02/28/2034
Pro License Bundle	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	36	03/01/2024	02/28/2034
Pro License Bundle	73746	PROFESSIONAL EVIDENCE.COM LICENSE	12	03/01/2024	02/28/2034
Fleet 3 Advanced Renewal	80400	FLEET, VEHICLE LICENSE	23	03/01/2029	02/28/2034
Fleet 3 Advanced Renewal	80401	FLEET 3, ALPR LICENSE, 1 CAMERA	23	03/01/2029	02/28/2034
Fleet 3 Advanced Renewal	80402	RESPOND DEVICE LICENSE - FLEET 3	23	03/01/2029	02/28/2034
Fleet 3 Advanced Renewal	80410	FLEET, UNLIMITED STORAGE, 1 CAMERA	46	03/01/2029	02/28/2034

Services

Bundle	Item	Description	QTY
Fleet 3 Advanced Renewal	73392	FLEET 3 UPGRADE INSTALLATION (PER VEHICLE)	23
Fleet 3 Advanced Renewal	73392	FLEET 3 UPGRADE INSTALLATION (PER VEHICLE)	23
Officer Safety Plan 10 Plus, 10YR	100751	TASER 10 DUTY CARTRIDGE REPLACEMENT ACCESS PROGRAM	92
Officer Safety Plan 10 Plus, 10YR	11642	THIRD-PARTY VIDEO SUPPORT LICENSE	92
Officer Safety Plan 10 Plus, 10YR	20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER	1

Services

Bundle	Item	Description	QTY
Officer Safety Plan 10 Plus, 10YR	20120	TASER 7 INSTRUCTOR COURSE VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20120	TASER 7 INSTRUCTOR COURSE VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20120	TASER 7 INSTRUCTOR COURSE VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20120	TASER 7 INSTRUCTOR COURSE VOUCHER	1
Officer Safety Plan 10 Plus, 10YR	20120	TASER 7 INSTRUCTOR COURSE VOUCHER	1

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Advanced Renewal	80495	EXT WARRANTY, FLEET 3, 2 CAMERA KIT	23	02/01/2025	02/28/2029
Officer Safety Plan 10 Plus, 10YR	100704	EXT WARRANTY, TASER 10 HANDLE	92	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	100704	EXT WARRANTY, TASER 10 HANDLE	3	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	80374	EXT WARRANTY, TASER 7 BATTERY PACK	92	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	80374	EXT WARRANTY, TASER 7 BATTERY PACK	16	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	80374	EXT WARRANTY, TASER 7 BATTERY PACK	3	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	80464	EXT WARRANTY, CAMERA (TAP)	92	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	80464	EXT WARRANTY, CAMERA (TAP)	3	02/01/2025	02/28/2034
Officer Safety Plan 10 Plus, 10YR	80465	EXT WARRANTY, MULTI-BAY DOCK (TAP)	11	02/01/2025	02/28/2034
Fleet 3 Advanced Renewal	80495	EXT WARRANTY, FLEET 3, 2 CAMERA KIT	23	02/01/2030	02/28/2034

Payment Details

Feb 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 1	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$813.87	\$0.00	\$813.87
Year 1	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$7,551.76	\$0.00	\$7,551.76
Year 1	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 1	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$19,653.59	\$0.00	\$19,653.59
Year 1	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$19,653.59	\$0.00	\$19,653.59
Year 1	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 1	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 1	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$206,225.30	\$0.00	\$206,225.30
Year 1	ProLicense	Pro License Bundle	12	\$5,371.99	\$0.00	\$5,371.99
Total				\$259,270.10	\$0.00	\$259,270.10

Mar 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$0.00	\$0.00	\$0.00
Total				\$0.00	\$0.00	\$0.00

Feb 2025

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$860.11	\$0.00	\$860.11
Year 2	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$7,980.81	\$0.00	\$7,980.81
Year 2	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 2	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$20,770.22	\$0.00	\$20,770.22
Year 2	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$20,770.22	\$0.00	\$20,770.22
Year 2	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 2	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 2	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$217,941.95	\$0.00	\$217,941.95
Year 2	ProLicense	Pro License Bundle	12	\$5,677.20	\$0.00	\$5,677.20
Total				\$274,000.51	\$0.00	\$274,000.51

Feb 2026

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$906.21	\$0.00	\$906.21
Year 3	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$8,408.55	\$0.00	\$8,408.55
Year 3	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 3	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$21,883.41	\$0.00	\$21,883.41
Year 3	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$21,883.41	\$0.00	\$21,883.41
Year 3	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 3	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 3	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$229,622.96	\$0.00	\$229,622.96
Year 3	ProLicense	Pro License Bundle	12	\$5,981.48	\$0.00	\$5,981.48
Total				\$288,686.02	\$0.00	\$288,686.02

Feb 2027

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$952.31	\$0.00	\$952.31
Year 4	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$8,836.30	\$0.00	\$8,836.30
Year 4	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 4	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$22,996.65	\$0.00	\$22,996.65
Year 4	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$22,996.65	\$0.00	\$22,996.65
Year 4	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 4	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 4	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$241,303.87	\$0.00	\$241,303.87
Year 4	ProLicense	Pro License Bundle	12	\$6,285.75	\$0.00	\$6,285.75
Total				\$303,371.53	\$0.00	\$303,371.53

Feb 2028

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$998.41	\$0.00	\$998.41
Year 5	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$9,264.04	\$0.00	\$9,264.04
Year 5	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 5	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$24,109.86	\$0.00	\$24,109.86
Year 5	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$24,109.86	\$0.00	\$24,109.86
Year 5	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 5	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 5	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$252,984.84	\$0.00	\$252,984.84
Year 5	ProLicense	Pro License Bundle	12	\$6,590.03	\$0.00	\$6,590.03
Total				\$318,057.04	\$0.00	\$318,057.04

Feb 2029

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 6	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$1,044.51	\$0.00	\$1,044.51
Year 6	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$9,691.79	\$0.00	\$9,691.79
Year 6	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 6	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$25,223.08	\$0.00	\$25,223.08
Year 6	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$25,223.08	\$0.00	\$25,223.08
Year 6	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 6	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 6	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$264,665.79	\$0.00	\$264,665.79
Year 6	ProLicense	Pro License Bundle	12	\$6,894.31	\$0.00	\$6,894.31
Total				\$332,742.56	\$0.00	\$332,742.56

Feb 2030

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 7	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$1,090.61	\$0.00	\$1,090.61
Year 7	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$10,119.53	\$0.00	\$10,119.53
Year 7	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 7	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$26,336.28	\$0.00	\$26,336.28

Feb 2030						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 7	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$26,336.28	\$0.00	\$26,336.28
Year 7	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 7	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 7	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$276,346.78	\$0.00	\$276,346.78
Year 7	ProLicense	Pro License Bundle	12	\$7,198.59	\$0.00	\$7,198.59
Total				\$347,428.07	\$0.00	\$347,428.07

Feb 2031						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 8	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$1,136.71	\$0.00	\$1,136.71
Year 8	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$10,547.28	\$0.00	\$10,547.28
Year 8	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 8	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$27,449.48	\$0.00	\$27,449.48
Year 8	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$27,449.48	\$0.00	\$27,449.48
Year 8	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 8	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 8	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$288,027.76	\$0.00	\$288,027.76
Year 8	ProLicense	Pro License Bundle	12	\$7,502.87	\$0.00	\$7,502.87
Total				\$362,113.58	\$0.00	\$362,113.58

Feb 2032						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 9	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$1,182.81	\$0.00	\$1,182.81
Year 9	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$10,975.02	\$0.00	\$10,975.02
Year 9	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 9	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$28,562.71	\$0.00	\$28,562.71
Year 9	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$28,562.71	\$0.00	\$28,562.71
Year 9	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 9	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 9	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$299,708.69	\$0.00	\$299,708.69
Year 9	ProLicense	Pro License Bundle	12	\$7,807.15	\$0.00	\$7,807.15
Total				\$376,799.09	\$0.00	\$376,799.09

Feb 2033						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 10	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$1,228.91	\$0.00	\$1,228.91
Year 10	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	\$11,402.76	\$0.00	\$11,402.76
Year 10	72036	FLEET 3 STANDARD 2 CAMERA KIT	23	\$0.00	\$0.00	\$0.00
Year 10	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$29,675.93	\$0.00	\$29,675.93
Year 10	Fleet3ARe	Fleet 3 Advanced Renewal	23	\$29,675.93	\$0.00	\$29,675.93
Year 10	H00001	AB4 Camera Bundle	92	\$0.00	\$0.00	\$0.00
Year 10	H00002	AB4 Multi Bay Dock Bundle	11	\$0.00	\$0.00	\$0.00
Year 10	OSP10+10Y	Officer Safety Plan 10 Plus, 10YR	92	\$311,389.64	\$0.00	\$311,389.64
Year 10	ProLicense	Pro License Bundle	12	\$8,111.43	\$0.00	\$8,111.43

Feb 2033						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Total				\$391,484.60	\$0.00	\$391,484.60

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Exceptions to Standard Terms and Conditions

Agency has existing contract(25411) originated via Quote(Q-221338):

Agency is terminating those contracts effective 03/01/2024. Any change in this date will result in modification of the program value which may result in additional fees or credits due to or from Axon.

The parties agree that Axon is applying a Net Transfer Debit of \$104,992.30 to the quote for delivered but unpaid items.

Signature

Date Signed

10/30/2023





City of Blaine Staff Report

File Number: RES 23-181

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 8.7

Resolution to Approve the SWAT JPA with Anoka County for a multi-jurisdictional SWAT Team

Executive Summary

The City of Blaine Police Department is asking for approval to enter into a Joint Powers Agreement with the Anoka County Sheriff's Office and other Anoka County Law Enforcement Agencies to formally create and establish a multi-jurisdictional Anoka County Special Weapons and Tactics (SWAT) Team.

Background

As noted in the September 21st City Council Update, the Anoka County Sheriff's Office (ACSO) currently provides tactical policing services to the entire county via the ACSO SWAT team. For a multitude of reasons, they have opened the team up to all law enforcement agencies in the county to form a county-wide, multi-jurisdictional team.

The attached Joint Powers Agreement was developed with considerable input from all potential member agencies. The Blaine City Attorney also reviewed and provided input to the Joint Powers Agreement and various changes were considered and incorporated. The final version of the Joint Powers Agreement is attached and reflective of the changes.

The Anoka County Sheriff's Office wants to expand SWAT team membership to move it up to a tier 1 SWAT team. The National Tactical Officers Association (NTOA) defines a tier 1 team as having at least 34 members and a FEMA type 1 team has at least 29 members. To accomplish those staffing levels without ruining staffing levels at the Sheriff's Office, the decision was made to partner with other agencies within Anoka County. This helps make the team a regional asset as well as improve relationships and skill levels within the other agencies. The additional team members will help reach the numbers recommended by NTOA and FEMA. The Anoka County Sheriff's Office SWAT team has already combined with the City of Anoka Police Department SWAT team in the formation of a multi-jurisdictional SWAT team. Prior to the creation of the multi-jurisdictional team, the Anoka County Sheriff's Office and the City of Anoka Police Department were the only two SWAT teams in Anoka County.

Additional reasons for the creation of the multi-jurisdictional team include enhancement of the teams' capabilities, mitigation of staff burn out, and fostering a more collaborative public safety team. Testing for the new team was recently conducted by the existing team members. There were a total of 12 new tactical operator positions available to the remaining nine law enforcement agencies in the county. There were also a total of five new

negotiator positions available. There were 21 applicants from across Anoka County that applied and tested for the operator positions. Eleven were selected and given contingent offers, including all five Blaine officers who tested. We also had one Blaine officer test for negotiator and they also were given a contingent offer.

The Anoka County Sheriff's Office will be responsible for the issuance of uniforms/equipment. The annual cost to the City of Blaine will be \$3,500 per operator and \$750 per negotiator. There will additionally be a small insurance fee of approximately \$150 per team member (estimated insurance amount but still gathering information.) An additional potential direct cost would be any negotiated specialty pay compensation within a union contract which is consistent with other law enforcement agencies who have tactical officers. For the initial year costs (2024), public safety funds received from the State of Minnesota will be utilized. Future years will go into the annual operating budget. As staff were not previously aware of whether we would get any personnel on the team, the expenditure was not laid out for the council in previous public safety fund discussions.

The benefits of having Blaine Police Department staff being a part of the multi-jurisdictional SWAT team are numerous. The primary benefit is the enhanced tactical capability and training that those team members bring to incidents that occur in the City of Blaine. The team members would additionally bring back concepts and training to keep our City of Blaine officers safer in the performance of their respective duties as well. Membership in the multi-jurisdictional team will also enhance inter-agency relationships, communications, and operations. This is also an additional opportunity for City of Blaine staff for career enhancement and satisfaction, as well as for recruiting new staff.

Staff is asking you to support entering into the Joint Powers Agreement for the multi-jurisdictional SWAT team.

Strategic Plan Relationship

This resolution relates to the City of Blaine Strategic Plan of Organizational Health by creating well-trained leaders that will enhance public safety in the City of Blaine as well as throughout Anoka County.

Board/Commission Review

No Board/Commission Review

Financial Impact

The annual cost to the City of Blaine will be \$3,500 per operator and \$750 per negotiator. There will additionally be a small insurance fee of approximately \$150 per team member (estimated insurance amount but still gathering information.) An additional potential direct cost would be any negotiated specialty pay compensation within a union contract which is consistent with other law enforcement agencies who have tactical officers. For the initial year costs (2024), public safety funds received from the State of Minnesota will be utilized. Future years will need to be incorporated into the annual operating budget.

Public Outreach/Input

No Public Outreach/Input

Staff Recommendation

Staff is asking council to support entering into the Joint Powers Agreement with the Anoka County Sheriff's Office for the multi-jurisdictional SWAT team.

Attachment List

1. SWAT JPA 2024
2. SWAT JPA signature page 2024



City of Blaine

Signature Copy

Resolution: RES 23-181

Resolution to Approve the SWAT JPA with Anoka County for a multi-jurisdictional SWAT Team

Resolution to Approve a Joint Powers Agreement with the Anoka County Sheriff's Office for a county-wide, multi-jurisdictional SWAT Team.

WHEREAS, the Anoka County Sheriff's Office and the City of Blaine desire to jointly enter into a multi-jurisdictional SWAT team agreement; and

WHEREAS, said Agreement details the responsibilities of the Anoka County Sheriff's Office and the City of Blaine as to the costs associated with the formation and execution of the multi-jurisdictional SWAT team.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine as follows:

1. Acceptance of the Joint Powers Agreement with the Anoka County Sheriff's Office for a county-wide, multi-jurisdictional SWAT Team. Funding for the City of Blaine is hereby authorized in accordance with the terms set forth herein.
2. The Mayor and City Manager are hereby authorized to execute the above agreement with the Anoka County Sheriff's Office.

PASSED by the City Council of the City of Blaine on this 4th day of December 2023.

**ANOKA COUNTY
SPECIAL WEAPONS
AND TACTICS TEAM
JOINT POWERS AGREEMENT**

The parties to this Agreement are the City of Anoka, the City of Blaine, the City of Columbia Heights, the City of Coon Rapids, the City of Fridley, the City of Ramsey, the City of Lino Lakes, and the County of Anoka (collectively, "Parties"). The Parties are all units of government responsible for critical incident response in their respective jurisdictions. This Agreement is made pursuant to the authority conferred upon the Parties by Minn. Stat § 471.59. This Agreement shall become effective only upon the approval and execution hereof by duly authorized officials of all the Parties.

NOW, THEREFORE, the undersigned Parties, in the joint and mutual exercise of their powers, agree as follows:

1. Purpose.

- 1.1** The purpose of this Joint Powers Agreement ("Agreement") is to formally create and establish the Anoka County Sheriff's Special Weapons and Tactics Team ("ACSO-SWAT", "SWAT", or "Team") as a multi-agency organization to coordinate efforts to develop and provide joint responses to critical incidents or high-risk entries where there is a risk of criminal violence, occurring within and outside of the Parties' jurisdictions.
- 1.2** It is the intent of the parties that the ACSO-SWAT shall constitute a separate entity under Minnesota law.

2. Budget and Finance

- 2.1** The Anoka County Sheriff's Office ("ACSO") shall provide a budget for the basic operations of the ACSO-SWAT. The ACSO shall provide budgeting and accounting services as necessary or convenient for the ACSO-SWAT. Such services shall include but not be limited to: management of funds, payment for contracted services and other financial obligations set forth in this Agreement, and relevant bookkeeping and record keeping.
- 2.2** The Parties acknowledge and agree that beginning with the 2024 fiscal year, ACSO will assess each Party an annual fee (Fee) to cover training and other operational expenses related to the ACSO-SWAT. ACSO will establish the Fee and notify each Party of the fee by October 1 of the preceding year. If a Party fails to pay the Fee by February 1 of the applicable fiscal year, the provisions of Section 7.1 shall apply.
- 2.3** The ACSO will provide basic uniforms and equipment for all Team members. Parties may lend or provide additional equipment to ACSO-SWAT, as they are able.

- 2.4 The ACSO-SWAT may apply for and/or accept gifts, grants, or loans of money or other property (excluding real property) or assistance from the United States government, the State of Minnesota, any political subdivision of the State of Minnesota, or any person, association, or agency for any of its purposes; enter into any agreement in connection therewith; and hold, use, and dispose of such money or other property and assistance in accordance with the terms of the gift, grant, or loan relating thereto.
- 2.5 The ACSO-SWAT does not have the authority to seize property for purposes of Minn. Stat. §§ 609.531-.5318.
- 2.6 All property and cash monies obtained through forfeiture that is derived from ACSO-SWAT operations shall remain the property of the law enforcement agency of record wherein the operation occurred.

3. Team Leaders

- 3.1 The Anoka County Sheriff shall appoint a Team Commander from the ACSO to lead the ACSO-SWAT.
- 3.2 The Team Commander, in consultation with the Sheriff, shall appoint an Assistant Commander.
- 3.3 The Team Commander and Assistant Commander shall appoint POST-licensed peace officers to serve as ACSO-SWAT Team Leaders. Appointment as a Team Leader pursuant to this Agreement shall not obligate any Party to pay to its employees so appointed supervisory or other premium pay except as provided by the collective bargaining agreement between the Party and its employees.
- 3.4 Team Leaders assigned to the ACSO-SWAT at all times will remain employees of the leaders' own jurisdictions and will not be employees of the ACSO or the ACSO-SWAT.
- 3.5 Team Leaders shall be the liaison between the Team members and the Team Commander or Assistant Commander when an ACSO-SWAT team has been deployed pursuant to this Agreement. Team leaders may fill the role of Team Commander or Assistant Commander when asked to do so by the Team Commander or the Assistant Commander.

4. Team Members

- 4.1 The chief law enforcement officer of each Party approves POST-licensed peace officers from their law enforcement agency who meet the minimal

qualifications, as set by the Team Commander, to test for the ACSO-SWAT. The testing process is to select the best peace officers for the position. Equal representation from member agencies is not guaranteed and shall not be considered as part of the selection criteria. A party agency may not have a peace officer selected for the team as a result of the competitive process. Appointment as a Team Member pursuant to this Agreement shall not obligate any Party to pay its employees so appointed any premium pay except as provided by the collective bargaining agreement between the Party and its employees.

- 4.2 The paramedics on the ACSO-SWAT team will be selected from Allina Health employees as outlined in the contract signed between ACSO and Allina Health.
- 4.3 Team Members assigned to the ACSO-SWAT will, at all times, remain employees of the Members' own jurisdictions.
- 4.4 Team members assigned to the ACSO-SWAT may be removed from ACSO-SWAT by the Team Commander based on performance, safety, participation, or ACSO-SWAT Policy regardless of the members' own jurisdictions.
- 4.5 The City of Anoka and the County of Anoka will continue to provide their current number of team members. In the event those agencies can no longer provide that number of team members, those positions will be filled with members from other agencies.

5. Operations

- 5.1 **Training.** The Team Commander shall be responsible for arranging training events for Team Leaders and Team Members, consistent with the National Tactical Officers Association (NTOA) standards. The Team Commander shall also be responsible for maintaining records of the training received by Team Leaders and Team Members as well as records of all other activities undertaken by the Team Commander, Assistant Commander, Team Leaders, and Team Members pursuant to this Agreement.

5.2 Deployment

- 5.2.1 **Definitions and Controlling Law.** A Party to this agreement may request assistance from ACSO-SWAT. A Party requesting assistance is the "Requesting Party" or "Receiving Party." The Parties that compose ACSO-SWAT are the "Responding Parties." Requests for assistance by Parties to this Agreement are governed

by the terms of this Agreement.

5.2.2 Requests for Assistance by Parties. Whenever a Party determines that conditions within its jurisdiction require specialized support in handling critical field operations, where intense negotiations or special tactical deployment methods appear to be necessary, the Party may request that the Anoka County Sheriff or his or her designee deploy ACSO-SWAT to assist the Party. Upon a request for assistance, ACSO-SWAT may be dispatched to the Requesting Party's jurisdiction, in accordance with ACSO-SWAT policy. The Team Commander or Assistant commander shall notify the Chief Deputy of the ACSO of any request for assistance. No Party or individual member of ACSO-SWAT shall incur any liability based upon a refusal to respond. In addition, once deployed, the Team Commander or Assistant Commander may at any time and in his or her sole judgment recall the Team. The decision to recall a Team deployed pursuant to this Agreement will not result in liability to any Party or to the Team Commander or Assistant Commander who recalled the Team.

5.2.3 Direction and Control. Personnel and equipment provided pursuant to this Agreement shall remain the personnel and property of the Party providing the same. The Requesting Party will be in control of the scene. However tactical command will remain with the ACSO-SWAT Commander or their designee. Nothing in this provision shall limit the Team Commander's ability to establish Team Member protocol to take emergency action in response to immediate threats to an officer or public safety in accordance with the law.

5.2.4 Compensation. When the ACSO-SWAT provides services to a Requesting Party, the Team Members of the ACSO-SWAT shall be compensated by their respective employers just as if they were performing the duties within and for the jurisdiction of their employers. No charges will be levied by the ACSO-SWAT or by the Parties for specialized response operations provided to a Requesting Party pursuant to this Agreement. If the assistance provided pursuant to this Agreement is reimbursable by an outside source, any Party whose officers provided assistance for the ACSO-SWAT may submit itemized bills for the actual cost of any assistance provided, including salaries, overtime, materials, and supplies, to the ACSO-SWAT Team Commander. The ACSO-SWAT shall submit the invoices to the reimbursing entity. The reimbursing entity shall reimburse the ACSO-SWAT for the actual cost, and the ACSO-SWAT shall forward the reimbursement to the Responding Party.

5.2.5 Workers' Compensation. Each Party to this Agreement shall be responsible for injuries to or death of its own employees in connection with services provided pursuant to this Agreement. Each Party shall maintain workers' compensation coverage or a program of self-insurance, covering its own personnel while they are providing assistance as a member of the ACSO-SWAT. Each Party to this Agreement waives the right to sue any other Party for any workers' compensation benefits paid to its own employee or their dependents, even if the injuries were caused wholly or partially by the negligence of any other Party or its officers, employees, or agents.

5.2.6 Damage to Equipment. Each Party shall be responsible for damage to any of its own equipment occurring during deployment of the ACSO-SWAT. Each Party waives the right to sue any other Party for any damages to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of any other Party or its officers, employees, or agents.

5.2.7 Indemnification and Hold Harmless

5.2.7.1 Applicability. The SWAT shall be considered a separate and distinct public entity to which the Parties have transferred all responsibility and control for actions taken pursuant to this Agreement. The SWAT shall comply with all laws and rules that govern a public entity in the State of Minnesota and shall be entitled to the protections of M.S. 466.

5.2.7.2 Indemnification and Hold Harmless. The SWAT shall fully defend, indemnify and hold harmless the Parties against all claims, losses, liability, suits, judgments, costs and expenses by reason of the action or inaction of the SWAT. This Agreement to indemnify and hold harmless does not constitute a waiver by any participant of limitations on liability provided under Minnesota Statutes, Section 466.04.

To the full extent permitted by law, actions by the Parties pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the Parties that they shall be deemed a "single governmental unit" for the purpose of liability, as set forth in Minnesota Statutes, Section 471.59, subd. 1a(a); provided further that for purposes of that statute, each Party to this Agreement expressly declines responsibility for the acts or omissions of the other Parties except as provided herein.

5.2.7.3 Insurance. The SWAT shall obtain liability insurance in an amount not less than the municipal tort caps set forth by Minnesota Statutes, Section 466.04 subd.1, as amended to defend and indemnify SWAT and its members and each member's officers,

employees, and volunteers for actions arising out of this agreement. The SWAT team may in its discretion procure coverage for auto liability and damage to or loss of property. Nothing herein shall be construed to provide insurance coverage or indemnification to an officer, employee, or volunteer of any Party for any act or omission for which the officer employee, or volunteer is guilty of malfeasance in officer, willful neglect of duty, or bad faith.

5.2.7.4 The Parties of this Agreement are not liable for the acts or omissions of the other participants to this Agreement except to the extent to which they have agreed in writing to be responsible for acts or omissions of the other Parties. Any liability in excess of the SWAT's insurance coverage or uninsured liability shall be borne jointly by all Parties that have an employee or employees who are a member or members of the SWAT at the time of the incident that gave rise to the excess or uninsured liability. Each party with one or more employees on the SWAT, including a team Commander or Assistant Commander, shall bear a share of any excess or uninsured liability. Each Party's share will be based on its percentage of the total team members. For example, if there are 20 total team members that make up the SWAT and a Party has two employees on the team, that Party shall bear 10% of any excess or uninsured liability. This joint liability does not include liability for the acts or omission of any one party's individual officer, employee, or volunteer which arises from his or her own willful misconduct, willful neglect of duty, or acts or omissions taken bad faith.

5.2.8 Aid to Non-Parties.

5.2.8.1 Definitions and Controlling Law. A political subdivision that is not a Party to this Agreement may request assistance from ACSO-SWAT. A non-party political subdivision that requests assistance is the "Requesting Political Subdivision" or "Receiving Political Subdivision" as that term is used in Minn. Stat. § 12.331. The Parties that compose ACSO-SWAT are the "Sending Political Subdivision(s)" as that term is used in Minn. Stat. § 12.331. Requests for assistance by other political subdivisions are governed by Minn. Stat. § 12.331.

5.2.8.2 Upon a request for assistance from a political subdivision that is not a Party to this Agreement, ACSO-SWAT may be deployed to such Requesting Political Subdivision, provided that the Anoka County Sheriff or his or her designee has consented to such deployment. No Party or individual member of ACSO-SWAT shall incur any liability based upon a failure to provide assistance.

Upon deployment, the Requesting Political Subdivision will be in

control of the scene. However tactical command will remain with the ACSO-SWAT Commander or their designee. Nothing in this provision shall limit the Team Commander's ability to establish Team Member protocol to take emergency action in response to immediate threats to an officer or public safety in accordance with the law.

5.2.8.3 Liability and responsibility for use of personnel, equipment, and supplies, resulting from the provision of assistance to a Receiving Political Subdivision shall be allocated in the same manner as provided by Minnesota Statutes §12.331, subd. 2, *i.e.*, any Party to this agreement assumes the same liability as a Sending Political Subdivision and the non-party assumes the same liability as a Receiving Political Subdivision.

- 6. Term.** The term of this Agreement shall begin upon execution of this Agreement by all Parties. This Agreement shall continue in effect until terminated in accordance with its terms.

7. Withdrawal and Termination.

7.1 Withdrawal. Any Party may withdraw from this Agreement upon six (6) months' written notice to the other Parties or by the failure to pay the Fee described in Section 2. Failure to pay as required in Section 2 shall not relieve any party from their obligation to provide 6-months notice prior to withdrawing from this Agreement or to pay its share during the withdrawal period. At the discretion of the Sheriff, a non-paying Party's officer(s), if any, may be removed from the team until payment is received. Withdrawal by any Party shall not terminate this Agreement with respect to any Parties who have not withdrawn. Withdrawal shall not discharge any liability incurred by any Party, its employees, officers, and elected and appointed officials prior to withdrawal. Such liability shall continue until discharged by law or agreement.

7.2 Termination. This Agreement shall terminate upon the occurrence of any one of the following events: (a) when necessitated by operation of law or as a result of a decision by a court of competent jurisdiction; (b) when a majority of the then existing Parties agrees to terminate the Agreement upon a date certain; or (c) when the Anoka County Sheriff, in his or her sole discretion, decides to terminate this agreement.

7.3 Effect of Termination. Termination shall not discharge any liability incurred by any Party, its employees, officers, and elected and appointed officials during the term of this Agreement.

8. Miscellaneous.

- 8.1 Amendments.** This Agreement may be amended only in writing and upon the consent of each party's governing bodies, except an amendment adding an additional party under section 8.3, which shall not require a written amendment.
- 8.2 Counterparts.** This Agreement may be executed in two or more copies, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Counterparts shall be submitted to the Anoka County Sheriff.
- 8.3 Additional Parties.** Any other municipality operating within Anoka County may become a Party to this Agreement, upon approval of that municipality's governing body, adoption of a resolution by the municipality's governing body, execution of this Agreement, submission of a copy of the signed Agreement to the existing parties, and payment of agreed-upon funds pursuant to section 2.

All parties to this agreement need not sign the same copy of the agreement.

An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

County of Anoka

By: _____
Matt Look

Its: County Board Chair

By: _____
Rhonda Sivarajah

Its: County Administrator

By: _____
Brad Wise

Its: Sheriff

Approved as to Form

By: _____
Bryan Frantz

Its: Attorney

All parties to this agreement need not sign the same copy of the agreement.
An original agreement signed by each party to this agreement shall be maintained
in the Office of the Anoka County Sheriff.

DATE: _____

City of Anoka

By: _____
Phil Rice

Its: Mayor

By: _____
Greg Lee

Its: City Manager

By: _____
Eric Peterson

Its: Chief of Police

All parties to this agreement need not sign the same copy of the agreement.

An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Blaine

By: _____
Tim Sanders

Its: Mayor

By: _____
Michelle Wolfe

Its: City Manager

By: _____
Brian Podany

Its: Chief of Police

All parties to this agreement need not sign the same copy of the agreement.

An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Columbia Heights

By: _____
Amada Marquez Simula

Its: Mayor

By: _____
Kevin Hansen

Its: City Manager

By: _____
Lenny Austin

Its: Chief of Police

All parties to this agreement need not sign the same copy of the agreement.

An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Coon Rapids

By: _____
Jerry Koch

Its: Mayor

By: _____
Matt Stemwedel

Its: City Manager

By: _____
Bill Steiner

Its: Chief of Police

All parties to this agreement need not sign the same copy of the agreement.
An original agreement signed by each party to this agreement shall be maintained
in the Office of the Anoka County Sheriff.

DATE: _____

City of Fridley

By: _____
Scott Lund

Its: Mayor

By: _____
Wally Wysopal

Its: City Manager

By: _____
Ryan George

Its: Director of Public Safety

All parties to this agreement need not sign the same copy of the agreement.

An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Ramsey

By: _____
Mark E Kuzma

Its: Mayor

By: _____
Brain Hagen

Its: City Administrator

By: _____
Jeff Katers

Its: Chief of Police

All parties to this agreement need not sign the same copy of the agreement.

An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Lino Lakes

By: _____
Rob Rafferty

Its: Mayor

By: _____
Sarah Cotton

Its: City Administrator

By: _____
John Swenson

Its: Chief of Police



City of Blaine Staff Report

File Number: 2023-593

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 8.8

Approve Memorandum of Understanding (MOU) between the Blaine Police Department and the United States Postal Inspection Service.

Executive Summary

The Blaine Police Department and the United States Postal Inspection Service (USPIS), will enter into a joint cooperative law enforcement effort by assigning a detective to the Contraband Investigation and Interdiction Team (C12). The goal of the C12 Team is to investigate, seize, and disrupt the flow of the large amount of narcotics and currency that flow through the United States mail. The investigations conducted by the assigned C12 BPD detective will be mainly focused in the Twin Cities area with a focus in Anoka County, to include the City of Blaine. This is approximately a two-year assignment in which USPIS provides training to the assigned detective and will deputize them as federal agent as a Task Force Officer (TFO).

Background

The purpose of this Agreement is to develop a cooperative effort with Federal, State and local law enforcement agencies charged with the investigation and prosecution of criminal offenses involving the trafficking of controlled substances and money laundering violations, as well as to establish the terms and conditions under which the Blaine Police Department may coordinate investigative efforts with and/or provide assistance to the USPIS in developing investigations and cases for criminal prosecution.

The USPIS C12 Team Leader contacted the Anoka Hennepin Narcotics and Violent Crimes Task Force (AHNVCTF), and the Blaine Police Department to express interest in a BPD detective that is currently assigned to the AHNVCTF to be a part of their C12 Team. Meetings have taken place to obtain information on the C12 Team and what specifically the BPD detective would do for job duties. The following is information on the assigned job duties:

- Current BPD detective assigned to AHNVCTF selected by USPIS (this is an undercover officer), would be assigned to C12 for an approximate two-year assignment.

- The detective would still work out of the AHNVCTF and also have an office space at the USPIIS office in the Twin Cities.
- The detective would still be active working with the AHNVCTF in providing services to Anoka County and Blaine. The assignment provides additional investigatory resources and connections to the US Atty's Office so it additionally benefits Blaine, Anoka County, and the AHNVCTF.
- The detective would need to undergo a USPIIS federal background check.
- The assigned detective will have a USPIIS team leader and another USPIIS law enforcement partner to work with in the Twin Cities.
- USPIIS requires the assigned detective to work 30 hours per week on USPIIS cases which will be targeted in the Twin Cities area and largely focused on the area the AHNVCTF currently services.
- Overtime that the assigned detective incurs while working USPIIS cases will be reimbursed by USPIIS to BPD up to \$19,372/year.
- The MOU can be canceled by either party at anytime given there is a 30-day window.
- USPIIS provides BPD a vehicle stipend of \$850/month. Currently, the detective has a leased vehicle from AHNVCTF and that stipend would pay for the leased vehicle. The lease is paid for by AHNVCTF and BPD would reimburse them each month.
- USPIIS will pay for training and travel and per diem, if needed.
- The assigned detective will work closely with USPIIS CI2 and AHNVCTF to combat the distribution of illegal narcotics.
- There is a large flow of narcotics and currency that flow through the U.S. mail and the USPIIS needs more people to make a dent in this distribution.
- The CI2 Team is another way to investigate and disrupt narcotics sales and distribution that AHNVCTF does not due because the USPIIS is a federal agency.
- This assignment does not cost BPD any additional money.

Strategic Plan Relationship

This Agreement relates to the City of Blaine Strategic Plan of Organizational Health by creating well-trained leaders that will enhance public safety in the City of Blaine as well as throughout Anoka County.

Board/Commission Review

No Board/Commission Review.

Financial Impact

There is no financial impact to the City of Blaine as any expenses incurred from working the Twin Cities C12 Task Force will be reimbursed by the USPIIS.

Public Outreach/Input

No Public Outreach/Input

Staff Recommendation

Approve the Agreement between the Blaine Police Department and the United States Postal Inspection Service (USPIIS.) The Mayor and the City Manager should sign the MOU.

Attachment List

1. Blain PD _TFO MOU FY 24_City Redline - final

MEMORANDUM OF UNDERSTANDING

This document sets forth the general understanding between the United States Postal Inspection Service (USPIS), the BLAINE POLICE DEPARTMENT with respect to a joint cooperative law enforcement effort, hereinafter referred to as the Twin Cities CI2 Task Force.

This document is not intended as a formal contract, but rather as an expression of understanding to facilitate cooperation. This document is an internal government agreement and is not intended to confer any rights or benefits to any private person or party. The goals of the Twin Cities CI2 Task Force will be to protect the public by investigating and prosecuting criminal offenses related to the trafficking of controlled substances/other dangerous drugs and violations of money laundering statutes.

I. Purpose

The purpose of this Agreement is to develop a cooperative effort with Federal, State and local law enforcement agencies charged with the investigation and prosecution of criminal offenses involving the trafficking of controlled substances and money laundering violations, as well as to establish the terms and conditions under which BLAINE POLICE DEPARTMENT may coordinate investigative efforts with and/or provide assistance to the USPIS in developing investigations and cases for criminal prosecution.

II. Mission

To investigate, arrest and prosecute individuals participating in illegal drug activity associated to the U.S. Mail in the jurisdictional areas in order to protect the general public from illegal drug activity and create a safer and more secure environment for businesses and the general public in the State of MINNESOTA.

III. Objective

- A. To facilitate and maintain communications with BLAINE POLICE DEPARTMENT to maximize the effective use of the Task Force intelligence and resources.
- B. To share intelligence and other resources.
- C. To conduct coordinated responses to mailings containing controlled substances and/or proceeds from the sales of controlled substances.
- D. To identify illegal drug traffickers utilizing the mail and to cause their successful prosecution.
- E. To substantially reduce the illegal drug mailings committed in the State of Minnesota.

IV. Authorities

USPIS participation in this MOU is authorized under 18 U.S.C. § 3061, 39 U.S.C. § 401, 404 and 411.

V. Participants

The following Federal and local law enforcement agencies are participants in this initiative:

- A. United States Postal Inspection Service
- B. BLAINE POLICE DEPARTMENT

Any State or local employees assigned to the Twin Cities CI2 Task Force in accordance with this Agreement are not considered Federal employees, are not employed by the United States Postal Service (USPS) or the USPIS. They do not take on the status or benefits of Federal employment, USPS employment, or USPIS employment by virtue of this assignment.

VI. Personnel Commitment

Each BLAINE POLICE DEPARTMENT intends to provide experienced law enforcement personnel on a full-time basis to the Twin Cities CI2 Task Force for participation on designated investigations. The BLAINE POLICE DEPARTMENT will certify the personnel assigned to the Twin Cities CI2 Task Force are not the subject of any current or pending disciplinary actions, or completed disciplinary actions which would in any way compromise the mission of the initiative. Additions or deletions of personnel will be at the discretion of the authorizing supervisors of the respective participants. The BLAINE POLICE DEPARTMENT agree to furnish the following complement of personnel dedicated to the Task Force:

- A. USPIS – up to three Postal Inspectors/Task Force Officers
- B. BLAINE POLICE DEPARTMENT – up to One Task Force Officer(s)

The BLAINE POLICE DEPARTMENT agrees to furnish vehicles for their assigned investigators and provide them immediate access to such vehicles to travel from their residences in order to be able to respond to joint initiative-related emergency call-outs, to begin and end tours of duty in order to maximize investigative time, and to otherwise conduct investigations of common interest.

Addendum A outlines vehicle reimbursement.

The following departments assigned to Twin Cities CI2 Task Force may request overtime as outlined in this MOU:

- A. Blain Police Department (ONE)

Members of the Task Force will be responsible for the investigation of the use of the mail to engage in the trafficking of controlled substances, firearms and money laundering violations. Continued assignment of specific personnel to the Task Force will be based on performance and will be at the discretion of their respective agency heads.

VII. Principles

The following principles will help guide relationships among all law enforcement participants in this initiative regarding policy, planning, training, supervision and public relations. All agencies participating in the initiative agree these principles will serve as a basis to mediate any disputes that arise during its operation.

VIII. Recognition of Authority

The BLAINE POLICE DEPARTMENT recognizes the U.S. Postal Inspection Service is the principal Federal Law Enforcement Agency responsible for the investigation and enforcement of Federal laws regarding the U.S. Mail, use of the mails, and property in the custody of the U.S. Postal Service, as well as other Postal offenses.

The BLAINE POLICE DEPARTMENT understands U.S. Mail under the custody or control of USPS is sealed against inspection and cannot be opened except under the authority of a Federal Search Warrant issued pursuant to Rule 41 of the Federal Rules of Criminal Procedure, or by consent from the sender and/or addressee of the mail piece. The BLAINE POLICE DEPARTMENT may not, in any manner, detain or otherwise interfere with U.S. Mail, or record information from mail matter unless specifically authorized to do so by a U.S. Postal Inspector.

IX. Administration

Because this Memorandum of Understanding outlines a cooperative endeavor on the part of all the participants, the policy, program involvement, and direction of this initiative should be joint responsibilities of the enforcement supervisors of the participants. Therefore, the cases will be jointly investigated, and no particular participating agency will prevail over another or will act unilaterally. The participants (or designated representatives) will meet regularly as agreed upon to discuss investigations related to the above-mentioned offenses.

X. Jurisdiction

The determination as to whether a case will be prosecuted federally or by the appropriate county or state authority will be based upon which level of prosecution will best serve the interest of justice consistent with the overall mission objectives of the initiative.

XI. Supervision

In order to affect efficient field operations, operational supervision of the personnel assigned to the Twin Cities CI2 Task Force, while working on initiatives or investigations directly related to the Twin Cities CI2 Task Force, will be the responsibility of a designated field supervisory officer. For the Twin Cities CI2 Task Force the field supervisory officer is the U.S. Postal Inspector/Team Leader Rachel S. Williams (TFS) in charge of the USPIS Twin Cities Domicile Contraband Interdiction and Investigations team. On matters not related to the Twin Cities CI2 Task Force, assigned personnel will continue to be subject to the established lines of supervision of their respective agencies.

In the event of a conflict with respect to supervisory authority, no action will be taken by the involved personnel until the conflict is resolved at the agency head level. Each member of the Twin Cities CI2 Task Force is subject to the personnel rules, regulations, laws and policies applicable to their respective agency. Each Twin Cities CI2 Task Force member will continue to report to his or her respective agency supervisor for non-investigative matters not detailed in this MOU.

Dismissal from the Task Force will occur solely upon consultation and subsequent approval by agency management of the respective agency heads.

XII. Operation

The TFS, in consultation with a case specific Assistant United States Attorney (AUSA), or the state and/or local prosecutor, will be primarily responsible for directing and monitoring investigations related to the Twin Cities CI2 Task Force. In cases which have been designated for federal prosecution, all investigative procedures shall conform to the current USPIS and Department of Justice regulations and guidelines on criminal investigations and undercover operations.

XIII. INFORMATION SHARING

- A. No information possessed by the USPIS, to include information derived from informal communications between Twin Cities CI2 Task Force personnel and USPIS employees not assigned to the Twin Cities CI2 Task Force, may be disseminated by Twin Cities CI2 Task Force personnel to non- Twin Cities CI2 Task Force personnel without prior USPIS authorization and in accordance with the applicable laws and internal regulations, procedures or agreements between the Twin Cities CI2 Task Force and the BLAINE POLICE DEPARTMENT that would permit the BLAINE POLICE DEPARTMENT to receive that information directly. Likewise, Twin Cities CI2 Task Force personnel will not provide any BLAINE POLICE DEPARTMENT information to the USPIS that is not otherwise available to it unless authorized by appropriate BLAINE POLICE DEPARTMENT officials. This prohibition shall not be interpreted to limit or prevent discussion between the Twin Cities CI2 Task Force member and his/her BLAINE POLICE DEPARTMENT supervisors.
- B. Each Party that discloses PII is responsible for making reasonable efforts to ensure that the information disclosed is accurate, complete, timely, and relevant.
- C. The USPIS is providing access to information from its records with the understanding that in the event the recipient becomes aware of any inaccuracies in the data, the recipient will promptly notify the USPIS so that corrective action can be taken. Similarly, if the USPIS becomes aware that information it has received pursuant to this MOU is inaccurate, it will notify the contributing Party so that corrective action can be taken.
- D. Each Party is responsible for ensuring that information it discloses was not knowingly obtained or maintained in violation of any law or policy applicable to the disclosing

Party, and that information is only made available to the receiving Party as may be permitted by laws, regulations, policies, or procedures applicable to the disclosing Party.

- E. Each Party will immediately report to the other Party each instance in which data received from the other Party is used, disclosed, or accessed in an unauthorized manner (including any data losses or breaches).

XIV. Administrative Support

Routine administrative support will be provided by the USPIS.

TFOs will be provided access badges and necessary keys. USPIS will provide a cellphone and computer for the TFOs. USPIS will provide access to office space and equipment as required.

XV. Access to USPS/USPIS Facilities

At the direction of a Postal Inspector, TFOs may retrieve parcels from areas where mail is accepted or processed when the parcels are related to ongoing investigations.

TFOs must be accompanied by a Postal Inspector while conducting interdictions at USPS facilities.

XVI. Financial Responsibility

Each BLAINE POLICE DEPARTMENT will be responsible for the pay and benefits of their employees participating on the Task Force.

U.S. Postal Inspection Service will be responsible for any and all costs associated with the training of the TFOs as may be required by the U.S. Postal Inspection Service.

XVII. Overtime Payments

The BLAINE POLICE DEPARTMENT may request reimbursement of overtime salary expenses in connection with work performed on behalf of, and in furtherance of investigations performed by their investigators assigned to this initiative. BLAINE POLICE DEPARTMENT officers are required to provide the Task Force Supervisor documentation of approved investigative activity for certification, including the applicable case numbers.

At the sole discretion of the USPIS and as funding allocations permit, the USPIS will reimburse the BLAINE POLICE DEPARTMENT for overtime salary expenses directly related to work on the Twin Cities CI2 Task Force performed by its officer(s) assigned to Twin Cities CI2 Task Force. BLAINE POLICE DEPARTMENT officers shall be required to provide the TL with their overtime hours, along with referencing case numbers and documentation of investigative activity for certification by the TL prior to submitting their overtime for invoice preparation. It is requested that the BLAINE POLICE DEPARTMENT provide a separate breakdown, by officer, of the date(s) and the number of hours they worked overtime along with the referencing case numbers, in addition to the overtime invoice. Overtime invoices should be submitted at least monthly to the USPIS Twin Cities Domicile, Denver Division the attention of the TFS.

The maximum reimbursement allowable for overtime worked on behalf of the joint operation is \$19,840 per year, per Task Force officer.

Procedures for submitting requests for reimbursement are outlined in Attachment A.

XVIII. Program Audit

- A. This Agreement and its provisions are subject to audit by the USPIS, USPS OIG, and other designated government auditors. The BLAINE POLICE DEPARTMENT agrees to permit such audits and agrees to maintain all records relating to these transactions for a period of not less than three years, and in the event of an ongoing audit, until the audit is completed.
- B. These audits may include reviews of any and all records, documents, reports, accounts, invoices, receipts of expenditures related to this agreement, as well as interviews of any and all personnel involved in these transactions.

XIX. Forfeitures

Forfeiture actions will be processed by the USPIS. All seizures will be equitably shared consistent with DOJ and USPIS equitable sharing guidelines. The parties agree that at the discretion of the U.S. Postal Inspector's appointed designee, assets seized during Twin Cities CI2 Task Force investigations will be forfeited under State of Minnesota or Federal law, depending on the circumstances of the case and applicable laws. It is understood however that final decisions with respect to Equitable Sharing for assets forfeited administratively, are made at Inspection Service National Headquarters. Final decisions with respect to assets forfeited through Federal civil or criminal actions are made by the U.S. Department of Justice.

XX. Evidence

Evidence collected pursuant to Twin Cities CI2 Task Force investigations will normally be held by the agency responsible for presenting the case for prosecution unless other arrangements are made. Evidence collected in Twin Cities CI2 Task Force investigations which require forensic analysis will be submitted to USPIS Forensic Laboratory Services unless the situation dictates otherwise.

XXI Media Relations and Press Releases

Media relations and press releases will be coordinated between the participating Twin Cities CI2 Task Force agencies and controlled by the designated Twin Cities CI2 Task Force supervisory officer and the office of prosecution. Twin Cities CI2 Task Force participants agree that information will only be disseminated to the media in accordance with the terms of this MOU.

XXII. Disclosure of Grand Jury Proceedings

All personnel assigned to the Twin Cities CI2 Task Force shall strictly adhere to the requirements of Rule 6(e) of the Federal Rules of Criminal Procedure regarding grand jury secrecy.

XXIII. Compliance with Civil Rights Act of 1964

All personnel assigned to this initiative will comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by and pursuant to the regulations of the Department of Justice (28 CFR Part 42, Subparts C and D) issued pursuant to Title VI, relating to discrimination on the grounds of race, color, creed, sex, age, or national origin, and equal employment opportunities.

XXIV. Liability

Each party agrees it shall be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof.

This agreement and limitation on liability shall not discharge any claim for reimbursement made by USPIS to BLAINE POLICE DEPARTMENT for damages or expenses under the terms of this agreement.

Notwithstanding, BLAINE POLICE DEPARTMENT shall not be liable to USPIS for claims for damages to repair or replacement of: access cards, appointment notices, credentials, badges, any other identification media assigned to TFOs, or information technology devices.

Any third-party claims, cause of action and liabilities asserted will be handled in accordance with the Federal Tort Claims Act (FTCA), 28 U.S.C. 1346(b), 2671-2680.

XXV. Duration

This Twin Cities CI2 Task Force will be initiated on or about January 1, 2024. This memorandum is in effect upon signing by authorized representatives of BLAINE POLICE DEPARTMENT and USPIS and shall continue in full force and effect until terminated or canceled by the parties.

This memorandum may be terminated or canceled by either party at any time on written notice provided thirty (30) days in advance of the effective date of termination. Any modification or amendment to this agreement shall become effective when reduced to writing and signed by the authorized officials of the respective agencies.

XXVI. Authorization

This Memorandum of Understanding is hereby accepted as setting forth the general intentions and understanding of the undersigned.

_____ Bryan Musgrove Inspector in Charge, Denver Division U.S. Postal Inspection Service	Date:_____
---	------------

_____ Brian Podany Chief of Police Blaine Police Department	Date:_____
--	------------

_____ Michelle Wolfe City Manager City of Blaine	Date:_____
---	------------

_____ Tim Sanders City Mayor City of Blaine	Date:_____
--	------------

ATTACHMENT A

Cost Reimbursement Agreement

It is hereby agreed between the United States Postal Inspection Service (“USPIS”) and the Blaine Police Department, 10801 Town Square Dr NE, Blaine, MN 55449, Federal Taxpayer Identification Number **8031872** that:

Subject to the availability of funds, the Inspection Service will reimburse the **BLAINE POLICE DEPARTMENT** for overtime payments for the law enforcement officer(s) assigned to a joint initiative with the Postal Inspection Service – Denver Division as set forth below for expenses necessary for detection, investigation, and prosecution of crimes against the United States.

Overtime reimbursements for the **BLAINE POLICE DEPARTMENT** Officers assigned to the initiative will be authorized and issued on an as needed basis, and will be calculated at the usual rate for which the individual Officer’s time would be compensated. The overtime reimbursement allocation for **BLAINE POLICE DEPARTMENT** officers assigned to the initiative will not exceed \$19,840.75 for each officer per Fiscal Year (October through September).

Overtime and vehicle reimbursement will be made directly to the **BLAINE POLICE DEPARTMENT** by the Inspection Service. All overtime and vehicle reimbursement payments are made by electronic fund transfer (“EFT”). An ACH vendor/miscellaneous payment enrollment form must be on file with the Inspection Service’s Denver Division Headquarters to facilitate payments.

The **BLAINE POLICE DEPARTMENT** agrees to the vehicle reimbursement as set forth in the Vehicle Use Addendum.

The **BLAINE POLICE DEPARTMENT** agrees to provide monthly overtime invoices to include a breakdown per individual Officer of the date(s) and the number of overtime hours worked along with the associated case numbers. Overtime invoices requesting reimbursement for any given month should be submitted to the USPIS at the address below by the 10th calendar day of the following month for which reimbursement is requested:

U.S. Postal Inspection Service
ATTN: Rachel S Williams
7360 Bush Lake Road #100
Minneapolis, MN 55439

At the commencement of each USPIS fiscal year, prior to the submission of any overtime reimbursement requests, the **BLAINE POLICE DEPARTMENT** will provide the salary and hourly overtime rate for each Officer assigned to the joint initiative. At the commencement of each USPIS fiscal year, the **BLAINE POLICE DEPARTMENT** will re-execute the Vehicle Use Agreement.

Requests for reimbursement will include the name, rank, identification number, overtime compensation rate, number of reimbursable hours claimed and the dates of those hours for each Officer for whom reimbursement is sought. Each reimbursement request must be accompanied by a certification signed by an appropriate supervisor of the **BLAINE POLICE DEPARTMENT** that the request has been personally reviewed, the information is accurate, and the personnel for whom reimbursement is claimed were assigned to the joint initiative.

Each request for reimbursement will include: an invoice number, invoice date, TIN, and correct banking information, to complete the electronic funds transfer. The necessary banking information is the depositor's account title, bank account number, routing number, and type of account (checking, savings, or lockbox). If the banking information changes, the **BLAINE POLICE DEPARTMENT** must submit a new ACH vendor/miscellaneous payment enrollment form to the USPIS.

_____ Bryan Musgrove Inspector in Charge, Denver Division U.S. Postal Inspection Service	Date:_____
---	------------

_____ Brian Podany Chief of Police Blaine Police Department	Date:_____
--	------------

_____ Michelle Wolfe City Manager City of Blaine	Date:_____
---	------------

_____ Tim Sanders City Mayor City of Blaine	Date:_____
--	------------

ADDENDUM A

Vehicle Use Agreement

It is hereby agreed between the United States Postal Inspection Service (USPIS) and the Blaine Police Department, 10801 Town Square Dr NE, Blaine, MN 55449 that:

The USPIS hereby agrees to provide to the Blaine Police Department a monthly stipend of \$850.00 for the sole use of providing an acceptable vehicle for the Task Force member to use in the furtherance of their obligations to the Task Force. The stipend incorporates all associated costs for the vehicle to include routine maintenance and minor repairs of the vehicle.

This is an internal government agreement between USPIS and Blaine Police Department and is not intended to confer any right or benefit to any private person or party.

Bryan Musgrove
Inspector in Charge, Denver Division
U.S. Postal Inspection Service

Date: _____

Brian Podany
Chief of Police
Blaine Police Department

Date: _____



City of Blaine Staff Report

File Number: 2023-598

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Cathy Sorensen, City Clerk

Agenda Item # 8.9

Polling Place Designation Change - Precinct 3-6

Executive Summary

Council is asked to approve the proposed polling place designation change from Northpoint Elementary to Chain of Lakes Church.

Background

Northpoint Elementary, 2350 124th Court NE, has served as a polling place for Precinct 3-6 for several years. In an effort to identify polling places outside of schools wherever possible, staff contacted Chain of Lakes Church at 2650 125th Avenue NE about the possibility of serving as the polling place for Precinct 3-7 for the 2024 election cycle. After meeting with church leadership and touring the location, they graciously agreed to serve Blaine voters in this capacity. The site meets all requirements to serve as a polling place for this precinct and the City is grateful to all polling locations for serving in this capacity. Staff will work with Anoka County to notify all registered voters of this polling place change as required by law as well as with City Communications staff.

Strategic Plan Relationship

This action pertains to the Collaboration and Engagement Strategic Priority.

Board/Commission Review

N/A

Financial Impact

Minimal costs for postcard mailing to all registered voters notifying them of the precinct change will be incurred.

Public Outreach/Input

Staff will work with Anoka County and Communications staff to notify all voters affected by this change.

Staff Recommendation

By motion, approve the proposed polling place designation change for Blaine Precinct 3-6 from Northpoint Elementary to Chain of Lakes Church.

Attachment List

1. Precinct 3-6 Proposed Poll Location Change



Precinct 3-6 Proposed Poll Location Change

3-6 Poll Location

- ▲ Current: Northpoint Elementary School
- △ Proposed: Chain of Lakes Church

Precincts

- 3-6
- Precinct Boundary

Council Ward

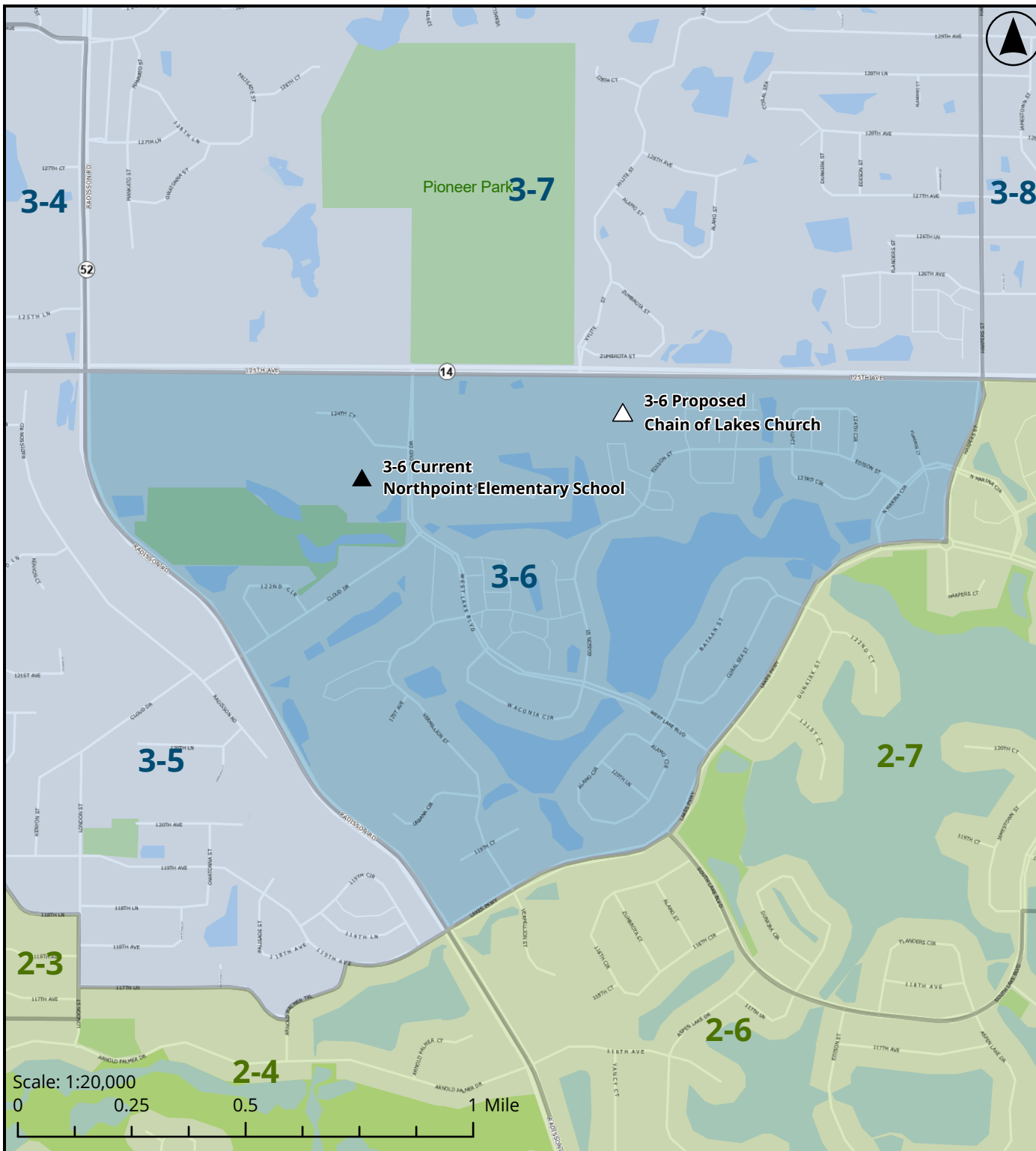
- Ward 2
- Ward 3

Date: November 27, 2023

Author: GIS & Data Services

Map Credits: City of Blaine

Usage Limitations: This map has been compiled using information gathered from various governmental offices and other sources and is to be used for reference purposes only. It is neither a legally recorded map nor a survey and is not intended for use as one. The Geographic Information System (GIS) Data used to develop this map is not warranted by the City as being error free. The City does not represent that the GIS Data can be used for exact measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found, please contact (763) 717-2639. The City of Blaine disclaims any responsibility for or liability for the accuracy of the information at any point of initial contact with a GIS to which the public has general access. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City of Blaine is immune from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.





City of Blaine

Staff Report

File Number: RES 23-194

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Resolution

7:00 PM - Public Hearing and Items Published for a Certain Time - Daniel Schluender, Director of Engineering

Agenda Item # 9.1

Order Improvement and Order Preparation of Plans and Specifications for the Sanburnol Drive/85th Avenue Improvements, Improvement Project No. 23-14

Executive Summary

Council is asked to conduct a public hearing and consider ordering the improvements and preparation of Plans and Specifications for the Sanburnol Drive/85th Avenue Improvements, Improvement Project No. 23-14

Background

Notice for this hearing has been published and mailed.

The proposed joint project between the City of Spring Lake Park and the City of Blaine will reconstruct the following streets:

- Sanburnol Drive NE (last paved in 1997) from University Avenue Frontage Road to Monroe Street
- University Avenue Frontage Road from Sanburnol Drive to Northtown Mall ring road
- Elm Drive NE (last paved 1997 and 2004)
- 83rd Avenue NE (last paved in 1994)

The proposed improvements will include a bituminous replacement of the existing street pavement section, minor spot curb replacement, minor spot sidewalk replacement, pedestrian curb ramp ADA upgrades and the addition of some catch basin storm sewer structures and pipe.

The north half of Sanburnol Drive/85th Avenue is located within the City of Blaine, while the south half lies in Spring Lake Park. The portion of the University Avenue Frontage Road on this proposed project lies entirely within the City of Blaine. Elm Drive and 83rd Avenue both lie entirely within Spring Lake

Park. The City of Blaine will pay for the proportional cost of the Sanburnol Drive/85th Avenue improvements for the portion of the street within the City of Blaine and the entire costs for the University Avenue Frontage Road. The City of Spring Lake Park will pay for a proportion of the cost of Sanburnol Drive/85th Avenue and the full costs associated with Elm Drive and 83rd Avenue as they lie entirely within the City of Spring Lake Park.

The estimated total project cost is \$1,171,600. The estimated cost split is \$446,575 for the City of Blaine and \$722,025 for the City of Spring Lake Park. For the City of Blaine portion, the estimated amount to be assessed is \$82,937 and the remaining \$363,638 is proposed to be paid from the City's Pavement Management Program Fund and the City's Municipal State Aid Funds.

The project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Schedule of Actions

July 5, 2023	Initiate Project and Order Preparation of Feasibility Report and Enter into a Joint Powers Agreement with Spring Lake Park
November 20, 2023	Receive Feasibility Report and Order Public Hearing
December 4, 2023	Hold Public Hearing, Order Improvement, and Order Preparation of Plans and Specifications
December 18, 2023	Approve Plans & Specifications and Order Advertisement for Bids
January, 2024	Open Bids (Spring Lake Park)
March, 2024	Concur with Spring Lake Park on Awarding Contract
May-September, 2024	Construction of Improvements
September, 2024	Assess Improvements
2025	First Assessment Payment Due with Real Estate Taxes

Strategic Plan Relationship

This project aligns with the City's strategic plan goal of well-maintained infrastructure by providing high-quality street surfaces.

Board/Commission Review

Not required

Financial Impact

The project will be funded by a combination of assessments, MSAS Funds and bond proceeds placed in the City Pavement Management Program fund. There are sufficient funds to cover these costs.

Public Outreach/Input

The project is being conducted pursuant to MN Statutes, Chapter 429 and is compliant with all public notification requirements thereof.

Staff Recommendation

By motion, approve the Resolution.

Attachment List

1. Feasibility Report-signed
2. Location Map



City of Blaine

Signature Copy

Resolution: RES 23-194

Order Improvement and Order Preparation of Plans and Specifications for the Sanburnol Drive/85th Avenue Improvements, Improvement Project No. 23-14

WHEREAS, Resolution No. 23-183 the Blaine City Council, adopted on the 20th day of November 2023, ordered a public hearing on the proposed project; and

WHEREAS, the required notices were published and mailed to benefiting property owners, and the public hearing was held on the 4th day December, 2023, at which time all persons desiring to be heard were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blaine as follows:

1. Such improvements are hereby ordered as proposed in the Feasibility Report, which was accepted by Resolution No. 23-183 adopted on the 20th day of November 2023.
2. The City Engineer is hereby designated as the Engineer for this improvement and is directed to prepare plans and specifications for the making of this improvement.
3. The City Council declares its official intent to reimburse the city for the costs of the improvements from the proceeds of tax-exempt bonds.

PASSED by the City Council of the City of Blaine this 4th day of December 2023

FEASIBILITY REPORT FOR

IMPROVEMENT PROJECT NO. 23-14
SANBURNOL DRIVE/85TH AVENUE IMPROVEMENTS
CITY OF BLAINE, MINNESOTA

11/13/23

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 Professional Engineer under the laws of the State of Minnesota.



Stefan T. Higgins, PE
Assistant City Engineer

Minn. Lic. No. 41290



City of Blaine
10801 Town Square Drive NE
Blaine MN 55449

FEASIBILITY REPORT

PROJECT NO. 23-14 - TABLE OF CONTENTS

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EXHIBITS

1. Assessable Parcels
2. Proposed Assessment Roll – Property Assessed by Linear Foot

FEASIBILITY REPORT

PROJECT NO. 23-14

EXECUTIVE SUMMARY

The proposed joint project between the City of Spring Lake Park and the City of Blaine will reconstruct the following streets:

- Sanburnol Drive NE/85TH Avenue NE (last paved in 1997) from University Avenue Frontage Road to Monroe Street
- University Avenue Frontage Road from Sanburnol Drive to Northtown Mall ring road
- Elm Drive NE (last paved 1997 and 2004)
- 83rd Avenue NE (last paved in 1994).

The north half of Sanburnol Drive/85th Avenue (hereafter referred to as Sanburnol Drive) is located within the City of Blaine, while the south half lies in Spring Lake Park. The portion of the University Avenue Frontage Road on this proposed project lies entirely within the City of Blaine. Elm Drive and 83rd Avenue both lie entirely within Spring Lake Park.

The City of Blaine will pay for the proportional cost of the Sanburnol Drive improvements for the portion of the street within the City of Blaine and the entire costs for the University Avenue Frontage Road. The City of Spring Lake Park will pay for a proportion of the cost of Sanburnol Drive and the full costs associated with Elm Drive and 83rd Avenue as they lie entirely within the City of Spring Lake Park.

The estimated total project cost is \$1,171,600. The estimated cost split is \$446,575 for the City of Blaine and \$722,025 for the City of Spring Lake Park. For the City of Blaine portion, the estimated amount to be assessed is \$82,937.05 and the remaining \$363,637.95 is proposed to be paid from the City's Pavement Management Program Fund and City Municipal State Aid Funds.

The project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

1. PROJECT HISTORY

The Blaine City Council approved a Joint Powers Agreement with the City of Circle Pines, initiated the project and ordered the preparation of a feasibility report on July 5, 2023, with Resolution No. 23-110.

This report is based on field observations, record drawing information, 2023 aerial photography, and a 2023 topographic survey.

The remainder of this report will focus on Sanburnol Drive and the portion of the University Avenue Frontage Road from Sanburnol Drive to the Northtown Mall ring road as these roads either partially (Sanburnol Drive) or fully (University Avenue Frontage Road) lies within the City of Blaine.

2. PROJECT AREA CHARACTERISTICS

Sanburnol Drive

Sanburnol Drive from the University Avenue Service Drive to Elm Street is an existing urban, bituminous roadway with B618 concrete curb and gutter. The street is 32-feet wide (face of curb to face of curb) and was last paved in 1997. The pavement section is generally four to six inches of bituminous over four to seven inches of aggregate base. Concrete sidewalk is present on the north side of the road from Jefferson Street to the Cub Foods parking lot entrance and on the south side from Terrace Road to Elm Street.

Storm sewer is present and runs along the south side of the street. There are only two catch basins located on the north side of the street at the University Ave Service Drive and near Monroe Street.

Water main is present on the north boulevard (Blaine) and south boulevard (Spring Lake Park). Sanitary sewer (Spring Lake Park) runs down the centerline of the road.

The pavement has reached the point of failure with significant block, transverse and longitudinal cracking and has failed to a point where an overlay is not feasible.

University Avenue Frontage Road

The University Avenue Frontage Road from Sanburnol Drive to the Northtown Mall ring road was constructed in 1989 with a section consisting of 4 inches of bituminous pavement on 4 inches of aggregate base. The road is a 29 foot wide urban section with B618 concrete curb and gutter. No records of pavement rehabilitation activities were found.

This segment of the University Avenue frontage road has sanitary sewer present under the road. No manhole structures are located within this segment.

The pavement has reached the point of failure with significant block, transverse and longitudinal cracking and has failed to a point where an overlay is not feasible.

The proposed project is located in the Coon Creek Watershed District. No portion of the project will impact wetlands as identified on the City's wetland inventory map.

See Exhibit No. 1 for the project location.

3. PROPOSED IMPROVEMENTS

The proposed improvements will include a bituminous replacement of the existing street pavement section, minor spot curb replacement, minor spot sidewalk replacement, pedestrian curb ramp ADA upgrades, and the addition of some catch basin storm sewer structures and pipe. The improvements are necessary, cost-effective, and feasible. Each improvement is further described as follows:

A. Sanitary Sewer

Public Works and Engineering staff has reviewed the existing sanitary sewer along the project corridors and concur that there are no issues with the existing sanitary sewer main.

B. Water Main

Public Works and Engineering staff has reviewed the water main installation dates and water main break data along the project corridors and concur that the existing water main has no issues indicating the need for replacement or repair.

C. Street Construction

The proposed construction will include a bituminous replacement which consists of reclamation of the existing bituminous pavement. This process involves grinding the existing bituminous into a granular/aggregate material to use as a base for new bituminous. The proposed design section will include 5.5-inches of new bituminous over 8-inches of Class 5 or reclaimed material.

Concrete sidewalk currently exists in some portions of the project area. Based on a field review and discussions with the Spring Lake Park Public Works Director, the majority of the existing sidewalk appears to be in satisfactory condition. Since the existing sidewalk is in adequate condition, only minor spot repairs and pedestrian ramp work are proposed. MnDOT State Aid will review the mainline existing sidewalks during the design phase of the project and determine if any mainline sidewalk repairs are necessary to meet ADA standards.

The streets included in this project have existing B618 concrete curb and gutter. Based on a field review and discussions with Spring Lake Park, the majority of the curb appears to be in satisfactory condition. City staff from both cities agree that they prefer to save the curb and gutter if possible. Therefore, it is proposed to limit the replacement of curb and gutter to spot areas. Proposed curb replacement segments include those sections currently showing damage or deterioration and at those locations where storm sewer repairs and pedestrian ramp replacements are proposed.

It is not anticipated that additional right-of-way will be needed for the project.

D. Storm Drainage

The existing storm sewer structures have been inspected by the Spring Lake Park Public Works Director to determine pipe conditions and identify necessary repairs. The majority of the catch basins and leads throughout the project are deemed to be in acceptable condition. Some catch basin structures will be removed and replaced with new structures. All storm sewer structures will receive new castings and concrete adjustment rings.

The spacing of the existing storm sewer inlets (catch basins) on Sanburnol/85th Avenue is insufficient to meet current design standards. It is proposed to add storm sewer inlets on Sanburnol/85th Avenue at approximately 300-feet east of Terrace Road and approximately 300-feet east of Monroe Street. In addition, catch basins will be added on the north side of Sanburnol Street to match what exists on the south side of the road.

4. IMPACT OF PROPOSED IMPROVEMENTS

The proposed street improvements will not create any new maintenance issues for the Public Works staff. The City will work with affected property owners and the Contractor to resolve any situation that may arise during construction. Short term traffic delays, construction dust and noise, and erosion will occur. Efforts to minimize these impacts include the restriction of work hours and dust and erosion control measures included in the project. Any disruptions that occur to existing yards, sprinkler systems, and driveways will be restored.

5. SUMMARY OF ESTIMATED PROJECT COSTS AND FUNDING**Project:** 23-14**Description:** Sanburnol Drive/85th Ave Improvements Project

Cost Item	Percent	Amount
Construction Costs		
Street Construction		\$ 929,800
Water Main		0
Sanitary Sewer		0
Total Construction Costs		\$ 929,800
Administrative Costs		
Engineering	17%	\$ 158,100
Assessment	1%	9,300
Legal	1%	9,300
Administration	3%	27,900
Capitalized Interest	3%	27,900
Bonding	1%	9,300
Total Administrative Costs		\$ 241,800
TOTAL ESTIMATED PROJECT COSTS		\$ 1,171,600

Temporary Funding Source

City Internal Funds

Permanent Funding Source

Assessments, Pavement Management Program Funds (PMP Funds), and MSAS Funds,

Funding

Total Generation from Assessments	\$ 82,937.05
Total Paid from PMP/MSAS Funds	\$ 363,637.95

6. ASSESSMENT METHODOLOGY

It is proposed that the project be assessed as a bituminous replacement project over 5 years in accordance with the City's Assessment Policy. It is proposed to assess this project using the linear foot method for the commercial/industrial/high density residential properties. Proposed assessments are based on a flat rate for bituminous replacement projects of \$29.75 per assessable front foot for commercial/industrial/high density residential properties, and do not include costs for water main or sanitary sewer work.

See Exhibit No. 1 for the parcels proposed to be assessed and Exhibit No.2 for the proposed assessment rolls.

7. FINANCE

The proposed project will be temporarily financed by the City. Permanent funding will be provided by the Pavement Management Program Funds, MSAS Funds, and the costs assessed to the benefiting parcels in accordance with current City Assessment Policy and Minnesota Statutes Chapter 429, Special Assessment Laws.

A. Finance Director Statement

With reference to this Feasibility Report for Improvement Project 23-14 as prepared by the City of Blaine Engineering Department dated November 9, 2023, I find the following:

1. The project will be temporarily funded through existing City internal funds whereupon permanent financing will be obtained through the City's Municipal State Aid Street Funds, Pavement Management Program Funds, and assessments.
2. Sufficient moneys are currently available from the City's internal funds to temporarily fund the special assessment portion of the project. It is estimated that \$82,937.05 will be assessed.



Jason Zimmerman, Finance Director

8. PROJECTED SCHEDULE

November 20, 2023	Receive Feasibility Report Order Public Hearing
December 4, 2023	Hold Public Hearing Order Improvements and Order Preparation of Plans and Specifications
December 18, 2023	Approve Plans and Specifications Order Advertisement for Bids
January, 2024	Open Bids (Spring Lake Park)
March, 2024	Concur with Spring Lake Park on Award Contract
May – Sept 2024	Construct Improvements
September 2024	Assess Project
2025	First assessment payment due with real estate taxes

9. PROJECT FEASIBILITY AND RECOMMENDATION

The project as proposed is technically and financially feasible, cost effective, and will result in a benefit to the properties proposed to be assessed. It is recommended that the Council accept this report, hold the public hearing, and order the improvements.

EXHIBIT 1

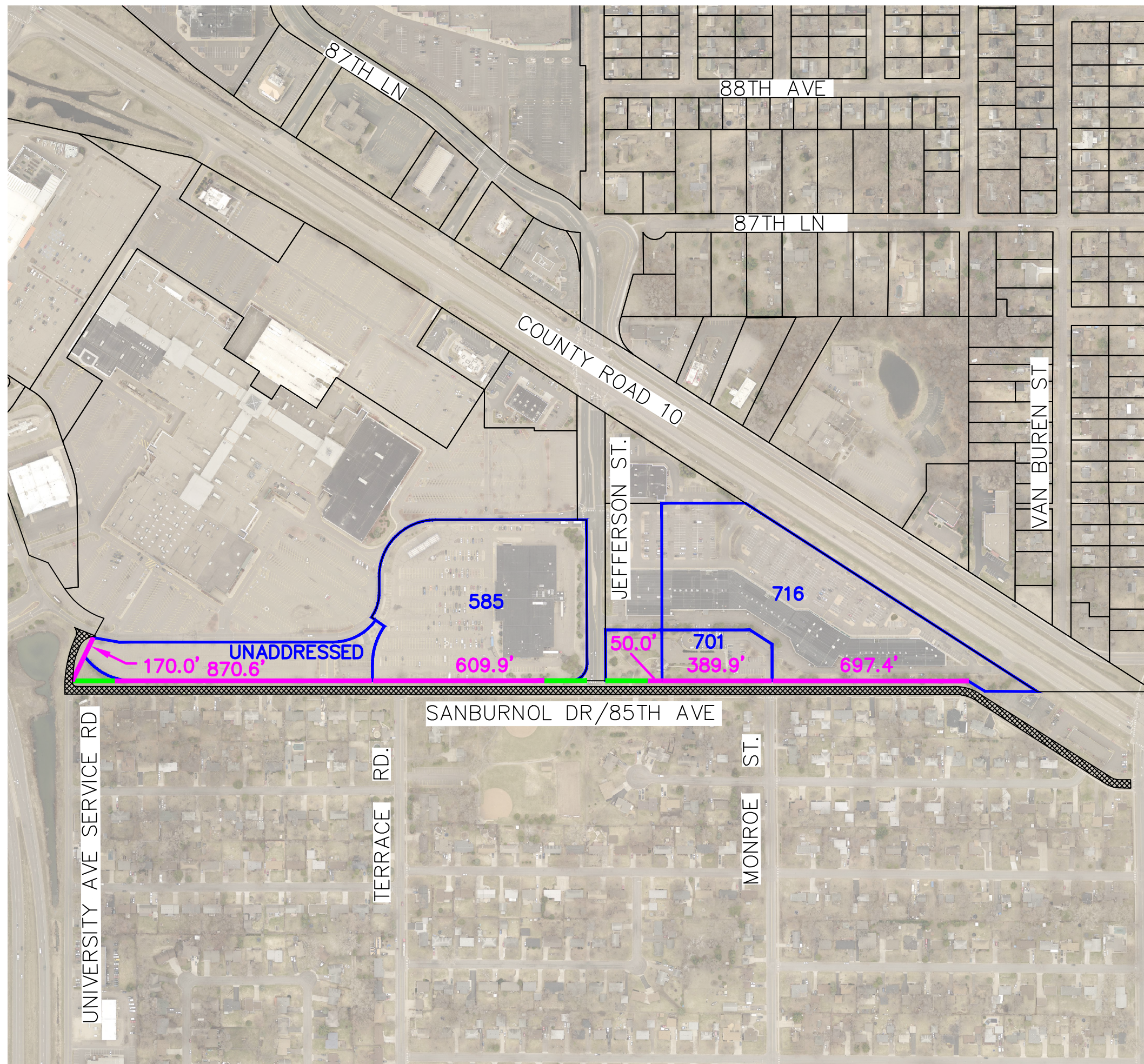
SANBURNOL DR/85TH AVE IMPROVEMENTS PROJECT ASSESSMENT MAP

LEGEND:

- — ASSESSABLE FRONT FOOTAGE
- — 150 FT CORNER LOT CREDIT
- ASSESSED PARCEL
- PROJECT LOCATION



ENGINEERING DEPARTMENT
10801 Town Square Drive, Blaine, Minnesota 55449
Phone (763) 785-6172



PROJECT 23-14
SANBURNOL DRIVE/85TH AVENUE IMPROVEMENTS PROJECT
CITY OF BLAINE
EXHIBIT NO. 2 - COMMERICAL, INDUSTRIAL, HIGH DENSITY RESIDENTIAL PROPERTY
PROPOSED ASSESSMENT ROLL

ASSESSMENT RATE FOR BITUMINOUS REPLACEMENT IS \$29.75 PER FRONT FOOT AS ESTABLISHED IN THE CITY OF BLAINE ASSESSMENT POLICY

PROPERTY PIN	PROPERTY OWNER	PROPERTY ADDRESS	ASSESSABLE FRONT FOOTAGE		ASSESSMENT RATE PER FRONT FOOT	PROPOSED ASSESSMENT
31-31-23-34-0003	SUPER VALU STORES INC	585 NORTHTOWN DR NE	609.9	*	\$29.75	\$18,144.53
31-31-23-34-0011	NORTHTOWN MALL TERRITORIES LLC	100 NORTHTOWN DR NE	1040.6	*	\$29.75	\$30,957.85
31-31-23-43-0047	HIAWATHA LAKE PARTNERS II LLC	701 85TH AVE NE	389.9		\$29.75	\$11,599.53
31-31-23-43-0048	HIAWATHA LAKE PARTNERS II LLC	701 85TH AVE NE	50.0	*	\$29.75	\$1,487.50
31-31-23-43-0049	KRAUS-ANDERSON INC	716 COUNTY ROAD 10 NE	697.4		\$29.75	\$20,747.65
TOTALS:			2787.8			\$82,937.05

NOTES:

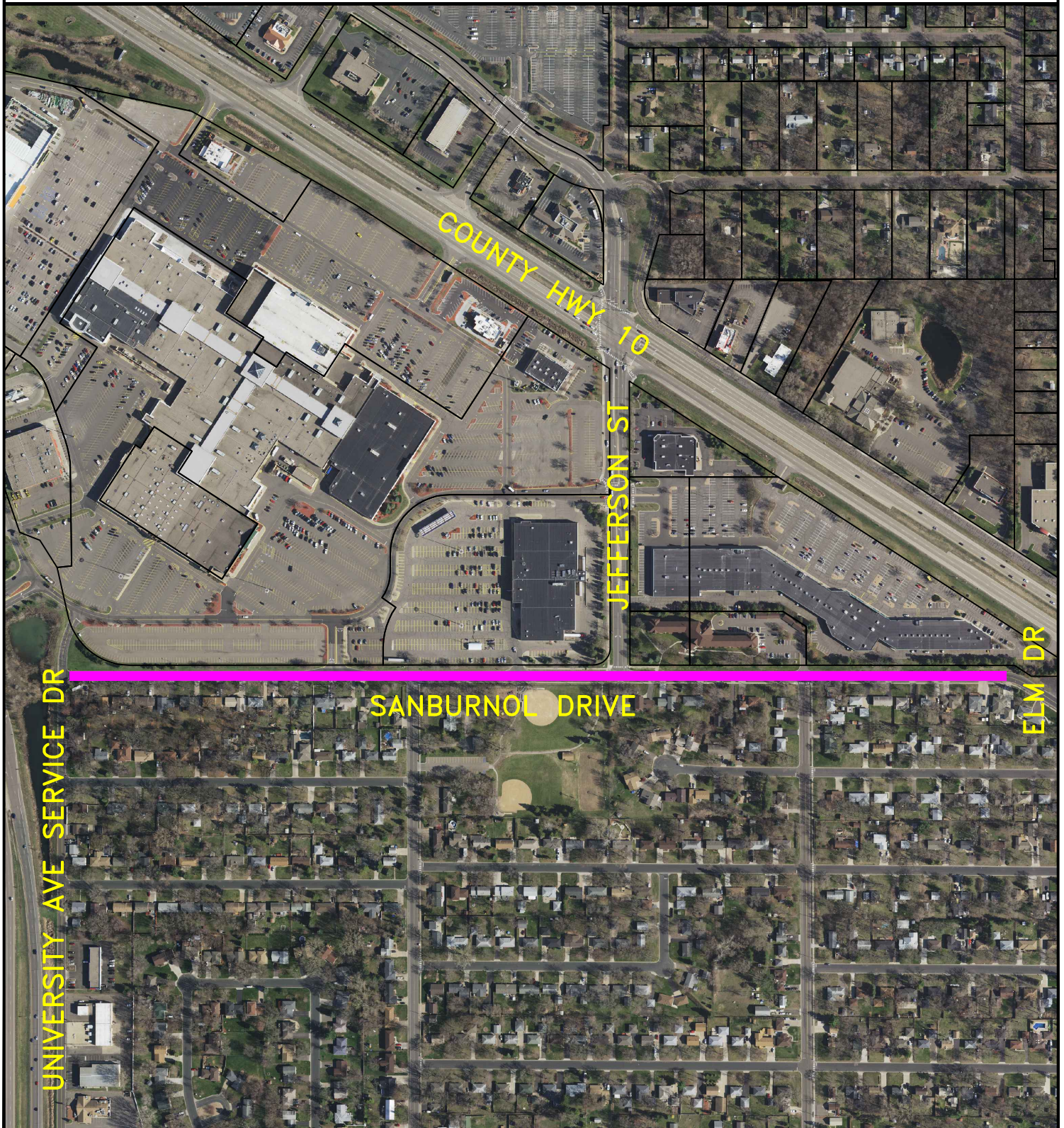
*150 FOOT CORNER LOT CREDIT APPLIED TO ASSESSABLE FRONT FOOTAGE

SANBURNOL DRIVE RECONSTRUCTION PROJECT

LOCATION MAP



 - ROAD RECONSTRUCTION





City of Blaine

Staff Report

File Number: ORD 23-2537

Agenda Date	Status
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December 4, 2023

In Control	File Type
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City Council

Ordinance

7:00 PM - Public Hearing and Items Published for a Certain Time - Cathy Sorensen, City Clerk

Agenda Item # 9.2

First Reading Repealing the Fee Schedule From City Code and Adopting the 2024 Fee Schedule

Executive Summary

Annually the City Council is ask to review and adopt a fee schedule for the upcoming year.

Background

Minnesota Statutes §462.353, subd. 4(a) provides, in part, as follows: "...a municipality may adopt a fee schedule under this subdivision by ordinance..., following publication of notice of proposed action on a fee schedule at least 10 days prior to a public hearing held to consider action on or approval of the fee schedule."

Currently, the fee schedule is Appendix D in City Code. Each year, when amendments are made to the fee schedule, it is required that a notice of public hearing is published in the newspaper and a first and second reading are held. We are then required to publish the entire fee schedule in the *Blaine Spring Lake Park Life*, which is costly. In consulting with a MuniCode (our city code software vendor) attorney, it was determined that making the fee schedule a stand-alone document and indicating in code that it is available in the City Clerk's office and also available on our website meets the statutory requirements. Therefore, staff is proposing to remove the fee schedule from Appendix D in City Code and will continue to bring proposed changes to council for approval annually in December to be approved by motion.

Attached are the proposed changes for 2024 fees. Department comments are listed below:

Building Inspections

The current permit fee schedule was modeled after the 1997 Uniform Building Code and has not been updated for many years. The proposed changes are modeled after the City of Plymouth and Lakeville (following the 2016 schedule used by the Dept. of Labor and Industry). The proposal would increase the permit for the average new home by 6.8% (based on a home valuation of \$321,070).

1. Accessory building/shed permit proposed increase of \$15 to \$75. This permit includes plan review and an average of 2 inspections.
2. Basement finish permit proposed increase of \$30 to \$180. This permit includes plan review and an average of 3 inspections for building, plumbing, and mechanical.
3. Swimming pools permit proposed increase of \$15 to \$75. This permit includes a plan review and an average of 2 inspections. The installation and inspection of a fence is included as well.

City Clerk

The proposed changes/additions include deletion of the amusement center fee as that license type was removed from code in 2022; addition of microdistillery and adult use fees to correspond with approved license types, and proposed increase for on-sale intoxicating liquor licenses, pending notification of current license holders and the required public hearing per statute.

Community Standards

Lawn sprinkling violation fee - added for \$25 and increasing it an additional \$25 for subsequent violations. The fee would serve as an enforcement tool.

Planning Department

Proposed fee increases are due to increased mailing costs and staff time. One fee that is proposed to be added is a fee for workshop items. Right now it is required for a comp plan amendment and subdivision over 50 lots to go to workshop. In addition, several other concepts and rezoning proposals have gone to workshop. Preparing these items (staff report, presentation, correspondence) for workshop takes just as long if not longer than reviewing the actual application. These fees are more inline with staff time and similar to surrounding cities.

Police Department

The proposed fee increase for digital evidence is to help recoup the cost of flash drives since there has been an increase in requests over the last several years. The increase would also be in alignment with other agencies in Anoka County.

Public Works

1. Water and sewer hook-up fee - increasing the fee to match Building Inspections.
2. Re-inspection fee - being added to help eliminate the current issue of contractors not being ready for inspection at their scheduled time and/or receiving re-inspection requests without issues resolved.
3. Water meters – cost increases from our vendor.
4. Hydrant meter use fee - fee has not increased in many years and significant staff time is required to test the meters before use and prepare the meters for rental.

Strategic Plan Relationship

The fee schedule pertains to financial sustainability.

Board/Commission Review

n/a

Financial Impact

The establishment of proper fees to adequately cover the cost of certain programs the city provides helps to limit the reliance on property taxes to fund discretionary public services.

Public Outreach/Input

Notice of public hearing was published in the November 24, 2023, edition of the Blaine Spring Lake Park Life.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the December 18, 2023 Council meeting.

Attachment List

1. Proposed 2024 Fee Schedule



City of Blaine

Signature Copy

Ordinance: ORD 23-2537

First Reading Repealing the Fee Schedule From City Code and Adopting the 2024 Fee Schedule

The City of Blaine does ordain: (Added portions are underscored and deleted portions are shown in overstrike.)

The City of Blaine's fee schedule is on file in the City Clerk's office and is also available online at blainemn.gov/feeschedule

-
Blaine, Minnesota, Code of Ordinances
~~Appendix D Fee Schedule~~
Effective January 1, 2023

Building Inspections Department		
Fee Type	Fee Amount	Code Section (if applicable)
Building Permits (applicable state surcharge also required)	Determined by total valuation	18-43
By Valuation	*Fees do not include state surcharge	-
— \$1.00 to \$500.00	Minimum fee \$75.00	-
— \$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00 Minimum fee \$75.00	-
— \$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00 Minimum fee \$75.00	-
— \$25,001.00 to \$50,000.00	\$391.75 plus \$10.10 for each additional \$1,000.00 or fraction thereof in excess of \$25,000.00, to and including \$50,000.00	-
— \$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to	-

	and including \$100,000.00	
— \$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00	-
— \$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	-
— \$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof \$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof	-
Plan Review Fees: When submittal documents are required by MN Rules 1300, a plan review fee shall be paid at the time of permit issuance. Said plan review fee shall be 65 percent of the building permit fee shown above. - The plan review fees specified in this subsection are separate fees from the permit fees specified in MN Rules 1300 and are in addition to the permit fees. - When submittal documents are deemed incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in MN Rules 1300, an additional plan review fee shall be charged at the rate shown above. - Fee Exception: Private residential accessible ramps are exempt from the permit fee requirement subject to the following criteria: • Plan submittal review and normal permit approval required prior to construction. • The ramp must be designed to minimum accessibility design standards as determined by the Chief Building Official. • Compliance with all zoning regulations required. • State surcharge still applies.	-	-
Accessory buildings/sheds (set fee) when the floor area is greater than 120 square feet and does not exceed 200 square feet or when the floor area is 120 square feet or less and the structure has a poured slab or footings, a zoning permit is required. (Manufactured home park and single family residential.)	\$50.00 + state surcharge	-
Attic and wall insulation alteration, residential (set fee)	\$75.00 + state surcharge	-
Basement finish permit – residential (existing homes): all inclusive plumbing, mechanical, building Per room (maximum set fee charge of 3 rooms)	\$150.00 + state surcharge or \$60.00/room + state surcharge	-

Basement finish permit – home under construction (prior to Certificate of Occupancy being issued)	Use section 18-43 and current city valuation table	-
Contractor License Verification Fee – fee can be added to any residential building permit that requires a licensed contractor.	\$5.00	326B.815 Subd. 2
Deck, construction/remodeling (set fee)	\$100.00 (up to 100 ft²) + state surcharge \$150.00 (over 100 ft²) + state surcharge \$75.00 deck remodel/repair + state surcharge	-
Demolition permit – residential and interior commercial demolition permit (set fee)	\$75.00 plus \$2,000.00 escrow cleanup fee + state surcharge	-
Demolition permit – commercial building (entire building or portion of building)	\$150.00 plus \$2,000.00 escrow cleanup fee + state surcharge	-
Drain tile installation, residential (set fee)	\$75.00 + state surcharge	-
Escrow – new construction single-family homes upon issuance of building permit	\$5,000.00	-
Escrow, additional, new construction single-family homes for outstanding items not completed at issuance of Certificate of Occupancy between May 15 & October 15	\$2,500.00	-
Fences, yard – residential (set fee)	\$50.00	33.091
Fences, commercial (set fee)	\$75.00	33.091
Manufactured home installation (set fee) All inclusive (plumbing, mechanical, building, Certificate of Occupancy)	\$400.00 + state surcharge	46-44
Manufactured structure – to park on any lot in the City in the event of a disaster (limited to 90 days) (issued by City Manager)	\$100.00 + state surcharge	46-4(d)(1)
Manufactured structure – permit for temporary use as a dwelling or office outside of an authorized park (issued by council)	\$250.00 + state surcharge	46-41
Moving permit – residential single family & manufactured home (set fee)	\$75.00 + state surcharge	-
Parking lot – commercial	\$75.00 + state surcharge	-
Plan review fee	65% of building permit fee	-
Plan review of revision after permit issuance	\$100.00 per hour not exceeding 50% of flat permit fees	-
Roofing permit – residential (set fee)	\$100.00 + state surcharge + contractor verification fee	-
Roofing permit – townhouse (set fee)	\$60.00/unit with a maximum of \$360.00 + state surcharge + contractor verification fee	-
Roofing permit – commercial	Building permit fee + state surcharge	-
Siding permit – residential (set fee)	\$100.00 + state surcharge + contractor verification fee	-
Siding permit – townhouse (set fee)	\$60.00/unit with a maximum of \$360 + state surcharge + contractor verification fee	-
Siding permit – commercial	Building permit fee + state surcharge	-
Solar permit – residential (set fee)	\$100.00 + state surcharge	-

Solar permit – commercial	Building permit fee & plan review fee + state surcharge	-
Swimming pools (set fee)	\$60.00 + state surcharge	-
— Above ground	\$60.00 + state surcharge	-
— Above ground inflatable pools (good for 3 years from date of issue)	-	-
— In ground	\$125.00 + state surcharge	-
Window(s) replacement – residential	\$100.00 + state surcharge + contractor verification - fee	-
Work started without a proper permit	Double permit fee	-
Certificate of occupancy	\$20.00 (when part of issued permit) \$60.00 (when part of pre-occupancy walk thru of business locations only)	18-74
City contractor's license(s) – yearly (fees includes multiple licenses per contractor)	\$70.00	18-125
Cement work, cement block work, cement block laying or brick work; General construction including erection, alteration, or repair of a building; The moving or wrecking of buildings; Plastering, outside stucco work, or lathing; Blacktopping (parking lots, driveways, etc.); Roofing; Excavators (for basements, foundations, grading of lots, etc.); Heating, ventilating or air conditioning		
Sign and billboard erecting; Automatic sprinkler system design and installation contractor	\$35.00	-
Inspections and Fees	-	-
Inspections outside of normal business hours	\$100.00 per hour – minimum charge 1 hour ¹	-
"Will Meet Inspection" to investigate if roofing, siding, or window work is compliant when work has been covered prior to required inspection(s), or if required pictures have not been submitted. Fee to be collected prior to will meet inspection	\$50.00	-
Re inspection	\$100.00 ¹	-
Inspections for which no fee is specifically indicated	\$100.00 per hour – minimum charge 1 hour ¹	-
For use of outside consultants for plan checking and inspections or both	Actual costs ¹	-
Erosion control inspection fee (Commercial & Industrial Building permits)	\$250.00	-
Heating, Ventilating and Air Conditioning Permits	-	18-125/161
Residential	-	-
Air conditioning system (set fee)	\$75.00 + state surcharge	-
Furnace replacement (set fee) (includes alterations to ductwork)	\$75.00 + state surcharge	-
Gas stoves, ranges, etc. (set fee)	\$75.00 + state surcharge	18-161
Heating work started without proper permit	Double permit fee	-
Hot water system (set fee) includes burner	\$75.00 + state surcharge	-
HVAC system new/replacement – all inclusive (set fee) (ex. Damage repair due to fire)	\$200.00 + state surcharge	18-161

— In-floor heat piping (set fee)-	\$75.00 + state surcharge-	-
— Manufactured home gas piping (set fee)-	\$75.00 + state surcharge-	-
— Misc. gas burning appliances (set fee)-	\$75.00 + state surcharge-	-
— Misc. equipment used for heating/cooling (set fee) (solar, heat pumps, gas lines, manufactured wood burning appliance, etc.)	\$75.00 + state surcharge-	-
— Ventilating systems – residential (set fee)-	\$75.00 + state surcharge-	-
— Commercial-	-	-
— Mechanical (minimum fee)-	\$75.00 + state surcharge-	-
— Mechanical HVAC projects all-	Based on 3% of job cost+ state surcharge-	-
— Mechanical work started without proper permit-	Double permit fee-	-
Plumbing Permits-	-	18-191
— Residential-	-	-
— Each single family residential fixture or fixture opening, or for each three gas piping openings (set fee)	\$12.00 + state surcharge - -	-
— Minimum permit fee – residential-	-\$75.00 + state surcharge-	-
— Lawn Sprinkling system (set fee)-	\$75.00 + state surcharge-	-
— Plan approval fee for inspection of private underground utility installation-	\$250.00 + state surcharge-	-
— Plumbing work started without proper permit-	Double permit fee-	-
— Plumbing system new/replacement – all inclusive (set fee) (ex. Damage repair due to fire)	\$200.00 + state surcharge-	-
— Plumbing alterations – altering of drains, vents and/or water piping (set fee)-	\$75.00 + state surcharge-	-
— Utility systems – new hook-up, repair or alteration of any sewer or water systems (set fee) (except subsurface sewage treatment systems)	\$75.00 + state surcharge-	-
— Septic tank replacement (set fee)-	\$80.00 each + state surcharge-	-
— Subsurface sewage treatment system, installation or alteration of any individual system (set fee)-	\$350.00 + state surcharge-	-
— Water heaters – gas or electric (set fee)-	\$75.00 + state surcharge-	-
— Commercial-	-	-
— Minimum fee for commercial plumbing projects-	\$75.00 + state surcharge-	-
— Plumbing and underground utility work-	Based on 3% of job cost + state surcharge, minimum of \$75.00-	-
— Utility systems – minor water or sewer system repair-	\$75.00-	-
— Plumbing projects (inspections only for State Projects)-	Based on 1.5% of job cost + state surcharge -minimum of \$75.00-	-
— Plumbing work started without proper permit-	Double permit fee-	-
— Utility work escrow for repair of pavement and/or landscaping-	\$2,000.00-	-
Reports-	-	-
— Custom — Programming/Research Fee-	25¢/standard page* -\$25.00/hour – minimum 1 hour-	-
Individual airport hangar underground water utility work-	\$75.00-	-
Individual airport hangar underground sewer utility work-	\$75.00-	-
Sewer access charge Blaine sewer access charge-	\$2,485.00/unit -1.5% of MCES SAC fee-	86-141
Water access charge -	Residential \$1,910.00/unit Commercial \$4,824.00/acre-	86-141
All multi-family residential projects will pay per unit WAC rate however		

the rate is capped at no more than 150% of the commercial rate for the same site.

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-City Clerk's Office-		
Fee Type-	Fee Amount-	Code Section (if applicable)
Amusement center license	\$150.00	10-54(a)-
Per device fee-	\$15.00	
Charitable gambling investigation fee-	\$250.00	22-386
Christmas tree lot license	\$200.00	22-112
Deposit for clean up-	\$200.00	
Circus or carnival license—application fee (includes 1st day)	\$200.00	10-113
Each additional Day-	- \$100.00	
Denied license fee-	\$25.00	-
Garbage haulers (private)-	\$75.00	62-34(3)-
Kennel license—per year—home based	\$70.00	14-191(a)-
Kennel license—per year—commercial-	\$90.00	
Liquor-	-	-
Special license for 2:00 a.m. permit-	\$200.00	6-38(13)-
On-Sale intoxicating liquor license-	\$5,800.00	6-38(5)-
On-Sale wine license	-	6-38(7)-
Seating for up to 99	-	
Seating for 100+	\$1,000.00 \$2,000.00	
Off-Sale intoxicating liquor	-	6-38(4)-
License fee w/proof of identification machine	\$200.00	
assistance & written employee policy	-	
License fee w/out proof of identification machine	\$300.00	
assistance & written employee policy-		
Investigation fee for 6-66(a), (b), (c)-	\$500.00	6-45(a), (b)-
Investigation fee for new responsible party/manager	\$150.00	6-41(b)-
for an existing license/or new 3.2 on/off sale license-		
Additional fee for change of ownership, corporate	\$50.00	6-44
control-		
Off-Sale 3.2 percent malt liquor license-	\$100.00	6-38(2)-
On-Sale 3.2 percent malt liquor license-	\$400.00	6-38(1)-
Club on-sale intoxicating liquor-	\$300.00	6-38(5)-
Tavern license (including public dancing)-	\$200.00	6-38(5)-
Public drinking place license-	\$200.00	6-38(5)-
Special license for Sunday liquor sales-	\$200.00	6-38(6)-
Combination license for club only—sum of separate	\$900.00	6-38(5)-
fees above-		
Temporary on-sale 3.2 percent malt liquor license-	\$50.00	6-38(3)-
Brewer taproom-	\$500.00	6-38(9)-
Small brewer off-sale-	\$300.00	6-38(10)-
Off-sale brew pub-	\$300.00	6-38(12)-
On-sale brew pub-	\$300.00	6-38(11)-
Massage, Therapeutic-	-	22-427

—Business Enterprise (new business)	\$300.00	-
—Background fee-	\$200.00	
—Individual	\$150.00	-
—Background fee-	\$50.00	
—Business Enterprise (renewal)	\$175.00	-
—Background fee-	\$100.00	
—Individual (renewal)	\$100.00	-
—Background fee-	\$35.00	
—Motor vehicle salvage or junkyard license fee-	\$500.00	34-374
—Nursery sales – temporary-	\$400.00	22-583(a)-
Pawnbrokers-	-	-
—Pawnbroker reportable transaction fee-	\$2.00/transaction-	22-201
—Pawnbroker non-compliant transaction fee-	\$4.00/transaction-	22-201
—Pawnbroker annual fee	\$3,000.00	22-231
—After the 3rd license year & subsequent years with	\$2,000.00	
—no more than 3% error rate over previous years-		
—Pawnbroker background investigation fee-	\$500.00	22-232(f)-
—Pawnbroker background investigation fee (out of	Actual costs incurred-	22-232
—state travel)-		
—Peddlers, Solicitors, Transient Merchants-	-	22-293
—Application Fee (initial investigation)-	\$35.00/person or	-
	application-	
—Semi-Annual Fee (January 1—June 30/July	\$300.00	-
—1—December 31)-		
—Replacement city issued photo identification license-	\$10.00	-
—Precinct Maps-	\$5.00/each*	-
—Solid waste disposal license-	\$750.00	62-91
—Special event license fee – each event (<i>subject to no refund if cancelled</i>	-	-
<i>30 days prior to event</i>)		
—Club/charitable/religious/non-profit organization	\$100.00	70-42(b)
—Others	\$200.00	70-42(b)
—(Deposit fee – per day)-	\$250.00	70-43(1)-
Tobacco/Tobacco Products/Tobacco Related Device License	\$50.00 (non-refundable)-	42-63
Background Fee-		
—License fee with proof of identification machine	\$100.00	-
—assistance & written employee policy	-	
—License fee w/out proof of identification machine	\$200.00	
—assistance & written employee policy-		
—Vehicle vending operating license-	\$100.00	22-621(b)-

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Community Standards Fire Inspections, Code Enforcement, Rental Licensing		
Fee Type-	Fee Amount-	Code Section (if applicable)
False Alarms – Fire-	-	30-69(1)-
—4th False fire alarm in a calendar year-	\$200.00	30-69(1)(a)-
—Each successive false fire alarm in addition to 4 in a	Increase by \$50.00/each-	30-69(1)(b)-
—calendar year-		
Fire inspection permit fees-	-	38-33
—Alarm systems installations (each alarm detection	5.00/device-	-
—device)-		

— Minimum fee-	\$50.00-	-
— Automatic suppression systems – fire pump-	\$100.00-	-
— Burning permit (additional fee if standby personnel required)-	\$75.00-	-
— Extinguishing systems (head or nozzle)-	\$5.00/device-	-
— Minimum fee for commercial and required residential fire sprinkler systems-	\$51.00 (state surcharge included)-	-
— Maximum fee for voluntary single family residential fire sprinkler system-	\$30.00-	-
— Fire order re-inspection fee-	\$50.00-	-
— Fireworks/pyrotechnic displays-	\$100.00-	-
— Consumer fireworks retail sales facility-	\$350.00-	-
— All other fireworks retail sales-	\$100.00-	-
— Hazardous materials tank installation-	\$100.00/tank-	-
— Removal of underground flammable liquid storage tank (per tank)-	\$75.00-	-
— Special amusement buildings-	\$200.00-	-
— Standpipe installation-	\$50.00-	-
— Temporary tents, canopies and membrane structures-	\$50.00/structure-	-
Inspections and fees-	-	-
— Inspections outside of normal business hours (minimum charge – 2 hours)-	\$57.00/hour ¹ -	-
— Designated city holiday (minimum charge – 2 hours)-	76.00/hour ¹ -	-
— Mowing administrative fee-	\$25.00/parcel-	90-36
— Rental Housing Licensing-	-	18-505
— Rental housing license fees (+\$10/unit)-	\$180.00/11ppro. (+\$10/unit)-	-
— Late fee (For every 30 days past due date)-	\$60.00-	-
— Rental housing license fees (after 3 years with no inspection issues)-	\$130.00/11ppro. (+\$10/unit)-	-
— Ownership transfer fee-	\$30.00-	18-507
— Re-inspection fee-	\$60.00-	18-509(b)(2)-
— Reinstatement fee (application)-	\$30.00-	18-5091-
Reports-	-	-
— Custom Programming/Research Fee-	\$5.00/copy* \$25.00/hour-	-
— Non-Custom-	\$5.00/copy*-	-

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-Engineering Department/GIS-		
Fee Type-	Fee Amount-	Code Section (if applicable)
Address change request from property owner-	\$75.00-	-
Admin/assessment fee for processing supplemental assessments-	\$250.00-	-
Earth removal and land reclamation-	-	34-1521-
—100—500 cubic yards-	\$100.00-	-
—500—5,000 cubic yards-	\$350.00-	-
Labels (mailing lists)-	-	-
— Programming/research fee-	\$25.00/hour-	-

—Label/address (Addresses can be requested on either labels or sent out in a text file or Excel file format. Fee is still based per address)-	\$0.025*	-
-Maps-	-	-
— Custom (require research and/or custom sizing)-	-	-
— Programming/research fee-	\$50.00/hour-	-
— Large format print up to 42" wide-	\$5.00 per linear foot*-	-
— Standard (pre-produced and on-hand maps)-	-	-
— City Street (12pprox.. 28" x 38")-	\$5.00/sheet*-	-
— Community Facilities (12pprox.. 36" x 36")-	\$5.00/sheet*-	-
— Land Use (12pprox.. 36" x 40")-	\$5.00/sheet*-	-
— Zoning (12pprox... 36" x 40")-	\$5.00/sheet*-	-
— Record Drawings (12pprox.. 24" x 36")-	\$5.00/sheet*-	-
— Mapbooks and small format maps (letter, legal or tabloid size)-	See photocopy price per sheet-	-
— Mailing fee for locations in Minnesota-	\$5.00/envelope-	-
-Plans and specifications-	-	-
— Projects up to \$500,000.00-	\$50.00/set-	-
— Projects over \$500,000.00-	\$75.00/set-	-
— Electronic copy - ½ payment goes to QuestCDN-	\$25.00/set-	-
-Reports-	-	-
— Programming/research fee-	\$25.00/hour-	-
— Report-	\$5.00/copy*-	-
-Right-of-way work-	-	-
— Delay penalty-	\$45.00 up to 3 days + \$10.00/day beyond 3 days-	70-721-
—Excavation permit-	\$150.00-	70-72(a)-
—Obstruction permit-	\$150.00-	70-72(b)-
—Permit extension-	\$15.00-	70-69(b)-
—Registration fee (one time)-	\$25.00-	70-64(a)-
—Transit amenity permit (per year)-	\$50.00-	70-92
—Work in right-of-way permit-	-	70-1
— Residential/lot-	\$50.00-	-
— Commercial/lot-	\$75.00-	-
-Special assessment search-	\$15.00-	-
-Storm water pond aeration permit-	\$150.00-	34-523
-Street and drainage/utility easement vacations:-	-	-Charter 12.06
—Single family residential-	\$250.00/1st lot + \$50.00/ea. Additional lot-	-
—All others-	\$500.00/lot-	-
-Telecommunications permit (includes Cable TV)-	\$150.00-	70-62

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-Finance Department-		
Fee Type-	Fee Amount-	Code Section (if applicable)
Bad checks-	\$25.00/each-	-
-Certify delinquent utilities and misc. invoices to tax roll-	\$50.00-	-

Electronic payment card fee		2.5% above \$25.00	-
Online utility billing credit card fee		2.95%	-
IVR phone payment		\$.50	-
New resident listing		\$5.00/paper* \$10.00/electronic*	-
Photocopies		.25/page* for 1st 100 pages	-
Sanitation utility fee (refuse, recycling and tax)		-	62-331
96 gallon service (per quarter)		\$66.00/quarter	-
68 gallon service (per quarter)		\$52.50/quarter	-
38 gallon service (per quarter)		\$42.00/quarter	-
Senior rate service (per quarter)		\$33.00/quarter	-
Sewer		-	86-141
Residential		\$70.00/quarter	-
Disabled & senior citizens (must meet hardship conditions)		\$35.00/quarter	62-33(f)
Commercial		-	-
0—5,833 gallons		\$23.33/month	-
Over 5,833		\$4.00/1,000 gallons	-
Apartments Monthly		\$17.50/unit	-
Stormwater utility fee		\$11.55/quarter	86-153
Water		-	-
Service fee		\$7.70/bill cycle	-
Monthly Billing Tiers	Quarterly Billing Tiers	-	-
0—8,000	0-24,000	\$2.25/per 1,000 gallons	-
8,001—25,000	24,001—75,000	\$2.84/per 1,000 gallons	-
25,001—50,000	75,001—150,000	\$2.91/per 1,000 gallons	-
Over 50,000	Over 150,000	\$3.92/per 1,000 gallons	-
State Water Test Fee		\$2.43/quarter	MN Stat. 144.3831

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Parks and Recreation				
Fee Type		Fee Amount	Code Section (if applicable)	
Athletic facility rental fee		-	70-43	
Resident		\$125.00/day per field/rink*	-	
Non-resident		\$150.00/day per field/rink*	-	
Athletic facility usage fee for Blaine youth athletic associations		\$15.00/participant/season	-	
Athletic facility usage fee for youth tournaments		\$25.00/non-Blaine team	-	
Athletic facility lighting rental fees:		-	-	
Baseball, football, soccer, softball, lacrosse		\$40.00/hour*	-	
Hockey rink		\$30.00/hour*	-	
Equipment rental fees:		-	-	
Field liner (+ \$50.00 deposit)		\$10.00 per day*	-	
Field liner deposit		\$50.00	-	
Bag of marking chalk		\$5.00 per bag*	-	
Mary Ann Young Center		-	-	
Oak Room	Resident	Non-Resident	2-hour minimum on MAYC rentals	-

-	-	-	\$100.00 deposit	-
— Mon—Thu 5—10 p.m.—	\$35.00/hour	\$55.00/hour	-	-
— Fri 5—10 p.m.—	\$50.00/hour	\$70.00/hour	-	-
— Sat 8 a.m.—Midnight	\$50.00/hour	\$70.00/hour	-	-
— Sun 8 a.m.—8 p.m.—	\$50.00/hour	\$70.00/hour	-	-
— Tom Ryan Room A/B	Resident	Non-Resident	\$500.00 deposit	-
— Mon—Fri 5—10 p.m.—	\$75.00/hour \$100.00/hour combined	\$100.00/hour \$125.00/hour combined	-	-
— Sat 5 a.m.—Midnight	\$100.00/hour \$150.00/hour combined	\$125.00/hour \$175.00/hour combined	-	-
— Sun 8 a.m.—8 p.m.—	\$100.00/hour \$150.00/hour combined	\$125.00/hour \$175.00/hour combined	-	-
— Maple Room A/B	Resident	Non-Resident	\$100.00 deposit	-
— Mon—Thu 5—10 p.m.—	\$35.00/hour \$65.00/hour combined	\$55.00/hour \$100.00/hour combined	-	-
— Fri 5—10 p.m.—	\$50.00/hour \$80.00/hour combined	\$70.00/hour \$115.00/hour combined	-	-
— Sat 5 a.m.—Midnight	\$50.00/hour \$80.00/hour combined	\$70.00/hour \$115.00/hour combined	-	-
— Sun 8 a.m.—8 p.m.—	\$50.00/hour \$80.00/hour combined	\$70.00/hour \$115.00/hour combined	-	-
-Park building rental-			-	-
— Building key deposit-			\$50.00-	-
— Resident-			\$25.00/hour *	-
— Non-resident-			\$30.00/hour *	-
-Parking permit for Lakeside Commons Park (Beach)-			-	-
— Blaine resident-			\$ FREE-	-
— Non-resident-			\$10.00/day or-	-
-			\$30.00/car for the season-	-
-Park reservation fees (Groups of 1 to 150)-			-	-
— Athletic facility rental fee-			-	-
— Resident-			\$30.00/per hour/field/rink*	-
— Non-resident-			\$35.00/per hour/field/rink *	-
— Aquatore and Tom Ryan Parks			-	-
— Resident:-			Groups of 1—150 \$95.00/half day* \$150.00/full day* - Groups over 150 \$450.00 full park*	-

	+ \$500.00-damage — deposit-	
— Non-resident:-	Groups of 1—150 \$150.00/half day* \$180.00/full day* - Groups over 150 \$160.00/full day* \$500.00 full park* + \$500.00-damage — deposit-	-
— Tom Ryan Park – Damage Deposit-	\$125.00/all rentals-	-
— Lakeside Commons Park	-	-
— Resident-	Groups of 1—150 \$95.00/half day* \$150.00/full day* - Groups over 150 \$450.00 full park* + \$500.00-damage — deposit-	-
— Non-resident:-	Groups of 1—150 \$140.00/half day* \$210.00/full day* - Groups over 150 \$500.00 full park* + \$500.00-damage — deposit-	-
-Special event fees (groups of 150 or more)-	See City Clerk Section-	70-43
-Special event maintenance fees-	Actual costs ¹ -	-

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-Planning Department-		
Fee Type-	Fee Amount-	Zoning or Subdivision Code (if applicable)
Accessory dwelling unit registration-	\$100.00-	-
-Comprehensive Land Use Plan Amendment-	\$675.00-	27.03
-Concept subdivision plan review-	\$200.00-	75.31(a)-
Conditional Use Permit and Amendments-	\$475.00-	27.04
-Conditional Use Permit Approval Extension-	\$200.00-	-
-Environmental Review-	\$900.00-	-
-Escrow inspection fee-	\$100.00-	-
-Final plat (or C.I.C.)-	\$400.00-	74.43-
Final plat extension-	\$200.00-	74-41(3)(i)-
Interim Use Permit-	\$475.00-	27.05
-Manufactured home park or recreational camping area-	\$600.00 + 30.00/lot + legal fees-	29.120
-Park dedication fees-	\$4,894.00/per residential unit (65% for park dedication, 35% for open-space dedication)	75-130

	-\$8,704.00 per acre of commercial -\$6,702.00 per acre of industrial	
Preliminary plat fee (Maximum fee of \$2,500.00)	\$600.00 + \$30.00/lot + legal fees	74-41(2)
Preliminary plat extension	\$200.00	74-41(3)(a)
Redevelopment area site plan approval	\$400.00	30.903(a)
Release of Development Contract	\$150.00	-
Reforestation (per tree)	\$400.00	33.09(a)(3)
Second Public Hearing Notice (due to action of applicant)	\$100.00	34.00
Sign Permits	-	-
— Permanent	\$30.00 (plus .50 per square foot)	-
— Temporary sign permits	\$50.00 (per 2-week period)	-
Site plan review	\$400.00	27.07(b)(2)
Variance	\$475.00	27.06
Administrative Subdivision	\$400.00	-
Zoning Amendments	\$675.00	27.03
Zoning Letter/Certification (per parcel)	\$30.00	-

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Police Department		
Fee Type	Fee Amount	Code Section (if applicable)
Alarm user registration fee (non-transferable)	\$10.00	30-63(12)
Animal Fees	-	-
— Impound fee	\$24.00	14-63
— Dog bite kennel quarantine period	\$416.00	14.105
— Dangerous/potentially dangerous dog appeal fee	\$150.00	-
— Dangerous dog registration	\$500.00/year	-
— Potentially dangerous dog registration (initial)	\$250.00	-
— Dog license — two years (5/1—4/30)	\$10.00	14-173(a)
Audio/video tapes	\$25.00/tape copied*	-
Child safety seat inspections	-	-
— Blaine residents	Free service	-
— Non-residents	\$25.00	-
Digital CDs (photos or surveillance video)	\$25.00/CD copied*	-
False Alarms	-	-
— 4th, 5th, 6th false alarm in calendar year (police response)	\$75.00	30-69(2)a
— 7th false alarm and each succeeding in a calendar year	Increase by \$50.00/each	30-69(2)b
— 2nd, 3rd, false panic or hold up alarm	\$100.00	30-69(2)c
— Subsequent false panic or hold up alarm	Increase by \$100.00 each	30-69(2)c
— Minimum Fee	\$50.00	-
Fingerprinting	\$15.00/person	-
Photographs on CD	\$25.00/CD *	-
Police Reports	-	-
— Subject of the Data:	Inspection of data is free First 3 pages free Page 4 cost is \$1.00 Pages 5—100 are \$0.25 each	-

	-All pages over 100 are \$0.50 each-	
-	<i>You may be required to pay the actual costs of making, certifying and compiling costs pursuant to MGDPA 13.04 subd 3.</i>	-
-All other walk-ins public data-	-Inspection of public data is free -Each page will cost \$0.25 up through page 100; \$0.50 for 2-sided page -Each page over 100 will be \$0.50 each-	-
-Mail/Fax/Email in Requests for Reports-	-Each report that is four pages & under will be \$4.00 -Each page up to and including page 100 will be \$0.25 each -Each page beyond page 100 will be \$0.50 each-	-
-Commercial user purchases a commercial accident report-	\$.50¢/report-	-
-Computerized summary reports-	\$50.00 set-up fee plus \$16.00/hr. computer time by quarter hour-	-
-Commercial value arrest reports-	\$5.00/printed copy-	-
-Commercial value alarm reports-	\$5.00/printed copy-	-
-Reimbursable police services for special events <i>See City Clerk's fee schedule for other applicable fees</i>	Expected attendance: 0—1,000 \$0 1,000—3,000 \$100.00 3,000—5,000 \$250.00 5,000—10,000 \$500.00 Over 10,000 \$2,000.00-	-
-Reimbursable police services-	\$100.00/hr. 3 hr. min. (per officer)-	-
-Reimbursable police services - premium holiday-	\$200.00/hr. 3 hr. min. (per officer)-	-
-Squad car video-	\$35.00 per DVD provided-	-
-Video image printing-	\$3.00 per image printed*-	-

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Public Works		
Fee Type	Fee Amount	Code Section (if applicable)
Inspections-	-	-
-Sewer hook up residential-	\$45.00-	86-106
-Water hook up residential-	\$45.00-	86-103
-Water Meters (These prices include flange kit & gaskets, but do not include state surcharges or other fees that may be associated with the purchase meter. A remote meter charge applies)	-	86-141
-Residential Meter-	-	-
-¾" S IPERL 7.5" Lay Length-	\$187.50-	-
-¾" S IPERL 9" Lay Length-	\$207.50-	-

— 1" IPERL 11" Lay Length-	\$290.00-	-
— Remote Reader-	\$180.00-	-
— Irrigation Meters-	-	-
— 1" IPERL 11" Lay Length-	\$290.00-	-
— 1½" R2-	\$673.00-	-
— 2" R2 10" Lay Length-	\$938.00-	-
— 2" R2-	\$938.00-	-
— Compound Meters-	-	-
— 1½" Omni C2 13" Lay Length-	\$1,593.00-	-
— 2" Omni C2 15¼" Lay Length-	\$1,823.00-	-
— 3" Omni C2 17" Lay Length-	\$2,340.00-	-
— 4" Omni C2 20" Lay Length-	\$4,059.00-	-
— 6" Omni C2-	\$6,378.00-	-
— Hydrant Meter Rental-	-	-
— Hydrant use permit-	\$25.00-	-
— Large meter-	\$4,500.00 deposit-	-
— Small meter-	\$400.00 deposit-	-
— Water used-	\$5.00/1,000 gallons used or \$25.00 minimum use fee-	-
— Standard Commercial Applications-	-	-
— 1" IPERL Meter-	\$290.00-	-
Water reconnection fee	\$50.00-	86-148
— Monday through Friday 7:00 a.m.—3:00 p.m.-		
— After 3:00 p.m., weekends, or holidays-	\$75.00-	-
— Reconnect after illegal use of fire connection-	\$10.00-	86-72(b)-

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~~(Ord. No. 15-2336, 12-17-2015 ; Ord. No. 16-2343, 3-17-2016 ; Ord. No. 16-2353, 6-16-2016 ; Ord. No. 16-2364, 10-20-2016; Ord. No. 16-2358, 1-5-2017; Ord. No. 16-2368, 1-5-2017; Ord. No. 17-2391, 12-21-2017; Ord. No. 18-2399, 3-15-2018; Ord. No. 18-2418, 12-20-2018; Ord. No. 19-2441, 12-16-2019; Ord. No. 20-2445, 2-19-2020; Ord. No. 20-2450, 7-6-2020; Ord. No. 20-2460, 12-21-2020; Ord. No. 21-2481, 8-16-2021; Ord. No. 21-2487, 12-6-2021; Ord. No. 22-2513, 12-19-2022)~~

INTRODUCED and read in full this 4th day of December, 2023.

PASSED by the City Council of the City of Blaine this ____ day of _____, 2023.

City of Blaine Fee Schedule

Effective January 1, 2024

Building Inspections Department		
Fee Type	Fee Amount	Code Section (if applicable)
Building Permits (<i>applicable state surcharge also required</i>)	Determined by total valuation	18-43
By Valuation	<i>*Fees do not include state surcharge</i>	
\$1 to \$500	Minimum fee \$75.00	
\$501 to \$2,000	\$23.50 <u>\$40.00</u> for the first \$500 plus \$3.05 <u>\$2.25</u> for each additional \$100 or fraction thereof, to and including \$2,000. Minimum fee \$75.00	
\$2,001 to \$25,000	\$69.25 <u>\$73.75</u> for the first \$2,000 plus \$14.00 <u>\$14.75</u> for each additional \$1,000 or fraction thereof, to and including \$25,000. Minimum fee \$75.00	
\$25,001 to \$50,000	\$391.75 <u>\$413.00</u> plus \$10.10 <u>\$10.75</u> for each additional \$1,000 or fraction thereof in excess of \$25,000, to and including \$50,000	
\$50,001 to \$100,000	\$643.75 <u>\$681.75</u> for the first \$50,000 plus \$7.00 <u>\$7.50</u> for each additional \$1,000 or fraction thereof, to and including \$100,000	
\$100,001 to \$500,000	\$993.75 <u>\$1,056.75</u> for the first \$100,000 plus \$5.60 <u>\$6.00</u> for each additional \$1,000 or fraction thereof, to and including \$500,000	
\$500,001 to \$1,000,000	\$3,233.75 <u>\$3,456.75</u> for the first \$500,000 plus \$4.75 <u>\$5.00</u> for each additional \$1,000 or fraction thereof, to and including \$1,000,000	
\$1,000,001 and up	\$5,608.75 <u>\$5,956.75</u> for the first \$1,000,000 plus \$3.65 <u>\$4.00</u> for each additional \$1,000 or fraction thereof	

	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000 or fraction thereof	
Plan Review Fees: When submittal documents are required by MN Rules 1300, a plan review fee shall be paid at the time of permit issuance. Said plan review fee shall be 65 percent of the building permit fee shown above. The plan review fees specified in this subsection are separate fees from the permit fees specified in MN Rules 1300 and are in addition to the permit fees. When submittal documents are deemed incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in MN Rules 1300, an additional plan review fee shall be charged at the rate shown above. Fee Exception: Private residential accessible ramps are exempt from the permit fee requirement subject to the following criteria: • Plan submittal review and normal permit approval required prior to construction • The ramp must be designed to minimum accessibility design standards as determined by the Chief Building Official. • Compliance with all zoning regulations required • State surcharge still applies		
Accessory buildings/sheds (set fee) when the floor area is greater than 120 square feet and does not exceed 200 square feet or when the floor area is 120 square feet or less and the structure has a poured slab or footings, a zoning permit is required. <i>(manufactured home park and single family residential)</i>	\$50.00 <u>\$75.00</u> + state surcharge	
Attic and wall insulation alteration, residential (set fee)	\$75.00 + state surcharge	
Basement finish permit – residential (existing homes): <i>all-inclusive plumbing, mechanical, building</i> Per room (maximum set fee charge of 3 rooms) 2 rooms or less	\$150.00 <u>\$180.00</u> + state surcharge or	

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	\$60.00/room <u>\$120.00</u> + state surcharge	
Basement finish permit – home under construction (prior to Certificate of Occupancy being issued)	Use section 18-43 and current city valuation table	
Contractor License Verification Fee – fee can be added to any residential building permit that requires a licensed contractor.	\$5.00	326B.815 Subd 2
Deck, construction/remodeling (set feet)	\$100.00 (up to 100 ft ²) + state surcharge \$150.00 (over 100 ft ²) + state surcharge \$75.00 deck remodel/repair + state surcharge	
Demolition permit – residential and interior commercial demolition permit (set fee)	\$75.00 plus \$2,000 escrow cleanup fee + state surcharge	
Demolition permit – commercial building (entire building or portion of building)	\$150.00 plus \$2,000 escrow cleanup fee + state surcharge	
Drain tile installation, residential (set fee)	\$75.00 + state surcharge	
Escrow – new construction single-family homes upon issuance of building permit	\$5,000.00	
Escrow, additional, new construction single-family homes for outstanding items not completed at issuance of Certificate of Occupancy between May 15 & October 15	\$2,500.00	
Fences, yard – residential (set fee)	\$50.00	33.09I
Fences, commercial (set fee)	\$75.00	33.09I
Manufactured home installation (set fee) All inclusive (plumbing, mechanical, building, Certificate of Occupancy)	\$400.00 + state surcharge	46-44
Manufactured structure – to park on any lot in the City in the event of a disaster (limited to 90 days) (issued by City Manager)	\$100.00 + state surcharge	46-4(d)(1)
Manufactured structure – permit for temporary use as a dwelling or office outside of an authorized park (issued by council)	\$250.00 + state surcharge	46-4I
Moving permit – residential single family & manufactured home	\$75.00 + state surcharge	

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(set fee)		
Parking lot – commercial	\$75.00 + state surcharge	
Plan review fee	65% of building permit fee	
Plan review of revision after permit issuance	\$100.00 per hour not exceeding 50% of flat permit fees	
Roofing permit – residential (set fee)	\$100.00 + state surcharge + contractor verification fee	
Roofing permit –townhouse (set fee)	\$60.00/unit with a maximum of \$360.00 + state surcharge + contractor verification fee	
Roofing permit – commercial	Building permit fee + state surcharge	
Siding permit – residential (set fee)	\$100.00 + state surcharge + contractor verification fee	
Siding permit –townhouse (set fee)	\$60.00/unit with a maximum of \$360 + state surcharge + contractor verification fee	
Siding permit – commercial	Building permit fee + state surcharge	
Solar permit – residential (set fee)	\$100.00 + state surcharge	
Solar permit – commercial	Building permit fee & plan review fee + state surcharge	
Swimming pools (set fee) Above ground Above ground inflatable pools (good for 3 years from date of issue) In ground	\$60.00 <u>\$75.00</u> + state surcharge \$60.00 <u>\$75.00</u> + state surcharge \$125.00+ state surcharge	
Window(s) replacement – residential	\$100.00 + state surcharge + contractor verification fee	
Work started without a proper permit	Double permit fee	
Certificate of occupancy	\$20.00 (when part of issued permit)	18-74

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	\$60.00 (when part of pre-occupancy walk thru of business locations only)	
City contractor's license(s) – yearly (fees includes multiple licenses per contractor) Cement work, cement block work, cement block laying or Concrete, masonry, or brick work; General construction including erection, alteration, or repair of a building <u>or cellular tower</u> ; The moving or wrecking demolition of buildings; Plastering, outside stucco work, or lathing <u>Commercial siding (exterior covering)</u> ; Blacktopping (parking lots, driveways, etc.) ; <u>Commercial</u> roofing; Excavators (for basements, foundations, grading of lots, etc.); Heating, ventilating or air conditioning; Sign and billboard erecting <u>requiring a building permit.</u>	\$70.00	18-125
Automatic sprinkler system design and installation contractor.	\$35.00	
Inspections and Fees		
Inspections outside of normal business hours	\$100.00 per hour minimum charge 1 hour ¹	
“Will Meet Inspection” to investigate if roofing, siding, or window work is compliant when work has been covered prior to required inspection(s), or if required pictures have not been submitted. Fee to be collected prior to will meet inspection.	\$50.00	
Re-inspection	\$100.00 ¹	
Inspections for which no fee is specifically indicated For use of outside consultants for plan checking and inspections or both	\$100.00 per hour – minimum charge 1 hour ¹ Actual costs ¹	
Erosion Control inspection fee (Commercial & Industrial Building permits)	\$250.00	
Heating, Ventilating and Air Conditioning Permits		18-125/161
Residential		
Air conditioning system (set fee)	\$75.00 + state surcharge	

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Furnace replacement (set fee) (includes alterations to ductwork)	\$75.00 + state surcharge	
Gas stoves, ranges, etc. (set fee)	\$75.00 + state surcharge	18-161
Heating work started without proper permit	Double permit fee	
Hot water system (set fee) includes burner	\$75.00 + state surcharge	
HVAC system new/replacement- all inclusive (set fee) (ex. Damage repair due to fire)	\$200.00 + state surcharge	18-161
In-floor heat piping (set fee)	\$75.00 + state surcharge	
Manufactured home gas piping (set fee)	\$75.00 + state surcharge	
Misc. gas burning appliances (set fee)	\$75.00 + state surcharge	
Misc. equipment used for heating/cooling (set fee) (solar, heatpumps, gas lines, manufactured wood burning appliance, etc.)	\$75.00 + state surcharge	
Ventilating systems – residential (set fee)	\$75.00 + state surcharge	
Commercial		
Mechanical (minimum fee)	\$75.00 + state surcharge	
Mechanical HVAC projects all	Based on 3% of job cost+ state surcharge	
Mechanical work started without proper permit	Double permit fee	
Plumbing Permits		18-191
Residential		
Each single-family residential fixture or fixture opening, or for each three gas piping openings (set fee)	\$12.00 + state surcharge	
Minimum permit fee – residential	\$75.00 + state surcharge	
Lawn Sprinkling system (set fee)	\$75.00 + state surcharge	
Plan approval fee for inspection of private underground utility installation	\$250.00 + state surcharge	
Plumbing work started without proper permit	Double permit fee	
Plumbing system new/replacement-all inclusive (set fee) (ex. Damage repair due to fire)	\$200.00 + state surcharge	
Plumbing alterations – altering of drains, vents and or water piping (set fee)	\$75.00 + state surcharge	

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Utility systems – new hook-up, repair or alteration of any sewer or water systems (set fee) <i>(except subsurface sewage treatment systems)</i>	\$75.00 + state surcharge	
Septic tank replacement (set fee)	\$80.00 each + state surcharge	
Subsurface sewage treatment system, installation or alteration of any individual system (set fee)	\$350.00+ state surcharge	
Water heaters – gas or electric (set fee)	\$75.00 + state surcharge	
Commercial		
Minimum fee for commercial plumbing projects	\$75.00 + state surcharge	
Plumbing and underground utility work	Based on 3% of job cost+ state surcharge, minimum of \$75.00	
Utility systems – minor water or sewer system repair	\$75.00	
Plumbing projects (inspections only for State Projects)	Based on 1.5% of job cost + state surcharge minimum of \$75.00	
Plumbing work started without proper permit	Double permit fee	
Utility work escrow for repair of pavement and/or landscaping	\$2,000.00	
Reports		
Custom Programming/Research Fee	25¢/standard page* \$25.00/hour – minimum 1 hour	
Individual airport hangar underground water utility work	\$75.00	
Individual airport hangar underground sewer utility work	\$75.00	
Sewer access charge	\$2,485.00/unit	
Blaine sewer access charge	1.5% of MCES SAC fee	86-141
Water access charge	Residential \$1,910/unit Commercial \$4,824/acre	86-141
<i>All multi-family residential projects will pay per unit WAC rate however the rate is capped at no more than 150% of the commercial rate for the same site.</i>		

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City Clerk's Office		
Fee Type	Fee Amount	Code Section (if applicable)
Amusement center license	\$150.00	10-54(a)
Per device fee	\$15.00	
Adult Use; accessory	\$500.00	22-57
Adult Use; principal	\$500.00	
Adult Use; background	\$500.00	
Charitable gambling investigation fee	\$250.00	22-386
Christmas tree lot license	\$200.00	22-112
Deposit for clean-up	\$200.00	
Circus or carnival license – application fee (includes 1 st day)	\$200.00	10-113
Each additional Day	\$100.00	
Denied license fee	\$25.00	
Garbage haulers (private)	\$75.00	62-34(3)
Kennel license – per year – home based	\$70.00	14-191(a)
Kennel license – per year – commercial	\$90.00	
Liquor		
Special license for 2:00 a.m. permit	\$200.00	6-38(13)
On-Sale intoxicating liquor license	\$5,800.00 <u>\$7,800.00</u>	6-38(5)
Public hearing on proposed increase required		
On-Sale wine license		6-38(7)
Seating for up to 99	\$1,000.00	
Seating for 100+	\$2,000.00	
Off-Sale intoxicating liquor		6-38(4)
License fee w/proof of identification machine assistance & written employee policy	\$200.00	
License fee w/out proof of identification machine assistance & written employee policy	\$300.00	
Investigation fee for 6-66(a)(b)(c)	\$500.00	6-45(a)(b)
Investigation fee for new responsible party/manager for an existing license/or new 3.2 on/off sale license	\$150.00	6-41(b)

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Additional fee for change of ownership, corporate control	\$50.00	6-44
Off-Sale 3.2 percent malt liquor license	\$100.00	6-38(2)
On-Sale 3.2 percent malt liquor license	\$400.00	6-38(1)
Club on-sale intoxicating liquor	\$300.00	6-38(5)
Tavern license (including public dancing)	\$200.00	6-38(5)
Public drinking place license	\$200.00	6-38(5)
Special license for Sunday liquor Sales	\$200.00	6-38(6)
Combination license for Club only–sum of separate fees above	\$900.00	6-38(5)
Temporary on-sale 3.2 percent malt liquor license	\$50.00	6-38(3)
Brewer taproom	\$500.00	6-38(9)
Small brewer off-sale	\$300.00	6-38(10)
Off-sale brew pub	\$300.00	6-38(12)
<u>Microdistillery – cocktail room</u>	<u>\$500.00</u>	
<u>Microdistillery – cocktail offsale</u>	<u>\$300.00</u>	
On-sale brew pub	\$300.00	6-38(11)
Massage, Therapeutic		22-427
Business Enterprise (new business)	\$300.00	
Background fee	\$200.00	
Individual	\$150.00	
Background fee	\$50.00	
Business Enterprise (renewal)	\$175.00	
Background fee]	\$100.00	
Individual (renewal)	\$100.00	
Background fee	\$35.00	
Motor vehicle salvage or junkyard license fee	\$500.00	34-374
Nursery sales – temporary	\$400.00	22-583(a)
Pawnbrokers		
Pawnbroker reportable transaction fee	\$2.00/transaction	22-201
Pawnbroker non-compliant transaction fee	\$4.00/transaction	22-201
Pawnbroker Annual Fee	\$3,000.00	22-231
After the 3 rd license year & subsequent years with no more than 3% error rate over previous years	\$2,000.00	
Pawnbroker background investigation fee	\$500.00	22-232(f)

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Pawnbroker background investigation fee (out of state travel)	Actual costs incurred	223-232
Peddlers, Solicitors, Transient Merchants		22-293
Application Fee (initial investigation)	\$35.00/person or application	
Semi-Annual Fee (January 1-June 30/July 1-December 31)	\$300.00	
Replacement city-issued photo identification license	\$10.00	
Precinct Maps	\$5.00/each*	
Solid waste disposal license	\$750.00	62-91
Special event license fee – each event <i>(subject to no refund if cancelled 30 days prior to event)</i>		
Club/charitable/religious/non-profit organization	\$100.00	70-42(b)
Others	\$200.00	70-42(b)
(Deposit fee – per day)	\$250.00	70-43(1)
Tobacco/Tobacco Products/Tobacco Related Device License	\$50.00 (non-refundable)	42-63
Background Fee	\$100.00	
License fee with proof of identification machine assistance & written employee policy	\$200.00	
License fee w/out proof of identification machine assistance & written employee policy		
Vehicle vending operating license	\$100.00	22-621(b)

Community Standards		
Fire Inspections, Code Enforcement, Rental Licensing		
Fee Type	Fee Amount	Code Section (if applicable)
False Alarms – Fire		30-69(1)
4 th False fire alarm in a calendar year	\$200.00	30-69(1)(a)
Each successive false fire alarm in addition to 4 in a calendar year	Increase by \$50.00/each	30-69(1)(b)
Fire inspection permit fees		38-33
Alarm systems installations (each alarm detection device)	5.00/device	

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Minimum fee	\$50.00	
Automatic suppression systems – fire pump	\$100.00	
Burning permit (additional fee if standby personnel required)	\$75.00	
Extinguishing systems (head or nozzle)	\$5.00/device	
Minimum fee for commercial and required residential fire sprinkler systems	\$51.00 (state surcharge included)	
Maximum fee for voluntary single family residential fire sprinkler system	\$30.00	
Fire order re-inspection fee	\$50.00	
Fireworks/pyrotechnic displays	\$100.00	
Consumer fireworks retail sales facility	\$350.00	
All other fireworks retail sales	\$100.00	
Hazardous materials tank installation	\$100.00/tank	
Removal of underground flammable liquid storage tank (per tank)	\$75.00	
Special amusement buildings	\$200.00	
Standpipe installation	\$50.00	
Temporary tents, canopies and membrane structures	\$50.00/structure	
Inspections and fees		
Inspections outside of normal business hours (minimum charge – 2 hours)	\$57.00/hour ¹	
Designated city holiday (minimum charge – 2 hours)	\$76.00/hour ¹	
<u>Lawn Sprinkling Violation Fee</u>		
<u>1st Offense</u>	<u>\$25.00</u>	
<u>2nd Offense</u>	<u>\$50.00</u>	
<u>3rd Offense</u>	<u>\$75.00</u>	
<u>4th Offense and any subsequent offenses</u>	<u>\$100.00</u>	
Mowing administrative fee	\$25.00/parcel	90-36
Rental Housing Licensing		18-505
Rental housing license fees (+\$10/unit)	\$180.00/11ppro.	

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	(+\$10/unit)	
Late fee (For every 30 days past due date)	\$60.00	
Rental housing license fees (after 3 years with no inspection issues)	\$130.00/12ppro. (+\$10/unit)	
Ownership transfer fee	\$30.00	18-507
Re-inspection fee	\$60.00	18-509(b)(2)
Reinstatement fee (application)	\$30.00	18-509I
Reports		
Custom	\$5/copy*	
Programming/Research Fee	\$25/hour	
Non-Custom	\$5/copy*	

Engineering Department/GIS		
Fee Type	Fee Amount	Code Section (if applicable)
Address change request from property owner	\$75.00	
Admin/assessment fee for processing supplemental assessments	\$250.00	
Earth removal and land reclamation		34-152I
100-500 cubic yards	\$100.00	
500-5,000 cubic yards	\$350.00	
Labels (mailing lists)		
Programming/research fee	\$25.00/hour	
Label/address (Addresses can be requested on either labels or sent out in a text file or Excel file format. Fee is still based per address)	\$0.025*	
Maps		
Custom (require research and/or custom sizing)		
Programming/research fee	\$50.00/hour	
Large format print up to 42" wide	\$5.00 per linear foot*	
Standard (pre-produced and on-hand maps)		
City Street (12pprox.. 28"x38")	\$5.00/sheet*	
Community Facilities (12pprox.. 36"x36")	\$5.00/sheet*	

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Land Use (13pprox.. 36"x40")	\$5.00/sheet*	
Zoning (13pprox... 36"x40")	\$5.00/sheet*	
Record Drawings (13pprox.. 24"x36")	\$5.00/sheet*	
Mapbooks and small format maps (letter, legal or tabloid size)	See photocopy price per sheet	
Mailing fee for locations in Minnesota	\$5.00/envelope	
Plans and specifications		
Projects up to \$500,000	\$50.00/set	
Projects over \$500,000	\$75.00/set	
Electronic copy – ½ payment goes to QuestCDN	\$25.00/set	
Reports		
Programming/research fee	\$25.00/hour	
Report	\$5.00/copy*	
Right-of-way work		
Delay penalty	\$45.00 up to 3 days + \$10.00/day beyond 3 days	70-72I
Excavation permit		
<u>0-2,000 Linear Feet</u>	\$150.00	70-72(a)
<u>2,001-5,000 Linear Feet</u>	<u>\$500.00</u>	70-72(a)
Obstruction permit		70-72(b)
<u>0-2,000 Linear Feet</u>	\$150.00	70-72(a)
<u>2,001-5,000 Linear Feet</u>	<u>\$500.00</u>	70-72(a)
Permit extension	\$15.00	70-69(b)
Registration fee (one time)	\$25.00	70-64(a)
Transit amenity permit (per year)	\$50.00	70-92
Work in right-of-way permit		70-1
Residential/lot	\$50.00	
Commercial/lot	\$75.00	
Special assessment search	\$15.00	
Storm water pond aeration permit	\$150.00	34-523
Street and drainage/utility easement vacations:		Charter 12.06
Single family residential	\$250.00/1 st lot + \$50.00/ea. Additional lot	
All others	\$500/lot	

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Telecommunications permit (includes Cable TV)	\$150.00	70-62
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Finance Department		
Fee Type	Fee Amount	Code Section (if applicable)
Bad checks	\$25.00/each	
Certify delinquent utilities and misc. invoices to tax roll	\$50.00	
Electronic payment card fee	2.5% above \$25.00 <u>\$3.0%</u>	
Online utility billing credit card fee	2.95%	
IVR phone payment	\$.50	
New resident listing	\$5.00/paper* \$10.00/electronic*	
Photocopies	.25/page* for 1 st 100 pages	
Sanitation utility fee (refuse, recycling and tax)		62-33I
96 gallon service (per quarter)	\$66.00 <u>\$71.00/quarter</u>	
68 gallon service (per quarter)	\$52.50 <u>\$60.00/quarter</u>	
38 gallon service (per quarter)	\$42.00 <u>\$52.00/quarter</u>	
Senior rate service (per quarter)	\$33.00 <u>\$35.50/quarter</u>	
Sewer		86-141
Residential	\$70.00 <u>\$80.50/quarter</u>	
Disabled & senior citizens (must meet hardship conditions)	\$35.00 <u>\$40.25/quarter</u>	62-33(f)
Commercial		
0 – 5,833 gallons	\$23.33 <u>\$26.83/month</u>	
Over 5833	\$4.00 <u>\$4.60/1,000 gallons</u>	
Apartments Monthly	\$17.50 <u>\$20.13/unit</u>	
Stormwater utility fee	\$11.55 <u>\$13.86/quarter</u>	86-153
Water		
Service fee	\$7.70 <u>\$8.86/bill cycle</u>	
Monthly Billing Tiers	Quarterly Billing Tiers	
0 – 8,000	0 – 24,000	\$2.25 <u>\$2.59/per 1,000 gallons</u>
8,001 – 25,000	24,001 – 75,000	\$2.84 <u>\$3.41/per 1,000 gallons</u>
25,001 – 50,000	75,001 – 150,000	\$2.94 <u>\$4.07/per 1,000 gallons</u>

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Over 50,000	Over 150,000	\$3.92 \$4.90 /per 1,000 gallons	
State Water Test Fee		\$2.43/quarter	MN Stat. 144.3831

Parks and Recreation				
Fee Type			Fee Amount	Code Section (if applicable)
Athletic facility rental fee				70-43
Resident			\$125.00/day per field/rink *	
Non-resident			\$150.00/day per field/rink *	
Athletic facility usage fee for Blaine youth athletic associations			\$15.00/participant/season	
Athletic facility usage fee for youth tournaments			\$25.00/non-Blaine team	
Athletic facility lighting rental fees				
Baseball, football, soccer, softball, lacrosse			\$40.00/hour *	
Hockey rink			\$30.00/hour *	
Equipment rental fees:				
Field liner (+ \$50 deposit)			\$10.00 per day*	
Field liner Deposit			\$50.00	
Bag of marking chalk			\$5.00 per bag*	
Mary Ann Young Center				
Oak Room	Resident	Non-Resident	<i>2 hour minimum on MAYC rentals</i>	
			\$100.00 deposit	
Mon-Thu 5-10 PM	\$35.00/hour	\$55.00/hour		
Fri 5-10 PM	\$50.00/hour	\$70.00/hour		
Sat 8AM-Midnight	\$50.00/hour	\$70.00/hour		
Sun 8AM-8PM	\$50.00/hour	\$70.00/hour		
Tom Ryan Room A/B	Resident	Non-Resident	\$500.00 deposit	
Mon-Fri 5-10PM	\$75.00/hour \$100/hr combined	\$100.00/hour \$125/hr combined		
Sat 8AM-Midnight	\$100.00/hour \$150/hr combined	\$125.00/hour \$175/hr combined		

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Sun 8AM-8PM	\$100.00/hour \$150/hr combined	\$125.00/hour \$175/hr combined		
Maple Room A/B	Resident	Non-Resident	\$100.00 deposit	
Mon-Thu 5-10 PM	\$35.00/hour \$65/hr combined	\$55.00/hour \$100/hr combined		
Fri 5-10 PM	\$50.00/hour \$80/hr combined	\$70.00/hour \$115/hr combined		
Sat 8AM-Midnight	\$50.00/hour \$80/hr combined	\$70.00/hour \$115/hr combined		
Sun 8AM-8PM	\$50.00/hour \$80/hr combined	\$70.00/hour \$115/hr combined		
Park building rental				
Building key deposit			\$50.00	
Resident:			\$25.00/hour *	
Non-resident:			\$30.00/hour *	
Parking permit for Lakeside Commons Park (Beach)				
Blaine resident			\$ FREE	
Non-resident			\$10.00/day or	
			\$30.00/car for the season	
Park reservation fees (Groups of 1 to 150)				
Athletic facility rental fee				
Resident:			\$30.00/per hour/field/rink *	
Non-resident			\$35.00/per hour/field/rink *	
<i>Aquatore and Tom Ryan Parks</i>				
Resident:			<i>Groups of 1-150</i> \$95.00/half day* \$150.00/full day* <i>Groups over 150</i> \$450.00 full park* +\$500.00 damage deposit	

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Non-resident:	<i>Groups of 1-150</i> \$150.00/half day* \$180.00/full day* <i>Groups over 150</i> \$160.00/full day* \$500.00 full park* +\$500.00 damage deposit	
Tom Ryan Park – Damage Deposit	\$125.00/all rentals	
<i>Lakeside Commons Park</i>		
Resident	<i>Groups of 1-150</i> \$95.00/half day* \$150.00/full day* <i>Groups over 150</i> \$450.00 full park* +\$500.00 damage deposit	
Non-resident:	Groups of 1-150 \$140.00/half day* \$210.00/full day* <i>Groups over 150</i> \$500.00 full park* +\$500.00 damage deposit	
Special event fees (groups of 150 or more)	See City Clerk Section	70-43
Special event maintenance fees	Actual costs ¹	

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Planning Department		
Fee Type	Fee Amount	Zoning or Subdivision Code (if applicable)
Accessory dwelling unit registration	\$100.00 <u>\$200.00</u>	
<u>City Council Workshop Proposal – Planning Item</u>	<u>\$300.00</u>	
Comprehensive Land Use Plan Amendment	\$675.00 <u>\$700.00</u>	27.03
Concept Plan or subdivision review	\$200.00 <u>\$300.00</u>	75.31(a)
Conditional Use Permit	\$475.00	27.04
<u>Residential</u>	<u>\$500.00</u>	
<u>Commercial/industrial/multi-family</u>	<u>\$700.00</u>	
Conditional Use Permit Amendment	\$475.00	
<u>Residential</u>	<u>\$500.00</u>	
<u>Commercial/industrial/multi-family</u>	<u>\$700.00</u>	
Conditional Use Permit Approval Extension	\$200.00	
Environmental Review	\$900.00	
Escrow inspection fee	\$100.00	
Final plat (or C.I.C.)(+ legal fees)	\$400.00	74.43
Final plat extension	\$200.00	74-41(3)(i)
Interim Use Permit	\$475.00	27.05
Manufactured home park or recreational camping area	\$600.00 + 30.00/lot + legal fees	29.120
Park dedication fees	\$4,894.00/per residential unit (65% for park dedication 35% for open space dedication) \$8,704/per acre of commercial \$6,702 per acre of industrial	75-130
Preliminary plat fee (Maximum fee of \$2,500)	\$600.00 + \$30.00/lot + legal fees	74-41(2)
Preliminary plat extension	\$200.00	74-41(3)(a)
Redevelopment area site plan approval	\$400.00	30.903(a)
Release of Development Contract	\$150.00	
Reforestation (per tree)	\$400.00	33.09(a)(3)
<u>Rezoning</u>	\$675.00 <u>\$700.00</u>	27.03
Second Public Hearing Notice (due to action of applicant)	\$100.00	34.00
Sign Permits		

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Permanent	\$30.00 (plus .50 a square foot)	
Temporary sign permits	\$50.00 (per 2-week period)	
Site plan review	\$400.00	27.07(b)(2)
Variance:	\$475.00 <u>\$500.00</u>	27.06
Administrative Subdivision	\$400.00	
Zoning Text Amendments	\$675.00 <u>\$700.00</u>	27.03
Zoning Letter/Certification (per parcel)	\$30.00 <u>\$75.00</u>	

Police Department		
Fee Type	Fee Amount	Code Section (if applicable)
Alarm user registration fee (non-transferable)	\$10.00	30-63(12)
Animal Fees		
Impound fee	\$24.00	14-63
Dog bite kennel quarantine period	\$416.00	14.105
Dangerous/potentially dangerous dog appeal fee	\$150.00	
Dangerous dog registration	\$500.00/year	
Potentially dangerous dog registration (initial)	\$250.00	
Dog license – two years (5/1 – 4/30)	\$10.00	14-173(a)
Audio/video tapes	\$25.00/tape copied*	
Child safety seat inspections		
Blaine residents	Free service	
Non-residents	\$25.00	
Digital <u>Evidence</u> <u>GDs</u> (photos, body worn camera video, squad video, surveillance video)	\$25.00/CD copied* <u>\$50.00/16gb of data per case +</u> <u>fees (if applicable)*</u>	
False Alarms		
4 th , 5 th , 6 th false alarm in calendar year (police response)	\$75.00	30-69(2)a
7 th false alarm and each succeeding in a calendar year	Increase by \$50.00/each	30-69(2)b
2 nd , 3 rd , false panic or hold up alarm	\$100.00	30-69(2)c
Subsequent false panic or hold up alarm	Increase by \$100.00 each	30-69(2)c
Minimum Fee	\$50.00	

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Fingerprinting	\$15.00/person	
Photographs on CD	\$25/CD *	
Police Reports		
Subject of the Data:	Inspection of data is free First 3 pages free Page 4 cost is \$1.00 Pages 5-100 are \$0.25 each All pages over 100 are \$0.50 each <i>You may be required to pay the actual costs of making, certifying and compiling costs pursuant to MGDPA 13.04 subd 3.</i>	
All other walk-ins public data	-Inspection of public data is free -Each page will cost \$0.25 up through page 100; \$0.50 for 2-sided page -Each page over 100 will be \$0.50 each	
Mail/Fax/Email in Requests for Reports	-Each report that is four pages & under will be \$4.00 -Each page up to and including page 100 will be \$0.25 each -Each page beyond page 100 will be \$0.50 each	
Commercial user purchases a commercial accident report	.50¢/report	
Computerized summary reports	\$50.00 set-up fee plus \$16.00/hr. computer time by quarter hour	
Commercial value arrest reports	\$5.00/printed copy	
Commercial value alarm reports	\$5.00/printed copy	
Reimbursable police services – for special events <i>See City Clerk's fee schedule for other applicable fees</i>	Expected attendance: 0-1,000 \$0 1,000-3,000 \$100 3,000-5,000 \$250 5,000-10,000 \$500	

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	Over 10,000 \$2,000	
Reimbursable police services	\$100.00/hr. 3 hr. min. (per officer)	
Reimbursable police services – premium holiday	\$200.00/hr. 3 hr. min. (per officer)	
Squad car video	\$35.00 per DVD provided	
Video image printing	\$3.00 per image printed*	

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Public Works		
Fee Type	Fee Amount	Code Section (if applicable)
Inspections		
Sewer hook-up – residential	\$45.00 <u>\$75.00</u>	86-106
Water hook-up – residential	\$45.00 <u>\$75.00</u>	86-103
Re-inspection fee	<u>\$100.00</u>	
Water Meters <i>(These prices include flange kit & gaskets, but do not include state surcharges or other fees that may be associated w/the purchase meter. A remote meter charge applies)</i>		86-141
Residential Meter		
¾" S IPERL 7.5" Lay Length	\$187.50 <u>\$215.00</u>	
¾" S IPERL 9" Lay Length	\$207.50 <u>\$235.00</u>	
1" IPERL 11" Lay Length	\$290.00 <u>\$317.00</u>	
Remote Reader	\$180.00 <u>\$218.00</u>	
Irrigation Meters		
1" IPERL 11" Lay Length	\$290.00 <u>\$317.00</u>	
1 ½" R2	\$673.00 <u>\$792.00</u>	
2" R2 10" Lay Length	\$938.00 <u>\$1,100.00</u>	
2" R2	\$938.00 <u>\$1,100.00</u>	
Compound Meters		
1 ½" Omni C2 13" Lay Length	\$1,593.00 <u>\$1,700.00</u>	
2" Omni C2 15 ¼" Lay Length	\$1,823.00 <u>\$1,950.00</u>	
3" Omni C2 17" Lay Length	\$2,340.00 <u>\$2,480.00</u>	
4" Omni C2 20" Lay Length	\$4,059.00 <u>\$4,346.00</u>	
6" Omni C2	\$6,378.00 <u>\$7,015.00</u>	
Hydrant Meter Rental		
Hydrant use permit	\$25.00 <u>\$75.00</u>	
Large meter	\$4,500.00 <u>\$4,750.00</u> deposit	
Small meter	\$400.00 <u>\$425.00</u> deposit	
Water used	\$5.00 <u>\$7.00</u> /1,000 gallons used or \$25.00 <u>\$50.00</u> minimum use fee	

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Standard Commercial Applications		
1" IPERL Meter	\$290.00 <u>\$319.00</u>	
Water reconnection fee		86-148
Monday through Friday 7:00 a.m. – 3:00 p.m.	\$50.00	
After 3:00 p.m., weekends, or holidays	\$75.00 <u>\$125.00</u>	
Reconnect after illegal use of fire connection	\$10.00	86-72(b)

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City of Blaine

Staff Report

File Number: ORD 23-2535

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.1

First Reading

Ordinance Granting Annual Revisions to the Blaine Zoning and Parking Ordinances. City of Blaine (Case File No. 23-0076/EES)

Executive Summary

The proposed ordinance includes updates to the parking requirements, previously discussed at City Council Workshop, and housekeeping changes to the Zoning Code.

Background

Planning Commission Public Hearing	11/14/23
City Council (1st Reading)	12/04/23
City Council (2nd Reading)	12/18/23
Action Deadline	Not Applicable

Staff report prepared by Shawn Kaye, Planner, and Elizabeth Showalter, Community Development Specialist.

Annually, staff reviews the zoning code to identify areas for improvement. This process was established following substantial revisions to the zoning code in 2020 to ensure that the code remains current and prevent the need for such substantial revisions. Changes generally serve to address situations not covered by the code, improve clarity, modify code requirements to address issues brought up by Council and Planning Commission, and to maintain compliance with state statute and other legal requirements.

This year, in addition to the routine changes, staff completed a review of the parking ordinance to address issues that have arisen over the years. The parking ordinance changes were reviewed at two City Council workshops.

Legal Changes

- Section 26.06 addresses nonconformity uses and structures. Changes are proposed to bring the language into conformance with Minnesota Statute 462.357(1)(e).
- Update the language regarding escrows paid on single family home building permits to reflect current practice, which was changed at the start of 2021.
- Add language regarding review of environmental review documents, which is required by Minnesota Rules 4410.
- Remove a requirement that buildings in the industrial districts have concrete floors, since that cannot be regulated by the zoning code. Note that the building code generally requires a concrete floor.
- A minor change to the donation drop off box definition as recommended by the City Attorney.

Removing Inconsistencies and Improving Clarity

- Several different fence setbacks exist for fences housing domestic farm animals (farm fences). Staff is proposing establishing consistent regulations which would require the following setbacks:
 - No setback for farm fences abutting other Farm Residential or Agricultural districts or commercial/industrial districts.
 - 300 foot setback for all electric or barbed wire farm fences abutting residential districts (other than AG and FR).
 - 50 foot setback for all other farm fences (non-barbed wire or electric fences) abutting residential districts.
- Revising language around auto repair to clarify that only passenger vehicle service is allowed in commercial districts and adjusting the definitions of major and minor auto repair to reflect the typical practices of auto repair shops. Also rewording language regarding semi truck repair in the I-2 and I-2A district for clarity.
- Separating outdoor dining and live entertainment as separate conditional uses, instead of listing them together in the commercial districts.
- Replacing Churches with Places of Worship.
- Adding a definition of community center.

Process Updates

The City Council has historically indicated a desire for Comprehensive Plan amendments to be reviewed at workshop meetings prior to formal applications to allow for preliminary feedback. This was incorporated into the subdivision ordinance in 2022. Language is proposed as part of this ordinance to require applicants to apply for a concept plan review on all comprehensive plan amendments, regardless of whether the application is subject to the subdivision code. Applicants will be able to apply for this concept review on rezoning applications, but it is not required.

Parking

Several other similar-sized community parking ordinances and Blaine's community needs were reviewed by staff. The proposed changes or additions to the parking requirements for certain uses were reviewed to bring the parking section inline with current development needs and with what other cities

require for similar uses. The attached draft ordinance includes all the proposed changes. A summary of the changes is below.

Parking Size

The stall length for 90 degrees and 45 degrees stalls was shortened by 2 feet to be consistent with other cities and requests from applicants. The proposed stall length of 18 feet is adequate as many stalls will have a curb overhang providing more parking length. The current allowance to reduce the length of the stall by 2 feet for a curb overhang is proposed to be removed and all stalls will need to meet the minimum of 18 feet.

The requirement for traffic islands is proposed to be changed to, "may be required for safety", as many sites do not install parking islands due to issues with snow removal in the winter months and providing landscape maintenance.

Single Family

The requirement for no more than 4 parking spaces for single family homes is proposed to be removed as many single-family homes provide more than four parking spaces on driveways. This change will remove a limit cap on spaces.

Automobile Repair

The parking requirement for auto repair businesses is two stalls per service bay and four additional stalls. Traditionally, this has been interpreted that the two stalls per bay may not be used for overnight outside storage and are intended for use of customer cars during the day and staff use. The proposed change clarifies that the outside storage of cars as a permitted or conditional use may occupy the four required parking spaces.

Brewery

Brewery has been added to clarify the previous policy of parking requirements used for a brewery space. Manufacturing and warehousing parking requirements have been proposed.

Places of Worship

Churches and synagogues have been replaced with the more appropriate title of Places of Worship. The parking requirements remain at one (1) parking space for each four (4) seats in accordance with design capacity of the main auditorium.

Drive Thru Businesses

The current Parking Ordinance does not address required stacking for drive-thru businesses. Generally, drive-thru stacking is reviewed through site plan approval and the Conditional Use Permit (CUP) process. The proposed requirement has stacking criteria for pharmacies, banks, coffee shops and all other uses. Generally, six stacking stalls per lane are required with reduced requirements per lane for banks, pharmacies, and a business with two drive-thru lanes. Coffee shops containing one drive thru lane shall provide stacking space for at least ten vehicles, and coffee shops containing two or more drive-thru lanes shall provide stacking space for at least six vehicles per lane.

Establishments handling the sale and consumption of food and refreshment on the premises

Event Centers have been removed from the category and now have their own proposed parking requirements. Parking requirements for a takeout only restaurant (no dining are provided) has been

added.

Event Centers, auditoriums, private clubs, lodges, and other places of assembly (not places of worship)
Recently, the City has experienced some concerns about not enough parking being provided on sites with event centers. Currently, event centers are required to meet the restaurant requirement of a minimum of one stall per 100 square feet for dining area. With the review of several other cities' parking requirements, staff recommends a parking requirement of one space for every two seats of seating capacity, plus spaces for employees.

Movie Theater

Theater was changed to movie theater to be clearer and more descriptive.

Private Clubs and Lodge

This category has been added to the event center parking requirements.

Schools, high school, public or private

The existing requirement for a high school is very high at 2 parking stalls per student and is not feasible or necessary. After reviewing several other communities with high schools, the proposed requirement is suggested to be 1 stall for every 4 students. The requirement may be reduced by the Zoning Administrator based on a parking policy the school would provide. This policy may include minimizing/controlling the number of high school drivers on site by requiring a parking permit.

Senior Housing

Currently, assisted living and memory care parking is determined by a CUP, which can leave the potential for not enough parking on site. Several communities with assisted living/memory care facilities were contacted to determine adequate parking needs. Consistent with the feedback, staff has proposed a parking requirement of one (1) parking stall per two (2) units and removing the determined by CUP standard.

Supermarkets, discount houses, mail order outlets, retail stores and other stores with high customer volume

The City Council has shared some concerns with sites (big box stores) having excessive paved parking lots. Staff looked at other communities' ordinance requirements (nationally and locally), along with trends of the number of parking spaces seen in these lots not being needed, and recommended a change for buildings with over 100,000 square feet.

- The first 100,000 square feet will need to meet the normal retail requirement of 1 stall every 200 square feet. All other square footage past 100,000 square feet will meet the 1 stall per 350 square feet of floor area.
- The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent. The Zoning Administrator may expand the parking requirements if the applicant demonstrates, in documented form, a demand which is different than required based on the specifics of the proposed use.

Examples:

Kohl's - National Market Center: 88,400 sf

- Required Parking: 418 stalls with current requirements
- Provided Parking: 524 stalls

If the requirement of not exceeding 10 percent is added, they are 65 stalls over.

Walmart - Highway 65: 148,124 sf

- Required Parking: 667 stalls with current requirements.
- Provided Parking: 711 stalls
- Proposed parking requirement = 637 stalls, allowed 10 percent over = 701 stalls.

Therefore, they are over by 10 stalls.

Taproom

Currently, a taproom is calculated as bar area (listed under establishments handling the sale and consumption of food and refreshment on the premises) at 1 space for every 40 square feet of bar area. This proposed new classification will clarify the use and parking requirements.

Reduced Parking/Proof of Parking

Occasionally, a commercial/industrial type use does not want to construct all the parking stalls that the ordinance requires as they do not feel they will use all of the stalls.

City policy has allowed reduced parking in the past without set criteria. Previously, approved proof of parking has not provided parking issues on sites. Several similar sized cities provide some provision allowing reduced parking if they can meet certain criteria. In order to provide set criteria for all requests, staff recommends the following for permitting reduced parking on site:

- (a) The request for reduction shall be accompanied by supporting data specifically applying to the particular use in question.
- (b) The applicant must provide each of the following:
 - (aa) A detailed parking plan demonstrating that the parking otherwise required by this section can be provided on the site within ordinance design standards; and
 - (bb) The parking area must meet the setback, dimension, and maneuverability standards of this ordinance and the stormwater management rules; and
 - (cc) An agreement in recordable form, approved as to form and content by the city attorney, executed by the property owner, which agreement provides that the owner, on behalf of himself and his heirs, successors, and assigns, will not use the area identified for expansion parking for any use except landscaping or to cause compliance with the off-street parking requirements of this Code.
- (c) The City may order installation of previously excepted parking spaces at any time when, in the City's judgment, conditions indicate the need for such parking, and the property owner shall comply with such order.

Attachment List:

Unapproved Planning Commission Minutes 11/14/23

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the code amendments. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
2. Posted on the City website.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the December 18, 2023, Council meeting.

Attachment List

1. Unapproved PC Minutes



City of Blaine

Signature Copy

Ordinance: ORD 23-2535

First Reading

Ordinance Granting Annual Revisions to the Blaine Zoning and Parking Ordinances. City of Blaine (Case File No. 23-0076/EES)

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

25.02 Definitions

Automobile repair, major: General repair, rebuilding, or reconditioning of engines, ~~motor~~ passenger vehicles or trailers, including body work, frame work, welding and painting of entire vehicle or major portion thereof.

Automobile repair, minor: The replacement of any part or repair of any part which ~~does not require~~ may include the removal of the engine head or pan, engine, transmission or differential; incidental body and fender work, minor painting and upholstering service when said service above stated is applied to passenger vehicles.

Church: ~~A building, together with its necessary buildings and uses, where persons regularly assembly for religious worship and which buildings, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.~~

Community Center: A place or establishment designed as a gathering place for people from the community and surrounding communities that offers, as its primary purpose, civic, social, cultural, educational, public health, and recreational activities provided however the principal use of which is not a school, place of worship or day care.

Place of Worship: A building, together with its necessary buildings and uses, where persons regularly assembly for religious worship and which buildings, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship, including, but not limited to, churches, mosques, synagogues, and temples.

Donation drop-off box: A portable outdoor container intended or used for the collection and storage of unwanted textiles and household items which are removed from the container on a periodic basis or the collection of recyclable materials not generated on the site, ~~except for designated recycling collection centers, as designated by the Zoning Administrator.~~ Containers less than 8 cubic feet are exempt ~~except~~ from regulation under this code.

Vehicle, passenger: Any motor vehicle under 10,000 GVW and designed and used for carrying not more than ten (10) persons including station wagons, pickup trucks, vans and motorcycles.

26.06 Nonconforming structures, uses.

The lawful use of any land or building existing at the time of the adoption of an additional control or regulation under the City's zoning authority ~~this ordinance~~ may be continued, even if such does not conform to the regulations of this ordinance, ~~except as provided below:~~ in accordance with the following provisions and restrictions:

(a) *Nonconforming structures except nonconforming signs which are regulated by Section 34.03*

~~(1) — Alterations: A nonconforming building or structure shall not be reconstructed or altered unless such building or structure is changed to conform with the regulations of this ordinance.~~

(1) Alterations and maintenance: Repair, replacement, restoration, maintenance, and improvement to legal nonconforming structures are permitted so long as they do not extend or intensify the nonconforming use.

~~(2) Enlargement: A nonconforming building or structure shall not be added to or enlarged in any manner unless such additions or enlargements are made so as to bring said building or structure into conformity with the regulations of this ordinance.~~

~~(3) Restoration: A nonconforming building or structure which is damaged by fire or other causes to the extent of more than fifty percent (50%) of its market value, unless a formal application for a building permit has been applied for within one hundred eighty (180) days of when the property was damaged, shall not be restored to its nonconforming use, unless a formal application for a building permit has been applied for within one hundred eighty (180) days of when the property was damaged except in conformity with the regulations of this ordinance.~~

~~(4) Abandonment: A nonconforming use of a building which has been discontinued for a period of more than one (1) year shall not be abandoned and may not be reestablished, and any future use shall be in conformity with the regulations of this ordinance. (Ord. No. 04-2035, amended 12-16-2004)~~

~~(5) — Maintenance: Normal maintenance of a building or other structure containing or related to a lawful nonconforming use is permitted, including necessary nonstructural repairs and incidental alterations which do not extend or intensify the nonconforming use.~~

~~(5) (6) Existing buildings not in conformance with architectural control standards in the applicable zoning district shall construct additions in conformance with the architectural control standards. Any addition greater than 50% of the square footage of the building shall require the entire building to meet architectural control standards.~~

(6) This Section does not apply to nonconforming signs, which are regulated by Section 34.03.

(b) *Nonconforming uses of building or land.*

~~(1) Extension: No such nonconforming use shall be intensified, enlarged or increased, nor extended to occupy a greater area of land than was occupied at the time of the effective date of this ordinance.~~

~~(2) No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the time of the effective date of this ordinance.~~

~~(3) If any such nonconforming use of land or building that ceases for any reason for a period of more than one (1) year shall be abandoned and may not be reestablished, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.~~

(c) *Reserved. Inspection.*

~~(1) — The enforcing officer shall make an annual inspection each June, of all the nonconforming uses and report to the City Council within sixty (60) days.~~

27.03 Zoning and comprehensive plan amendments.

(e) *Procedure.* The procedure for a property owner to initiate a rezoning, district regulation change or comprehensive plan amendment is: (Ord. No. 86-939, amended 4-3-1986)

(1) The property owner or his agent shall meet with the Zoning Administrator to explain his proposal, obtain procedures, and an application form.

(2) For all comprehensive plan amendments, the applicant shall file a concept plan review request form together with the required exhibits with the Zoning Administrator and shall pay a filing fee as established by the City Council. For zoning amendments applicants may request review by submitting the concept plan review form with exhibits and paying the filing fee. All concept plan review packs may be forwarded to the City Council for consideration at a regular meeting or workshop to allow City Council an opportunity to provide comments and feedback to the applicant regarding the request. Council review and comments relating to the concept review is advisory in nature and does not constitute any form of approval of the project.

(3)(2) The applicant shall file the completed application form together with the required exhibits with the Zoning Administrator and shall pay a filing fee as established by the City Council. All applications for rezoning or comprehensive plan amendment shall be received in the Office of Community Development no later than thirty (30) days prior to a Planning Commission meeting. Applications submitted for Comprehensive Plan Amendments that have not provided the City with a complete concept plan review form and exhibits shall be considered incomplete until the concept plan review form and exhibits have been provided

(4)(3) The Zoning Administrator shall transmit the application and the required exhibits to the Planning Commission.

(5)(4) The Zoning Administrator shall set the date for the public hearing and shall have notices of such hearing published in the legal newspaper at least once, not less than ten (10) days and not more than thirty (30) days prior to said hearing in accordance with Minnesota Statute 462.357 Subd. 3. (Ord. No. 20-2447, 7-20-2020)

(6)(5) The Zoning Administrator shall see that a similar notice shall be mailed at least ten (10) days before the day of the hearing to all property owners of record within three hundred fifty (350) feet of the exterior boundaries of the property in accordance with Minnesota Statute 462.357 Subd. 3. (Ord. No. 20-2447, 7-20-2020)

(7)(6) The Planning Commission shall hold the public hearing and then shall recommend one (1) of three (3) actions: approval, denial, or conditional recommendation. (Ord. No. 04-2035, amended 12-16-2004)

(8)(7) The Planning Commission shall transmit its recommendation to the City Council for its official action. (Ord. No. 04-2035, amended 12-16-2004)

(9)(8) The Council shall act upon the application after receiving the recommendation of the Planning Commission. A two-thirds majority of council members must vote in the affirmative to approve certain amendments, as designated in Minnesota Statute 462.355 and 462.357.

(10)(9) No application of a property owner for an amendment to the text of the zoning ordinance, zoning map, or comprehensive plan shall be considered by the Planning Commission within a one-year period following a denial of such request, except that the Planning Commission may permit a new application, if, in

the opinion of the Planning Commission, new evidence or a change of circumstances warrant it. (Ord. No. 86-939, amended 4-3-1986).

27.04 Conditional Use Permits

(e) Procedure

(8) Zoning Administrator may transmit the application directly to the City Council to hold the public hearing following the notice ~~produce~~ procedure outlined in 27.04(e) 3-5.

27.08 – Financial Guarantees

(c) Single Family Landscape Escrows

(1) An escrow deposit shall be made prior to permit issuance for all single family homes, in an amount determined by the City Council. That escrow shall guarantee completion of landscaping, final grade, curb stop adjustment, and any other work required by ordinance or development agreement. An additional escrow deposit shall be required prior to the issuance of a Certificate of Occupancy if landscaping work has not be completed between May 15 and October 15 of any year, in an amount determined by the City Council. The costs of inspections occurring after the issuance of a Certificate of Occupancy shall be deducted from that escrow, in the amounts identified in the fee schedule. Landscaping improvements or other site requirements that are required for single family homes either by ordinance or development agreement can be completed after Certificate of Occupancy provided an escrow has been deposited with the City. The escrow will contain a fee to be collected at the time of escrow to cover the City's cost of reinspection. Additional fees may be charged by the City for work that is not completed within the required time frame.

(2) If escrow related work is not completed within the time period required by the City, the Zoning Administrator may authorize escrow account closure. Written notification to the escrow payor will be made by regular and certified mail to payor's last known address at least thirty (30) days in advance of account closure. Closed accounts ~~may~~ will be used by the City to complete unfinished items with any unused balance dispersed to the current owner of the property.

27.11 – Environmental Review

(1) When an environmental assessment worksheet (EAW), alternative urban areawide review (AUAR), or environmental impact statement (EIS) is required or otherwise ordered or submitted, the applicable review procedures shall be as set forth in the Minnesota Environmental Quality Board (Environmental Quality Board) regulations for the Environmental Review Program, as authorized by Minnesota Statutes and specified in Minnesota Rules 4410.

(2) An EAW, AUAR, or EIS application, together with the completed data portions of the environmental document, shall be accompanied by a fee as established by the City Council. The application shall be processed and transmitted to the City Council for appropriate action by the City Engineer.

(3) Applications for land use approvals requiring an EAW shall be considered incomplete until the Responsible Governmental Unit (RGU) makes a negative declaration on the need for an EIS. Applications for land use approvals requiring an EIS shall be considered incomplete until the EIS has been determined to be adequate by the RGU or EQB. Applications for land use approvals requiring an AUAR shall be considered incomplete until the AUAR has been determined to be adequate by the EQB.

29.00 Agricultural (AG)

29.002 – Permitted Uses

(c) raising domestic farm animals, excluding hogs and fur bearing animals, not to exceed one (1) animal unit per acre, subject to the farm fence regulations in 33.08.

29.004 – Conditional Uses

(b) ~~Churches.~~ Places of Worship.

29.010 Farm Residential (FR)

29.102 – Permitted Uses

(c) raising domestic farm animals, excluding hogs and fur bearing animals, not to exceed one (1) animal unit per acre, subject to the farm fence regulations in 33.08.

29.014 – Conditional Uses

(a) ~~Churches.~~ Places of Worship.

(x) Standards and requirements for private stables:

~~(5) ——— Fences to control domestic farm animals, adjacent to single family zoning districts, excluding AG and FR, shall have a minimum setback of one hundred (100) feet.~~

29.020 Residential Estate (RE)

29.024 – Conditional Uses

(c) ~~Churches.~~ Places of Worship.

29.030 Single Family (R-1)

29.034 – Conditional Uses

(b) ~~Churches.~~ Places of Worship.

29.035 Standards (R-1)

(v) All new homes constructed southeast or northeast of the Anoka County Airport, as subsequently described, ~~and within five hundred (500) feet of any minor and principal roadways as defined by the City of Blaine Transportation Plan,~~ shall meet the Noise Abatement Standards, Section 33.21. The southeast area is bounded by 85th Avenue, 35W, 95th Avenue and the Airport; the northeast area is bounded by 101st Avenue, Naples Street, 109th Avenue, and Radisson Road.

29.040 Single Family (R-1AA)

29.044 – Conditional Uses

(b) ~~Churches.~~ Places of Worship.

29.045 - Standards (R-1AA)

(u) All new homes constructed southeast or northeast of the Anoka County Airport, as subsequently described, ~~and within five hundred (500) feet of any minor and principal roadways as defined by the City of Blaine Transportation Plan,~~ shall meet the Noise Abatement Standards, Section 33.21. The southeast area is bounded

by 85th Avenue, 35W, 95th Avenue and the Airport; the northeast area is bounded by 101st Avenue, Naples Street, 109th Avenue, and Radisson Road.

29.070 Two Family (R-2)

29.074 – Conditional Uses

(b) ~~Churches.~~ Places of Worship.

29.080 Low Density Multifamily (R-3A)

29.084 – Conditional Uses

(b) ~~Churches.~~ Places of Worship.

29.090 Medium Density Multifamily (R-3B)

29.094 – Conditional Uses

(b) ~~Churches.~~ Places of Worship.

29.100 High Density Multifamily (R-3C)

29.104 – Conditional Uses

(b) ~~Churches.~~ Places of Worship.

29.120 Manufactured Homes (R-4)

29.125 – Standards

(w) Accessory Buildings (Garages, Carports, or Sheds)

(3) Minimum distance between accessory buildings and ~~mobile homes – Five (5) feet.~~ manufactured homes on neighboring lots – five (5) feet.

30.10 Community Commercial (B-2)

30.14 – Conditional Uses

(e) Minor auto repair for passenger vehicles.

(o) ~~Restaurants with live entertainment or outdoor dining.~~ Outdoor dining accessory to a restaurant.

(u) ~~Churches.~~ Places of Worship.

(cc) Live entertainment accessory to a restaurant.

30.20 Regional Commercial (B-3)

30.24 – Conditional Uses

(f) Minor auto repair for passenger vehicles.

(t) ~~Restaurants with live entertainment or outdoor dining.~~ Outdoor dining accessory to a restaurant.

(bb) ~~Churches.~~ Places of Worship.

(ii) Live entertainment accessory to a restaurant.

30.30 Office Park (B-4)

30.34 – Conditional Uses

(e) ~~Churches.~~ Places of Worship.

30.50 Planned Business District (PBD)

30.52 – Conditional Uses

(m) ~~Churches.~~ Places of Worship.

30.54 – Standards

(a) Building Setbacks (minimum)

~~(4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.~~

(b) Parking Lot Setbacks (minimum)

~~(4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.~~

30.70 – Planned Office District

30.73 – Development Procedure

(a) Prior to applying for a conditional use permit for development within the ~~PBD~~ POD zone, the developer shall meet with the Zoning Administrator, or their designee, to review the applicable ordinances, regulations and plans that will affect the area to be rezoned.

30.74 – Standards

(f) Landscaping

(3) Applicable landscaping requirements set forth in Section 33.08 shall be increased by 1.5 times, which shall include at least twenty-five percent ~~(33%)~~ (25%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard or in areas within view of the public right-of-way.

30.80 Town Commercial (B-5)

30.83 – Conditional Uses

(a) Class I and II restaurants, with or without outdoor dining or live entertainment, as specifically allowed in the CUP.

(e) ~~Churches.~~ Places of Worship.

31.00 Light Industrial (I-1)

31.091 Architectural Control.

~~(f) All buildings shall contain a concrete floor.~~

31.10 Light Industrial (I-1A)

31.191 Architectural Control.

~~(f) All buildings shall contain a concrete floor.~~

31.20 Heavy Industrial (I-2)

31.24 Conditional Uses

(l) Manufacturing or repair of semi-tractors, trailers, trucks over 10,000 GVW, farm implements, or boats, ~~manufacturing, or repair without outside storage of trucks, boats or trailers exceeding the number of dock and/or bay doors on the building.~~

31.292 Architectural Control.

~~(f) All buildings shall contain a concrete floor.~~

31.30 Heavy Industrial (I-2A)

31.34 Conditional Uses

(m) Manufacturing or repair of semi-tractors, trailers, trucks over 10,000 GVW, farm implements, or boats, ~~manufacturing, or repair with or without outside storage of trucks, boats or trailers exceeding the number of dock and/or bay doors on the building.~~

31.392 Architectural Control.

~~(f) All buildings shall contain a concrete floor.~~

33.08 Fences

(b) Definitions

(4) *Farm Fence:* A fence located on a property zoned FR or AG and constructed to contain domestic farm animals ~~and located a minimum of 300 feet from any residentially zoned property.~~

(e) Construction and Maintenance

(2) ~~Link fences, wherever permitted, shall be constructed in such a manner that the barbed end is at the bottom of the fence. Electric fences are prohibited except for farm fences as described in 33.08(j).~~

(j) Farm Fences:

(1) ~~Fences which are constructed for the purpose of containing livestock in any Farm Residence or Agricultural District may be electrified with no more than twelve (12) volts DC. Such electrification shall be installed so as to not have current going through said fence except on an intermittent basis. Current shall not remain on longer than three (3) seconds. Farm fences must be set back at least 50 feet from any property line abutting a residential zoned property, excluding properties zoned AG and FR.~~

(2) No electric fence shall be located closer than three hundred (300) feet from any residentially zoned property and shall be clearly designated as an electrified fence by the installation of one (1) by one (1) foot square sign stating "this fence is electrified". Electric fences are limited to no more than twelve (12) volts DC. Such electrification shall be installed so as to not have current going through said fence except on an

intermittent basis. Current shall not remain on longer than three (3) seconds.

(3) Farm fences with a maximum height of 4 feet may use barbed wire, so long as they are set back at least 300 feet from residential properties, other than those zoned AG and FR.

33.07 Landscaping

(c) Number of plant materials required. In order to achieve an appropriate and complete quality landscaping of a site, the following minimum number of plant materials shall be provided as indicated below:

(7) A variety of species shall be provided. Spacing and species of trees and shrubs are subject to approval of the Zoning Administrator.

33.10 Home Occupations

33.10 (d) - Conditional Use Permits

(1) All home occupations which do not conform to the standards contained in Section ~~33.11(c)~~ 33.10(c) shall only be conducted with a home occupation conditional use permit. Conditional Use Permit applications shall be made and considered in accordance with 27.04 of this code.

33.13 - Parking

(b) *Size.*

Parking Angle	Stall Width Including Striping	Stall Length of Line	Aisle Width
90 degrees	9 feet	<u>18</u> 20 feet	24 feet
60 degrees	9 feet	23 feet	15 feet
45 degrees	9 feet	<u>25</u> 27 feet	12 feet
Parallel	9 feet	23 feet	12 feet

~~The stall length can be reduced by the amount of the curb overhang up to a maximum of two (2) feet.~~

~~(2) Painted or curbed traffic safety islands shall be installed at the ends of each parking tier.~~

Additional ~~t~~ Traffic safety islands may be required to maintain a safe and orderly flow of traffic within the parking lot and/or driveways.

(i) *Required Parking Spaces.* Off-street parking spaces accessory to designated uses shall be provided as follows:

(1) *Single family dwellings:* At least one (1) parking space for each dwelling, plus one (1) additional parking space for each two (2) roomers or lodgers accommodated. ~~, but no more than four (4) parking spaces for each single family dwelling.~~

(5) *Automobile Repair:* Four (4) parking spaces, plus two (2) parking spaces per service bay. The outside storage of cars as a permitted or conditional use in the applicable zoning district may occupy the required four (4) parking spaces.

(9) *Brewery:* At least one (1) parking space for each five hundred (500) square feet of manufacturing floor area and one (1) parking space for each two thousand (2,000) square feet of warehousing floor area.

~~(10)-(9)~~ *Business and professional offices or public administration buildings:* At least one (1) parking space for each two hundred fifty (250) square feet of floor area.

~~(11) (10)~~ *Childcare facility, not including group family daycare:* At least one (1) parking space for each three

hundred (300) square feet of floor area.

~~(11) Churches and synagogues: At least one (1) parking space for each four (4) seats in accordance with design capacity of the main auditorium.~~

(12) Drive Thru Businesses:

(a) Pharmacies with one drive thru lane shall provide stacking space for at least five vehicles, and pharmacies with two or more drive thru lanes shall provide stacking space for at least three vehicles per lane, as measured from and including the last pick-up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(b) Banks containing one drive thru lane shall provide stacking space for at least six vehicles, and banks containing two or more drive thru lanes shall provide stacking space for at least four vehicles per lane, as measured from and including the last pick-up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(c) Coffee shops containing one drive thru lane shall provide stacking space for at least ten vehicles, and coffee shops containing two or more drive thru lanes shall provide stacking space for at least six vehicles per lane, as measured from and including the last pick-up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(d) All Other Uses. Businesses with one drive thru lane shall provide stacking space for at least six vehicles, and businesses with two or more drive thru lanes shall provide stacking space for at least six vehicles per lane, as measured from and including the last pick-up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

General requirements:

(1) A fence or screen of acceptable design not over six feet in height or less than four feet shall be constructed along the property line abutting a residential zoning district and such fence or screen shall be adequately maintained.

(2) If canopies cover the drive-thru area, any support columns shall be constructed with the same design and materials as those used on the building.

(3) Sites with drive thru service shall be designed in a manner that allows drivers not using the drive thru, or wishing to exit the drive thru area, to bypass the drive thru lane(s).

~~(13) (12) Establishments handling the sale and consumption of food and refreshment on the premises including event centers:~~ At least one (1) parking space for each one hundred (100) square feet of floor area, excluding bar area and kitchen area, one (1) parking space for each forty (40) square feet of bar area and one (1) parking space for each two hundred square feet of kitchen area. If no dining area is provided at least one (1) parking space for each 275 square feet of public pick up area.

(14) Event Centers, auditoriums, private clubs, lodges, and other places of assembly (not places of worship): Parking spaces equal in number to one-half the seating capacity plus employee parking.

~~(15) (13) Fitness Centers:~~ 1 space for each three hundred (300) square feet of floor area.

~~(16) (14) Furniture and appliance stores, motor vehicle sales, stores for repair of household equipment, or furniture:~~ At least one (1) parking space for each six hundred (600) square feet of floor area.

~~(17) (15) Hospitals:~~ At least two (2) parking spaces per bed.

~~(18) (16) Hotels:~~ At least one (1) space for each guest room.

~~(19) (17) Libraries and museums:~~ At least one (1) parking space for each five hundred (500) square feet of floor area.

~~(20) (18) Manufacturing, fabricating, and processing plants not engaged in retail trade:~~ At least one (1) parking space for each five hundred (500) square feet of floor area. (Ord. No. 88-1071, amended 2-18-1988; Ord. No. 22-2514, amended 12-19-22)

~~(21) (19) Medical and dental clinics:~~ At least one (1) space for each one hundred fifty (150) square feet of floor area.

(22) ~~(20)~~ *Motels*: At least one (1) parking space for each dwelling unit, plus one (1) space per employee.)

(23) *Movie Theaters*: At least one (1) parking space for each four (4) seats in the theater.

~~(21) Private clubs and lodge: One (1) parking space for each sixteen (16) square feet of assembly area or one (1) parking space for every two and one-half (2½) seats, whichever is greater.~~

(24) *Places of Worship*: At least one (1) parking space for each four (4) seats in accordance with design capacity of the main auditorium.

~~(25)-(22) Recreational buildings or community centers: Spaces in adequate number as determined by the Zoning Administrator.~~

~~(26)-(23) Schools, elementary, junior high, public or private: At least three (3) parking spaces per classroom, plus necessary spaces for student drop off. May be reduced at Zoning Administrator discretion.~~

(27) ~~(24) Schools, high school, public or private: 1 per 4 students based on the design capacity. This requirement may be reduced at the Zoning Administrator's discretion to reflect facility use and/or parking policy. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the Zoning Administrator.~~

~~At least two (2) parking spaces per student, plus necessary spaces for student drop off. May be reduced at Zoning Administrator discretion.~~

(28) ~~(25) Self Storage Facility: Minimum of five (5) spaces~~

~~(29)-(26) Senior Housing: 1.5 spaces per independent living apartment unit other than studio apartments. Studio apartments require one space per unit. Half of the parking spaces for independent living shall be underground. Parking for assisted living and memory care units: At least one (1) parking stall space per two (2) units. shall be determined by Conditional Use Permit. (Ord. No. 22-2494, added 1-19-22)~~

~~(30)-(27) Supermarkets, discount houses, mail order outlets, retail stores and other stores with high customer volume: At least one (1) parking space for each two hundred (200) square feet of floor area: for the first 100,000 square feet, plus 1 per 350 square feet of floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, The Zoning Administrator may expand the parking requirements if the applicant demonstrates, in documented form, a demand which is different than required based on the specifics of the proposed use.~~

~~(31) Taproom: At least one (1) parking space for each forty (40) square feet of taproom/bar area.~~

~~(28) Theaters: At least one (1) parking space for each four (4) seats in the theater.~~

~~(32) (29) Undertaking establishments and funeral homes: At least one (1) space for every twenty-eight (28) square feet of area devoted to funeral services or display area plus one (1) parking space per employee. (Ord. No. 03-1990, amended 8-21-2003)~~

~~(33) (30) Warehouse and storage establishments and freight terminals: At least one (1) off-street parking space for each two thousand (2,000) square feet of floor area or one (1) parking space for every two (2) employees, whichever is greater.~~

~~(34)-(31) Other uses: Parking spaces on the same basis as required for the most similar use.~~

(35) Reduced parking. When demonstrated to the satisfaction of the zoning administrator that the number of parking spaces required by this section would not be needed for the particular use in question, a reduced number of parking spaces may be approved subject to the following:

(a) The request for reduction shall be accompanied by supporting data specifically applying to the particular use in question.

(b) The applicant must provide each of the following:

(aa) A detailed parking plan demonstrating that the parking otherwise required by this section can be provided on the site within ordinance design standards; and

(bb) The parking area must meet the setback, dimension, and maneuverability standards of this ordinance and the stormwater management rules; and

(cc) An agreement in recordable form, approved as to form and content by the city attorney, executed by the property owner, which agreement provides that the owner, on behalf of himself and his heirs,

successors, and assigns, will not use the area identified for expansion parking for any use except landscaping or to cause compliance with the off-street parking requirements of this Code.

(c) The City may order installation of previously excepted parking spaces at any time when, in the city's judgment, conditions indicate the need for such parking, and the property owner shall comply with such order.

33.21 Noise Abatement standards

Homes constructed southeast and northeast of the Anoka County airport that are bounded by 85th Avenue, 35W, 95th Avenue and the airport and bounded by 101st Avenue, Naples Street, 109th Avenue and Radisson Road, and within five hundred (500) feet of any minor and principal arterial roadways as defined by the City of Blaine Transportation Plan, shall incorporate the following standards for construction:

Chapter 34 – Signs

34.02 – Definitions

Sign, gross surface area of: That physical area of the sign constituted as the face upon which the advertisement is borne. The gross surface area shall be that area enclosed within the smallest rectangle~~regular geometric figure~~ needed to encompass completely all letters, insignias or symbols of the sign, including horizontal spacing between letters, insignias or symbols, and including the physical area constituting the face of the sign. This shall be determined using one (1) side of a double-faced sign. Architectural columns or significant architectural features constructed on the front of a building as determined by the Zoning Administrator may be subtracted from the area calculated for allowable square footage for a permitted sign.

INTRODUCED and read in full this 4th day of December, 2023.

PASSED by the City Council of the City of Blaine the day of , 20 .



City of Blaine

Planning Commission

November 14, 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, November 14, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Halpern, Homan, Olson, Swanson, and Chair Goracke.

Members Absent: None.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.4. 2023-523** Case File No. 23-0076 // City of Blaine
The City is proposing annual revisions to the Blaine Zoning and Parking Ordinances.
Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist and Shawn Kaye, Planner. The public hearing for Case File 23-0076 was opened at 7:26PM. As no one wished to appear, the public hearing was closed at 7:26PM.

Commissioner Olson asked if properties that were overparked would be required to remove parking spaces.

Planner Kaye reported this would not be required.

Commissioner Swanson questioned if snow storage would become a concern if parking lots were now smaller.

Planner Kaye explained staff did not believe this would be a concern as the changes were for larger sites with buildings over 100,000 square feet.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0076 based on the following rationale:

Case 23-0076:

- 1. Routine updates to the zoning code facilitate the code remaining current.**
- 2. The changes being proposed will improve the clarity of the code and address legal requirements.**
- 3. The changes to the parking requirements promote a balance between efficient use of land and provision of adequate parking.**
- 4. The changes continue to promote the health, safety and welfare of the residents, property owners and businesses within the City of Blaine.**

Motion seconded by Commissioner Swanson. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the December 4, 2023 city council meeting.



City of Blaine

Staff Report

File Number: ORD 23-2534

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.2

First Reading

Ordinance Granting a Rezoning from Planned Office District (POD) to Development Flex (DF) at 4321 109th Avenue NE. Infinite Campus (Case File No. 23-0077/SAS)

Executive Summary

The applicant is requesting a rezoning from Planned Office District (POD) to Development Flex (DF) in order to allow for a residence in the existing headquarters. No new development is proposed.

Background

Planning Commission (Public Hearing)	11/14/23
City Council (1st Reading)	12/04/23
City Council (2nd Reading)	12/18/23
Action Deadline (60 Days)	12/17/23
Action Deadline (City Extended)	02/15/24

Staff report prepared by Sheila Sellman, City Planner

Zoning and Land Use Designation

The subject site is currently zoned Planned Office District (POD) and has a land use designation of Planned Industrial/Planned Commercial (PI/PC).

Surrounding Zoning and Uses

The site is surrounded by properties that are zoned Farm Residential (FR) and guided Park/Open Space. Lochness Park is to the north and 109th Avenue is to the south.

Existing Conditions

The site is developed with an existing office and parking structure.

History

In 2007, a conditional use permit was approved for a two-story 110,580 square foot office building. The site was developed according to those conditions. In 2015 a CUP amendment was approved for an office expansion, auditorium and single level parking structure.

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 development meets the following criteria for the Development Flex Zoning District:

(a) That the proposal shall provide for a wider range of housing types, price ranges and styles than could be accomplished under the existing zoning;

- The proposed conditional use permit amendment includes one housing unit within the existing office building. The Planned Office District does not allow housing.

(b) That the proposal shall provide amenities and facilities and open spaces greater than the minimum requirements under existing zoning;

- While the campus is private, there is a walking trail and various wetlands and open space.

(c) That the proposed development is compatible with the purposes and intents of this ordinance and with the comprehensive plan;

- The existing development is compatible with the purposes and intents of this ordinance and with the comprehensive plan. No new development is proposed.

(d) That the proposal shall in no way be detrimental to the environment. Scenic aspects and natural features, such as streams, trees, topography, and geological features, shall be protected and preserved to the greatest extent possible;

- The site is developed and is not detrimental to the environment.

(e) That the proposal shall not impose any undue burden upon the public services and facilities, such as fire and police protection, schools, streets, water systems, sanitary sewer systems, and storm sewer systems;

- The existing development does not impose any undue burden.

(f) That the proposed development is designed in such a manner to form a desirable and unified environment within its own boundaries, and also which will not be detrimental to future land uses in the surrounding areas;

- The site is surrounded by wetlands and open space. The development was designed in a desirable manner.

(g) That the proposal be consistent with all other applicable City and State regulations.

- The proposal is consistent with all other applicable City and State regulations .

Evaluation of Request

Architecture

No new buildings are proposed. The existing building is comprised of glass, architectural precast concrete wall panels with accent banding reveals. Any future additions or buildings for this site will need to meet the following:

- Major exterior surfaces of all walls shall be face brick, stone, glass, stucco, architecturally treated concrete cast in place or pre-cast panels, decorative block, wood, or architectural metal, or approved equivalent, as determined by the City.
- Wood and metal may be used, provided that they are appropriately integrated into the overall building design.

Setbacks

No new buildings are being proposed. Any future buildings or additions must meet the following setbacks:

Building:

- Front Yard—Forty (40) feet.
- Side Yard—Fifteen (15) feet.
- Rear Yard—Twenty (20) feet.
- The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.

Parking:

- Front Yard—Twenty-five (25) feet.
- Side Yard—Ten (10) feet.
- Rear Yard—Fifteen (15) feet.
- The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.

Landscaping

No new landscaping is required or being proposed. The landscape requirements were met with the original development. Any future additions will be subject to the most current landscape code requirements.

Attachment List:

Zoning and Location Map

Narrative

Site Plan

Unapproved Planning Commission Minutes 11/14/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the rezoning. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the December 18, 2023 Council meeting.

Attachment List

1. Attachments
2. Unapproved PC Minutes



City of Blaine

Signature Copy

Ordinance: ORD 23-2534

First Reading

Ordinance Granting a Rezoning from Planned Office District (POD) to Development Flex (DF) at 4321 109th Avenue NE. Infinite Campus (Case File No. 23-0077/SAS)

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:

Lot 1 Block 1 PHEASANT RIDGE NORTH

Section 2. The above described property is hereby rezoned from:

~~[POD (Planned Office District)]~~

to

DF (Development Flex)

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 4th day of December, 2023.

PASSED by the City Council of the City of Blaine this day of 20__.

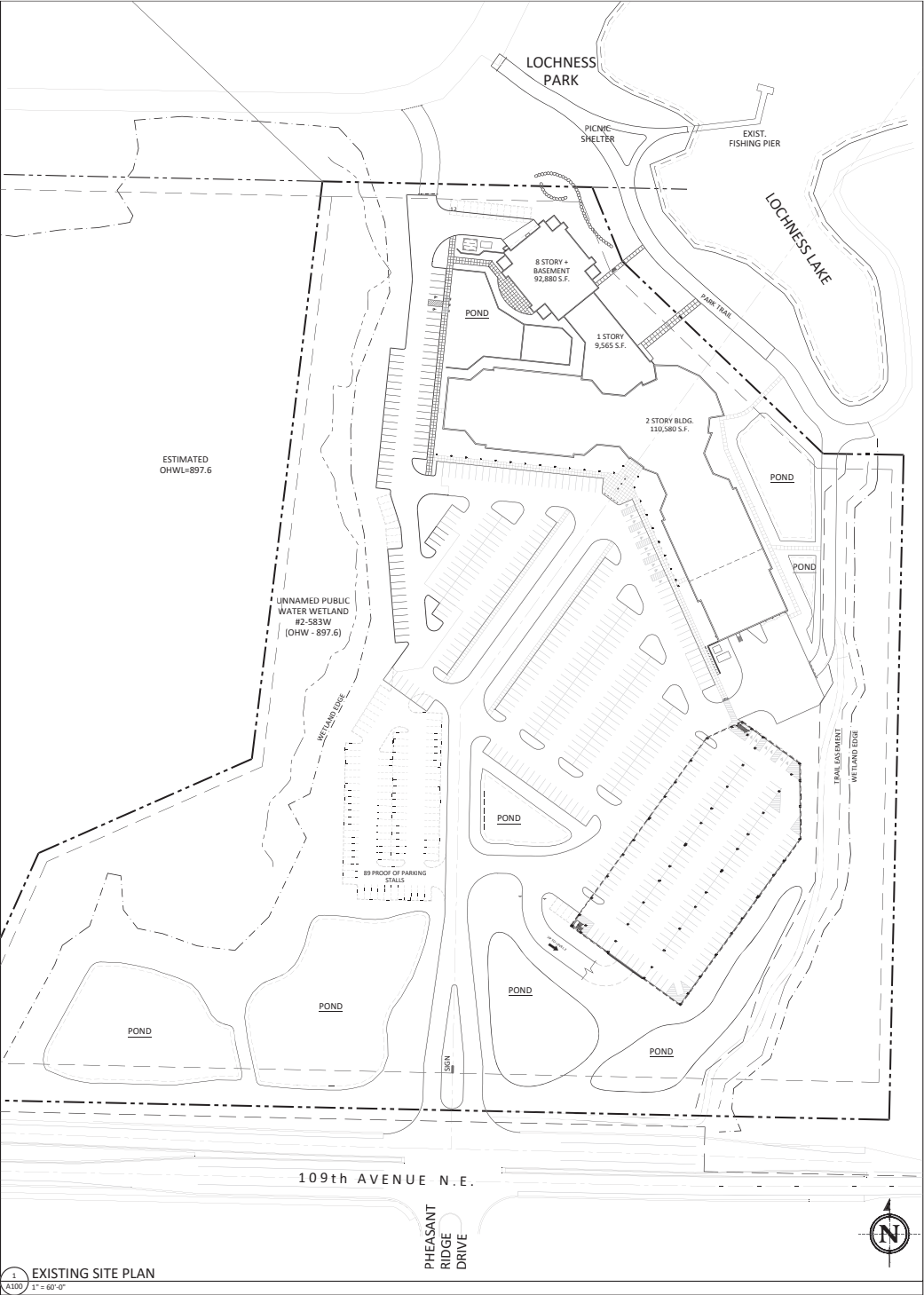


Case File No. 23-0077
Infinite Campus



We ask the City Council of the City of Blaine to rezone 4321 109th Avenue NE from POD (Planned Office Development) to DF (Development Flex). Rezoning will allow one floor of the existing eight story office tower to be finished to serve as the primary residence of its owner. No structural changes to the building footprint or physical changes to the existing site will be required.

SITE DATA	
CURRENT ZONING:	P.O.D. (PLANNED OFFICE DEVELOPMENT)
PROPOSED ZONING:	D.F. (DEVELOPMENT FLEX)
TOTAL SITE AREA:	1,084,208 S.F. / 24.89 ACRES
DEVELOPABLE SITE AREA:	763,774 S.F. / 17.53 ACRES
	EXISTING
BUILDING FOOTPRINT:	85,402 S.F. (7.75% OF SITE)
PARKING/HAZ. SURFACE:	298,203 S.F. (27.3% OF SITE)
GREEN SPACE:	704,603 S.F. (65.0% OF SITE)
TOTAL PARKING PROVIDED:	889 PARKING STALLS
PARKING STALLS PROVIDED:	783 STALLS (18 HDOP STALLS)
PROOF OF PARKING STALLS:	106 STALLS



finn daniels

ARCHITECTS

2145 Ford Parkway, Suite 301
 Saint Paul, Minnesota 55116
 651.690.5525 Fax 690.5545
 www.finn-daniels.com

CONSULTANTS:

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 in the State of Minnesota.

Typed Name _____
 License Number _____ Date _____

PROJECT:

Infinite Campus

4321 109th AVE. N.E.
 BLAINE, MN

PROJECT NO.: 23029

DRAWN BY: SAW

CHECKED BY: SAW

ISSUES AND REVISIONS:

EXISTING SITE PLAN 10.09.2023

SHEET TITLE:

EXISTING SITE PLAN

A100

Page 210 of 287



City of Blaine

Planning Commission

November 14, 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, November 14, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Halpern, Homan, Olson, Swanson, and Chair Goracke.

Members Absent: None.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

4.3. 2023-524 Case File No. 23-0077 // Infinite Campus // 4321 109th Avenue NE
The applicant is requesting the following:

1. Rezoning from POD (Planned Office District) to DF (Development Flex).
2. Conditional use permit for a 213,295 square foot two-story office building with a tower, auditorium, 8,700 square foot residence on the 5th floor, and a parking structure.

Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0077 was opened at 7:11PM.

Charlie Cratch, Founder and CEO of Infinite Campus, explained he planned on finishing floors two through five of the building. He stated when the building was originally constructed, floors two through five remained unfinished for future expansion. He reported 200 more employees would be hired over the next 18 months. He explained he had lived in Circle Pines, Lino Lakes and Ham Lake and he would now be living in Blaine on the fifth floor of his campus. He stated he loves having his business in Blaine.

The public hearing was closed at 7:13PM.

Commissioner Halpern questioned how facility utilization has changed with more people working remotely.

Mr. Cratch stated there was a movement towards remote work during COVID, but he has a work in the office culture for collaboration purposes. He explained flexible working options were made available for employees, but the primary location for employees to work was onsite. He commented on how he has worked to hire employees that live within a 15 mile radius. He reported he has a free onsite restaurant for employees and guests and noted the majority of his employees appreciate getting out of the house and working onsite.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0077A a rezoning from POD (Planned Office District) to DF (Development Flex) with the following rationale:

Case 23-0077A:

1. **The DF zoning district allows the City the opportunity to have some flexibility when approving developments that warrant higher standards than what is allowed with the traditional zoning districts. It affords the City the opportunity to provide input on items that would benefit the surrounding neighborhoods and the City as a whole.**

Motion by Commissioner Olson to recommend approval of Planning Case 23-0077B a conditional use permit for a 213,295 square foot two-story office with a tower, auditorium, 8,700 square foot residence on the fifth floor, and a parking structure in a DF (Development Flex District) zoning district with the following conditions:

Case 23-0077B:

1. **The proof of parking stalls will need to be constructed if the City deems that the additional parking is required on the site in the future as the company grows. As previously approved this includes 89 stalls on the west side of the entrance and 12 stalls on the north side of the building.**
2. **Setbacks for buildings are as follows:**
 - **Front Yard—Forty (40) feet.**
 - **Side Yard—Fifteen (15) feet.**
 - **Rear Yard—Twenty (20) feet.**
 - **The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.**
3. **Parking setbacks are as follows:**

- **Front Yard—Twenty-five (25) feet.**
 - **Side Yard—Ten (10) feet.**
 - **Rear Yard—Fifteen (15) feet.**
 - **The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.**
4. **Building exteriors:** Major exterior surfaces of all walls shall be face brick, stone, glass, stucco, architecturally treated concrete cast in place or pre-cast panels, decorative block, wood, or architectural metal, or approved equivalent, as determined by the City. Wood and metal may be used, provided that they are appropriately integrated into the overall building design.
 5. **Building height:** There shall be no height limitations, provided all buildings are in compliance with Metropolitan Airport Commission regulations.
 6. **Landscaping** shall meet the applicable landscape requirements of the zoning code.
 7. **Loading Spaces/Overhead Doors:**
 - a. **Loading spaces and overhead doors** should be designed to be compatible with the principal building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.
 - b. **Loading spaces/overhead doors** shall be located primarily in designated rear yards and secondarily in designated side yards.
 - c. **Overhead doors** limited to not more than one (1) door per twenty thousand (20,000) square feet of building area with the exception that all buildings are allowed a minimum of three (3) overhead doors and all City approved multi-tenant spaces are allowed a minimum of two (2) overhead doors.
 - d. **Outside storage of trucks or semi trailers** is limited to not more than the number of dock or overhead doors. All truck storage areas to be one hundred percent (100%) screened by a combination of earth berms, architectural elements such as fencing or building extensions and landscaping.
 8. **Refuse Enclosures.** Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

Motion seconded by Commissioner Gorzycki. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the December 4, 2023 city council meeting.



City of Blaine Staff Report

File Number: RES 23-184

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.3

Resolution Granting a Conditional Use Permit to Construct a 120 Square Foot Storage Building (Shed) on the East Side of the Building in a Regional Commercial (B-3) Zoning District at 13001 Central Avenue NE. Anoka-Hennepin Early Childhood Center (Case File No. 23-0075/SLK)

Executive Summary

The applicant is requesting to have a 120 square foot shed in the rear yard for yard maintenance equipment. Two buildings on one lot require a conditional use permit.

Background

Planning Commission Public Hearing	11/14/23
City Council (Conditional Use Permit)	12/04/23
Action Deadline	12/15/23

Staff report prepared by Shawn Kaye, Planner, and Teresa Barnes, Project Engineer

Zoning

The property is zoned Regional Commercial (B-3).

Surrounding Zoning and uses

The properties to the north and south are zoned B-3. Two multi-tenant buildings are to the north and Aldi is to the south. Single family homes (R-1) are located to the east. State Highway 65 is adjacent to the west.

Existing Conditions

The site is developed with a building and parking lot. The site has mature trees on the east and south sides of the site.

History

A CUP was approved in 2008 for a school type use (Blaine Charter School). A CUP amendment was approved in 2010 for the expansion of the school use including additional classrooms and a gym (Davinci Charter School). Anoka-Hennepin Schools purchased the building in 2022 to provide additional early childhood services for residents on the east side of the school district.

Evaluation of Request

Site Plan

The Blaine Early Childhood Center (Anoka-Hennepin School District) is proposing to construct a 120 square foot storage building on the east side of the existing building. A conditional use permit is required for multiple buildings on a single lot in the B-3 zoning district. Therefore, the applicant is requesting a conditional use permit.

The shed is proposed for storage of site and facility maintenance equipment for mowing and snow removal that cannot be stored in the main building.

Parking

The school type use met parking requirements when approved in 2008.

Setbacks

All building setbacks will be met. The proposed shed would be located 104 feet from the east property line and 132 feet from the north property line.

Architecture

The shed is proposed to be constructed of vinyl and neutral colors that compliment the main building. The shed is quite simple in design. However, the location of the shed has a limited view from outside of the property. This would include the street and the single-family homes to the east.

Landscaping

The site currently has many mature trees to the east that will screen the proposed shed from the single-family homes to the east. No new additional landscaping is required.

Tree Preservation

No trees will be removed for the construction of the shed.

Grading/Storm Drainage

Placement of the proposed 120 sq-ft shed will not require any grading to occur and will not change any existing storm water drainage patterns on the property.

Wetlands/Watershed

The proposed 120 sq-ft shed is not proposed near any known wetland area and is not large enough to require watershed review.

Access/Street Design/Sidewalks/Trails

The proposed 120sq-ft shed will not be granted any additional public street access, will not require any additional street design nor require the construction of any additional sidewalks or trails.

Easements/Right-of-way/Permits

The proposed 120 sq-ft shed will not require any additional easements or right-of-way dedication;

Conditional Use Permit

A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
 - The use of multiple buildings on one lot does not create an excessive burden on the property as the proposed shed is under 120 square feet.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. (Ord. No. 20-2447, 7-20-2020).
 - The shed will be located over 100 feet from the residentially zoned property and screened by mature trees. Therefore, the use will be compatible with the adjoining properties.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - The shed will be located over 100 feet from the residentially zoned property and screened by mature trees.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
 - The use is consistent with the purpose of the B-3 district.
6. The use shall not be in conflict with the comprehensive plan of the City.
 - The use is not in conflict with the CC (Community Commercial) designation in the Comprehensive Plan.
7. The use will not cause traffic hazard or congestion.
 - The use will not cause any additional traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
 - The use will not require any utilities, access roads, drainage or any other necessary facilities.

Attachment List:

Zoning and Location Map

Site Plan

Building Elevations

Pictures of Site Location

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. Attachments
2. Unapproved PC Minutes



City of Blaine

Signature Copy

Resolution: RES 23-184

Resolution Granting a Conditional Use Permit to Construct a 120 Square Foot Storage Building (Shed) on the East Side of the Building in a Regional Commercial (B-3) Zoning District at 13001 Central Avenue NE. Anoka-Hennepin Early Childhood Center (Case File No. 23-0075/SLK)

WHEREAS, an application has been filed by Anoka-Hennepin Independent School District 11 as Conditional Use Permit Case File No. 23-0075 for a 120 Square Foot Storage Building (Shed); and

WHEREAS, said case involves the property described as follows:

HAPPY HOMES THE SLY 200 FT OF LOT 6 HAPPY HOMES(EX THAT PART THEREOF WHICH LIES WLY OF A LINE PRLL WITH & DIST 203 FT ELY OF THE N & S 1/4 LINE OF SEC 5-31-23) ACCORDING TO THE MAP OR PLAT THEREOF ON FILE & OF RECORD IN THE OFF OF THE REG OF DEEDS IN & FOR THE CNTY OF ANOKA AND THE STATE OF MINNESOTA

and

THAT PRT OF LOT 6 HAPPY HOMES LYG S OF THE N 300 FT & LYG N OF THE S 200 FT EX THE N 100 FT OF THE S 300 FT OF THE W 270 FT OF SD LOT 6 EX RD SUBJ TO EASE OF REC

WHEREAS, the Blaine Planning Commission held a public hearing on November 14, 2023, and recommended approval regarding said Conditional Use Permit; and

WHEREAS, the Blaine City Council has reviewed said case on December 4, 2023; and

WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.24 (aa) and 27.04 of the Zoning Ordinance to allow a 120 square foot storage building (shed) on the east side of the building in a Regional Commercial (B-3) zoning district with the following conditions:

1. Buildings is to be constructed of vinyl siding and match the general color of the building.
2. The applicant must obtain a building permit if the structure has a poured slab or footings. The storage building is to be used for storage purposes only.

PASSED by the City Council of the City of Blaine this 4th day of December, 2023.

PUBLIC NOTIFICATION LINE

Project
Location



BlaineMN.gov

Case File No. 23-0075
Anoka-Hennepin Early Childhood Center

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



**ISD #11:
ANOKA-HENNEPIN
SCHOOLS**
2727 North Ferry Street
Anoka, MN 55303



weldac.com | 651.227.7773



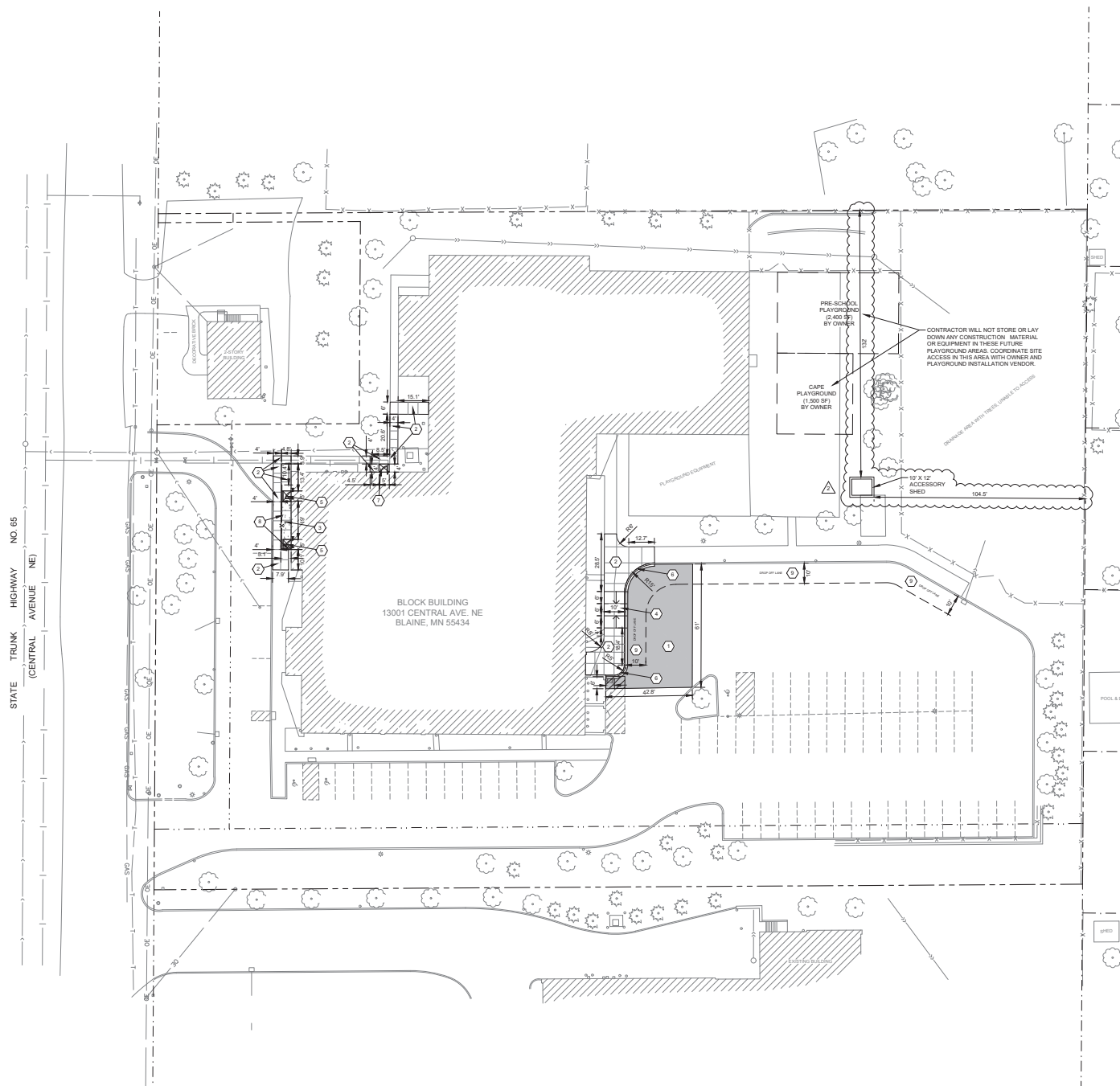
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	NEW HEAVY-DUTY BITUMINOUS PAVEMENT SEE DETAIL 1/C4.00
	NEW CONCRETE PAVEMENT SEE DETAIL 2/C4.00
	NEW SIDEWALK CONSTRUCTION SEE DETAIL 3/C4.00
	NEW STOOP OR FLOATING APRON, SEE STRUCTURAL PLANS

NOTE: THE CONCRETE JOINTS ARE SHOWN ONLY FOR GENERAL REFERENCE TO SIGNIFY LIGHT-DUTY CONCRETE PAVEMENT. ACTUAL JOINTS SHALL BE CONSTRUCTED PER PROJECT SPECIFICATIONS.

 PROPERTY LINE
 EASEMENT LINE
 RIGHT-OF-WAY LINE

- ⑦ HEAVY-DUTY BITUMINOUS PAVEMENT SECTION, SEE DETAIL 1/C4.00
- ⑧ CONCRETE PAVEMENT SECTION, SEE DETAIL 2/C4.00
- ⑨ SIDEWALK CONSTRUCTION, SEE DETAIL 3/C4.00
- ⑩ ACCESSIBLE RAMP, SEE DETAIL 4/C4.00
- ⑪ CONCRETE STOOP, SEE STRUCTURAL PLANS
- ⑫ B612 CONCRETE CURB AND GUTTER, SEE DETAIL 5/C4.00
- ⑬ FLOATING APRON, SEE SEE STRUCTURAL PLANS
- ⑭ RAILING, SEE DETAIL 6/C4.00
- ⑮ NEW STRIPING FOR DROP OFF LANE.



I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

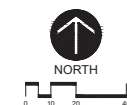
Greg A. Buchal, P.E.
Date: 01.31.2023 Lic. No.: 23793

[illegible]

District Project Bid Number: 222203-210318

Project: 12226162
Date: 01/31/2023
Drawn: KBK
Check: GAB


North

PAVING AND
DIMENSION
PLAN

C2.00

Limited A-Frame Shed



Standard



10'x12' w/ 6' Garage Door

COLOR SIDING AND TRIM
COMBO PROPOSED WITH
WHITE DOOR



Standard

763-427-4103

13745 Sunfish Lake Blvd
Anoka, MN, 55303

www.plantsandthingsusa.com

Page 221 of 287



SHED

FACING NORTHEAST TOWARD SHED



FACING EAST TOWARD SHED



FACING EAST AT SHED LOCATION



FACING SOUTHEAST AT SHED LOCATION



FACING SOUTH AT SHED LOCATION



FACING WEST AT SHED LOCATION



FACING NORTH AT SHED LOCATION

CITY OF BLAINE

RESOLUTION NO. 08-32

**GRANTING A CONDITIONAL USE PERMIT
PER SECTION 30.24 (k) OF THE ZONING ORDINANCE
OF THE CITY OF BLAINE
BLAINE CHARTER SCHOOL
13001 CENTRAL AVENUE NE**

WHEREAS, an application has been filed by Blaine Charter School as conditional use permit Case File No. 08-10; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on February 12, 2008; and

WHEREAS, the Blaine Planning Commission recommends said conditional use permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on March 6, 2008.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.24 (k) of the zoning ordinance to operate a public charter school focusing on arts and science in a B-3 (Regional Commercial) zoning district at 13001 Central Avenue NE based on the following conditions:

1. Site and buildings to be constructed consistent with submitted materials made part of this Conditional Use Permit application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements.
2. The landscape plan to meet the requirements set forth in the Zoning Ordinance. A credit will be given for existing trees on site. Some of the required new plantings should be planted along the east property line. The following number of trees are required on site to meet the requirements set forth in the Zoning Ordinance including the additional landscaping required by the Highway 65 Overlay District:

Overstory trees: 18 (2 ½" caliper) and 6 (3" caliper)=24

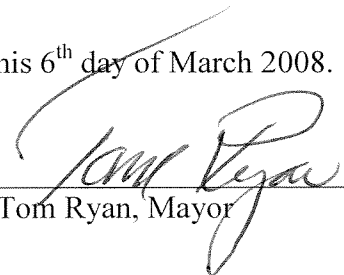
Conifer trees: 10 (6' in height) and 4 (8' in height)=14

Ornamental trees: 10 (2" caliper) and 4 (2 ½" caliper)=14

3. All site improvements to be included in site improvement agreement and covered by an acceptable financial guarantee.
4. All site lighting to be down lit-style lamps to reduce glare and to meet the requirements of the Zoning Ordinance. Final site plan to include detailed lighting plan.

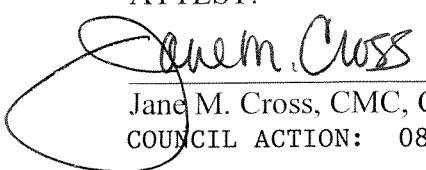
5. All signage requires a separate permit meeting the requirements of the Zoning Ordinance.
6. Site plan approval is required prior to any work being performed on site and a certificate of occupancy is required prior to occupancy of the building. A condition of site plan approval will require the applicant to obtain a permit from the Coon Creek Watershed District prior to City plan approval.
7. The existing wall signage must be removed. The applicant can have wall signage that meets the requirements of the Zoning Ordinance.
8. An automatic fire suppression system is required in the building.
9. The existing small shed located on the northeast corner of the site will need to be removed or relocated from the site.
10. The applicant should recognize that MnDOT is currently making improvements to Highway 65, including the removal of the access to Highway 65 from 129th Ave, replacing that access with an overpass in 2009.
11. A seven-foot high board-on-board maintenance free fence to be constructed along the entire east property line.

PASSED by the City Council of the City of Blaine this 6th day of March 2008.



Tom Ryan, Mayor

ATTEST:



Jane M. Cross, CMC, City Clerk

COUNCIL ACTION: 08-68

CITY OF BLAINE

RESOLUTION NO. 10-43

**GRANTING A CONDITIONAL USE PERMIT AMENDMENT
PER SECTION 30.24 (k) OF THE ZONING ORDINANCE
OF THE CITY OF BLAINE
DAVINCI CHARTER SCHOOL
13001 CENTRAL AVENUE NE**

WHEREAS, an application has been filed by Davinci Charter School as conditional use permit amendment Case File No. 10-0013; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on April 13, 2010; and

WHEREAS, the Blaine Planning Commission recommends said conditional use permit amendment be approved; and

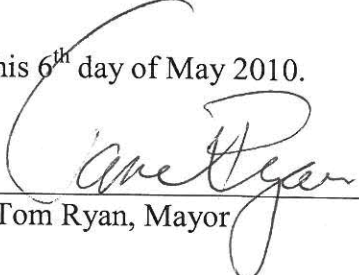
WHEREAS, the Blaine City Council has reviewed said case on May 6, 2010.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit amendment is hereby approved per Section 30.24 (k) of the zoning ordinance to construct six additional classrooms in an existing vacant building, a corridor to connect the two existing buildings, and an attached gymnasium on site at 13001 Central Avenue NE based on the following conditions:

1. Site and buildings to be constructed consistent with submitted materials made part of this Conditional Use Permit Amendment application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements.
2. The landscape plan to meet the requirements set forth in the Zoning Ordinance. A credit will be given for existing trees on site. Some of the required new plantings should be planted along the north property line. Existing trees along the north property line must be replaced on a one to one basis. The following number of trees are required on site to meet the requirements set forth in the Zoning Ordinance including the additional landscaping required by the Highway 65 Overlay District:
 - a) Overstory trees: 18 (2 ½ " caliper) and 6 (3" caliper)=24
 - b) Conifer trees: 16 (6' in height) and 5 (8' in height)=21
 - c) Ornamental trees: 16 (2" caliper) and 5 (2 ½" caliper)=21
3. All site improvements to be included in site improvement agreement and covered by an acceptable financial guarantee.

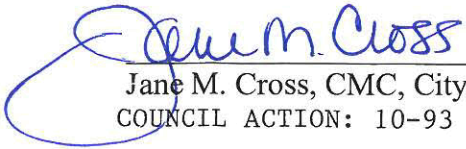
4. All site lighting to be down lit-style lamps to reduce glare and to meet the requirements of the Zoning Ordinance.
5. Applicant to address neighborhood lighting issue with east parking lot light be either putting a timer on the light to shut it off within one hour after the end of school programs or install a shield on the light fixture to cut the light from view of adjacent residential properties.
6. All signage requires a separate permit meeting the requirements of the Zoning Ordinance.
7. Site plan approval is required prior to any work being performed on site and a certificate of occupancy is required prior to occupancy of the building. A condition of site plan approval will require the applicant to obtain a permit from the Coon Creek Watershed District prior to City plan approval. Applicant to work with staff to save trees adjacent to play area.
8. The buildings on site to meet all Building and Fire Codes including the installation of an automatic fire suppression system.
9. A seven-foot high board-on-board maintenance free fence is required to remain in place along the entire east property line.
10. The applicant to remove or relocate the two existing basketball hoops on the east side of the parking lot to a more internal location as part of the summer construction and prior to the 2010-2011 school year.
11. With the approval of this Conditional Use Permit Amendment, Resolution #08-32 becomes null and void.

PASSED by the City Council of the City of Blaine this 6th day of May 2010.



Tom Ryan, Mayor

ATTEST:



Jane M. Cross, CMC, City Clerk
COUNCIL ACTION: 10-93



City of Blaine

Planning Commission

November 14, 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, November 14, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Halpern, Homan, Olson, Swanson, and Chair Goracke.

Members Absent: None.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.1.** 2023-521 Case File No. 23-0075 // Anoka-Hennepin Early Childhood Center // 13001 Central Avenue NE
The applicant is requesting a conditional use permit to construct a 120 square foot storage building (shed) on the east side of the building in a B-3 (Regional Commercial) zoning district.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0075 was opened at 7:03PM. As no one wished to appear, the public hearing was closed at 7:04PM.

Motion by Commissioner Homan to recommend approval of Planning Case 23-0075 based on the following conditions:

Case 23-0075:

- 1. Building to be constructed of vinyl siding and match the general color of the building.**
- 2. The applicant must obtain a building permit if the structure has a poured slab or footings.**
- 3. The storage building is to be used for storage purposes only.**

Motion seconded by Commissioner Deonauth. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the December 4, 2023 city council meeting.



City of Blaine Staff Report

File Number: RES 23-185

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.4

Resolution Granting a Conditional Use Permit Amendment to Allow a Clubhouse and Outdoor Pool in Lexington Waters in the Development Flex (DF) Zoning District at 13202 Jewell Street NE. Lexington Waters Clubhouse (Case File No. 23-0078/SLK)

Executive Summary

The applicant is requesting to construct a clubhouse and outdoor pool on an existing vacant lot for use by 91 lots in the Lexington Waters development.

Background

Planning Commission Public Hearing	11/14/23
City Council (Conditional Use Permit)	12/04/23
Action Deadline	12/22/23

Staff report prepared by Shawn Kaye, Planner, and Teresa Barnes, Project Engineer

Zoning

The property is zoned Development Flex (DF) and has a Low Density Residential (LDR) land use designation.

Surrounding Zoning and Uses

The adjacent properties are zoned DF and have single-family homes.

Existing Conditions

The parcel is vacant.

History

The parcel was approved for single family development with the approval of the Lexington Waters

Development under Resolution 21-198.

Evaluation of Request

Site Plan

The plat of Lexington Waters was approved in 2021. The builder of the single family homes is proposing to build a clubhouse and outdoor pool for the benefit of 91 single family homes within the Lexington Waters Development. In order to facilitate the construction of these amenities, a conditional use permit amendment is required.

The 2,629 square foot clubhouse and pool are proposed to be located on the corner of Isetta Circle and Jewell Street. This lot was approved for a single family home but it is now proposed to be converted to a lot that will be owned and maintained by the association. This amenity will be available for exclusive use by 91 residents of an association created by Creative Homes. The management and maintenance of the pool and clubhouse will initially be the responsibility of Creative Homes, to then be turned over to the Home Owner's Association.

The clubhouse and pool equipment building will have almost 11.5 foot setbacks from their respective side yard lot lines. The front yard (Jewell Street) meets the 25-foot setback requirement and the 20-foot corner side setback (Isetta Circle) is also met.

Architecture

The clubhouse will be constructed with LP siding and stone. It will contain bathrooms, a gathering room, a kitchen, an exercise room, an office, and storage areas. The pool equipment building will be constructed of LP siding.

Parking

Two parking stalls will be provided on site for the office manager and a guest. The residents will walk or park on the street to use the pool/clubhouse. This is typical for these facilities in a residential neighborhood. The pool/clubhouse is only used by residents and their guests.

Landscaping

The lot will be required to plant two trees on site.

Grading/Storm Drainage

A certificate of survey will be required to be submitted with the building permit application which will be reviewed for lot grading and storm water compliance with the approved Lexington Waters approved construction drawings.

Wetlands/Watershed

The proposed clubhouse and pool will be constructed on an existing lot within the Lexington Waters subdivision. The approval of the Lexington Waters subdivision accounted for any wetlands within the area and received an issued Coon Creek Watershed District permit. No additional review will be required.

Access/Street Design/Sidewalks/Trails

All required access, street design, sidewalks and trails have been designed, reviewed and approved with the development of the Lexington Waters Subdivision. No additional items will be necessary.

Easements/Right-of-way/Permits

All required easements and right-of-way have been designed, reviewed and approved with the development of the Lexington Waters Subdivision. The proposed club house and pool will be required to obtain the associated building permits prior to construction.

Conditional Use Permit

A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
 - The clubhouse and pool will not create an excessive burden on parks, schools, or streets.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. (Ord. No. 20-2447, 7-20-2020)
 - The proposed clubhouse is being constructed of materials similar to single family homes and with greater side yard setbacks (11.5 feet instead of 5 feet). Therefore, the use will be compatible with adjoining properties.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - The proposed clubhouse is being constructed of materials similar to single family homes and will not have an adverse effect on adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
 - The Development Flex District creates a reasonable balance between the interests of the property owner in developing their property with greater flexibility in land use, and at the same time protect the interest of surrounding properties.
6. The use shall not be in conflict with the comprehensive plan of the City.
 - The use is not in conflict with the LDR (Low Density Residential) designation in the Comprehensive Plan.
7. The use will not cause traffic hazards or congestion.
 - The proposed use will not generate any additional traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
 - The existing structure is served with the required utility services, adequate roadway infrastructure and necessary drainage facilities to service the proposed uses.

Attachment List:

Zoning and Location Map
Site Survey
Clubhouse Building Elevations and Floor Plans
Pool Accessory Building Elevations
Lots Proposed to Use Clubhouse and Pool
Resolution No. 21-198
Unapproved Planning Commission Minutes 11/14/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the conditional use permit amendment. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 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.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. Attachments
2. Unapproved PC Minutes



City of Blaine

Signature Copy

Resolution: RES 23-185

Resolution Granting a Conditional Use Permit Amendment to Allow a Clubhouse and Outdoor Pool in Lexington Waters in the Development Flex (DF) Zoning District at 13202 Jewell Street NE. Lexington Waters Clubhouse (Case File No. 23-0078/SLK)

WHEREAS, an application has been filed by Creative Homes as Conditional Use Permit Case File No. 23-0078 for Lexington Waters Clubhouse; and

WHEREAS, said case involves the property described as follows:

Lot 15 Block 10 LEXINGTON WATERS

WHEREAS, the Blaine Planning Commission held a public hearing on November 14, 2023, and recommended approval regarding said Conditional Use Permit Amendment; and

WHEREAS, the Blaine City Council has reviewed said case on December 4, 2023; and

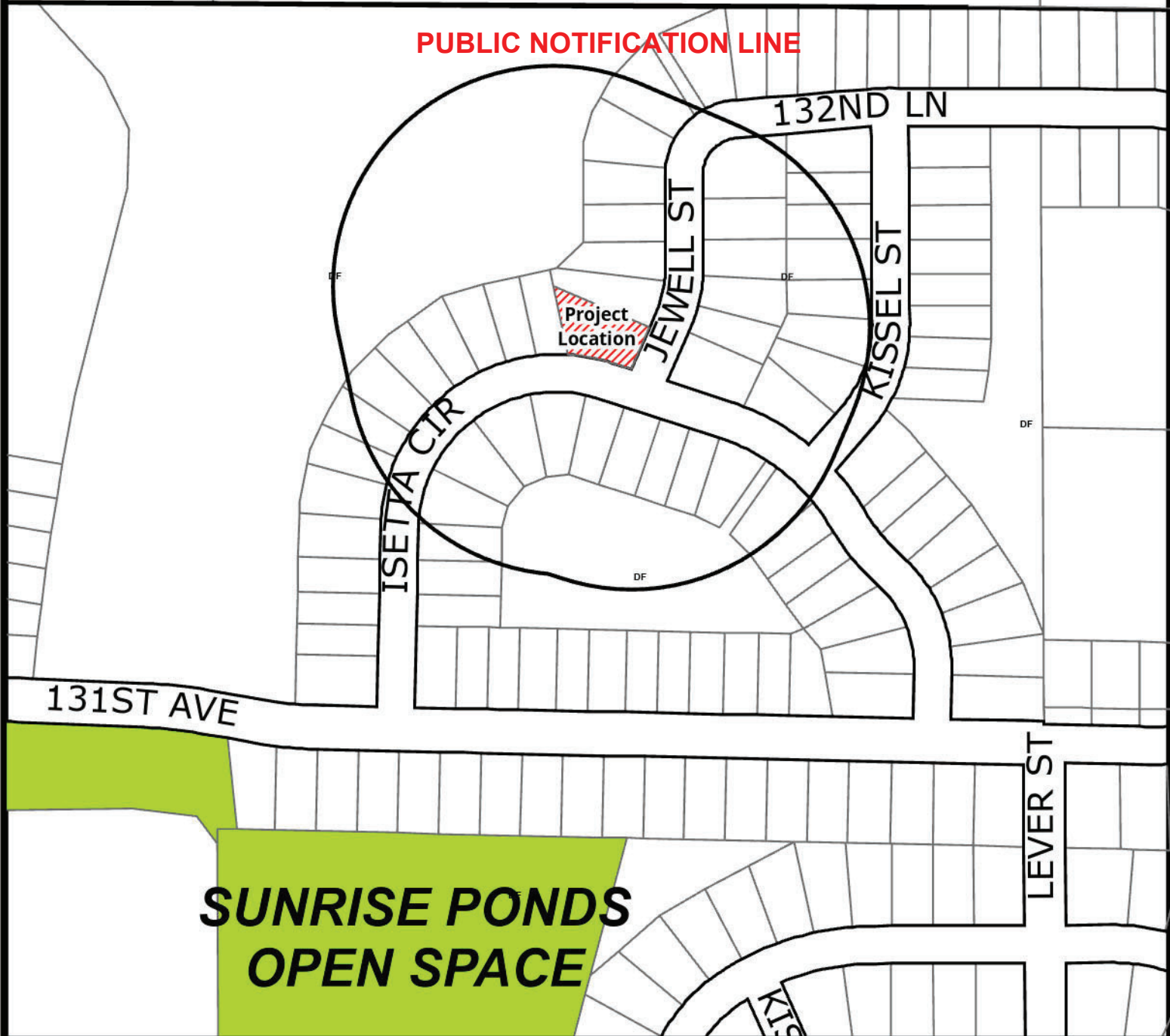
WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 29.110 and 27.04 of the Zoning Ordinance to allow a clubhouse and outdoor pool in Lexington Waters in the DF (Development Flex) zoning district with the following conditions:

1. Site plan approval will be required as a part of the building permit application. All site improvements to be included in the Site Improvement Performance Agreement and covered by an acceptable financial guarantee.
2. The clubhouse is to be constructed using LP siding and stone or similar materials.
3. The pool equipment building is to be constructed using LP siding or similar materials.
4. Two parking stalls to be constructed on site meeting zoning ordinance size requirements. Parking stalls to include curb and gutter.
5. A landscape plan must be provided for site plan approval that includes two trees with a minimum of 2.5 inch caliper.
6. Staff to approve the type of fencing to be placed around the pool during the site plan approval process.
7. The setbacks are:
 - Front yard (Jewell Street): 25 feet
 - Corner Side Yard (Isetta Circle): 20 feet
 - Side yard: 10 feet

PASSED by the City Council of the City of Blaine this 4th day of December, 2023.

PUBLIC NOTIFICATION LINE



**SUNRISE PONDS
OPEN SPACE**



BlaineMN.gov

**Case File No. 23-0078
Lexington Waters Clubhouse**

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



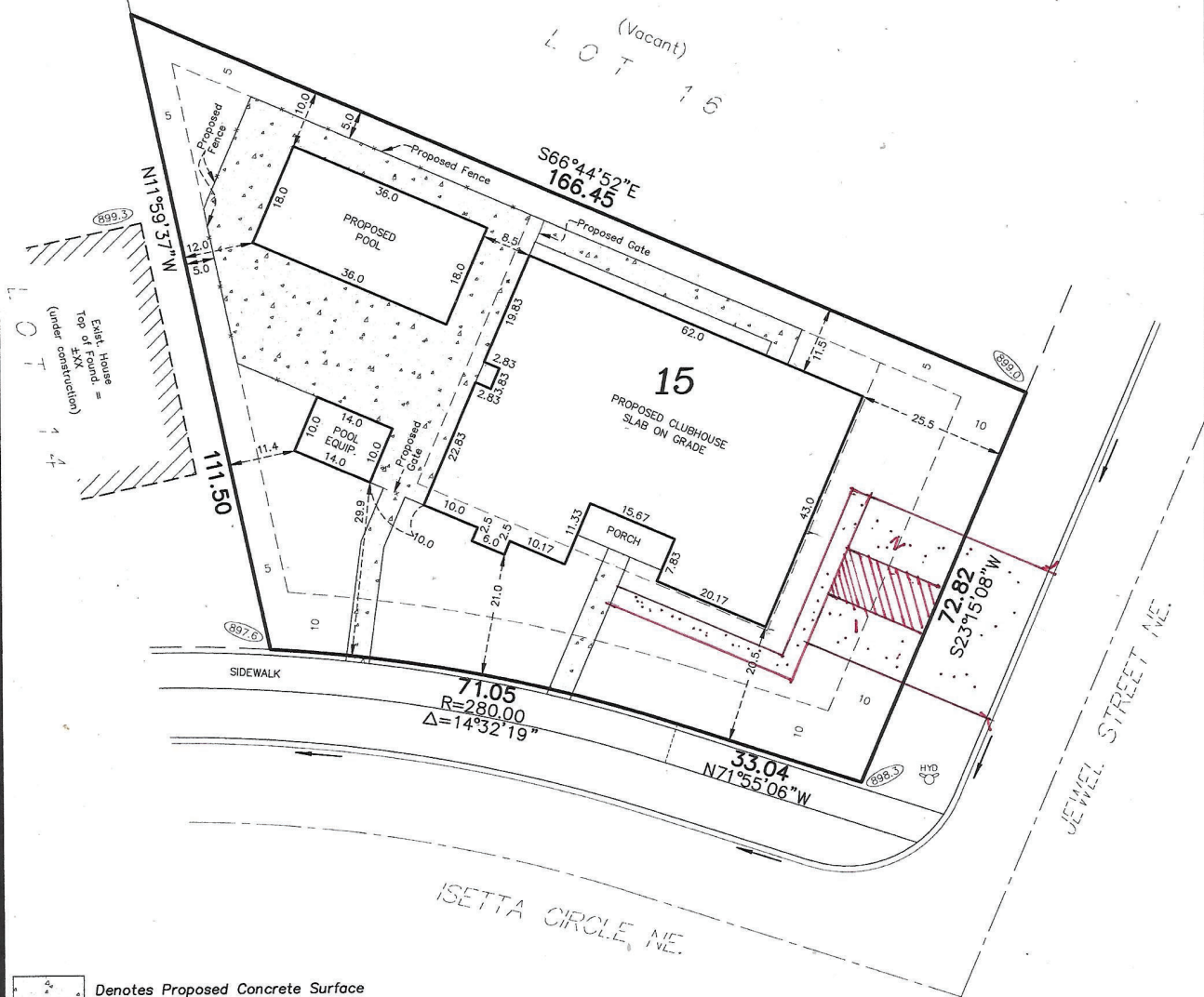


Certificate of Survey for: CREATIVE HOMES, INC.

Revisions:
1
2
3
4
5

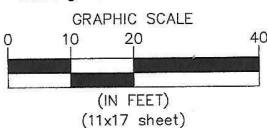
House Address:
13202 Jewell Street NE., Blaine, MN

House Model:
Clubhouse



- Denotes Proposed Concrete Surface
- HYD Denotes Existing Hydrant
- EB Denotes Existing Electric Box
- Denotes Existing Telephone Box
- Denotes Existing Telephone Box
- Denotes Existing Light Pole
- Denotes Existing Service
- Denotes Existing Curb Stop
- x 000.0 Denotes Existing Elevation
- x 000.0 Denotes Proposed Elevation
- Denotes Direction of Drainage
- Denotes Drainage & Utility Easement (per recorded plat)
- Denotes Iron Monument

Bearings shown are assumed



2417110520.063 TJB/NJS

WA 10.26.23

PROPERTY DESCRIPTION:

Lot 15, Block 10, LEXINGTON WATERS,
Anoka County, Minnesota

* SLAB ON GRADE *

PROPOSED BUILDING ELEVATIONS

Top of Foundation Elevation: 000.0
Garage Slab Elevation (at door): 000.0

NOTES:

1. Proposed building site grading is in accordance with the grading plans prepared by Carlson McCain, Inc., last revised 4/6/23.
2. Contractor must verify sewer depth.
3. Driveways shown are for graphic purposes only. Final driveway design and location to be determined by owner/builder.
4. All building foundation dimensions shown on this survey include exterior foundation insulation widths, if applicable. Refer to final building plans for foundation details.



**CARLSON
McCain**

ENGINEERING
SURVEYING
ENVIRONMENTAL

3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449
TEL 763.489.7900 \ FAX 763.489.7959 \ CARLSONMCCAIN.COM

I hereby certify to Creative Homes, Inc. that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.
Dated this XXXX day of October, 2023.

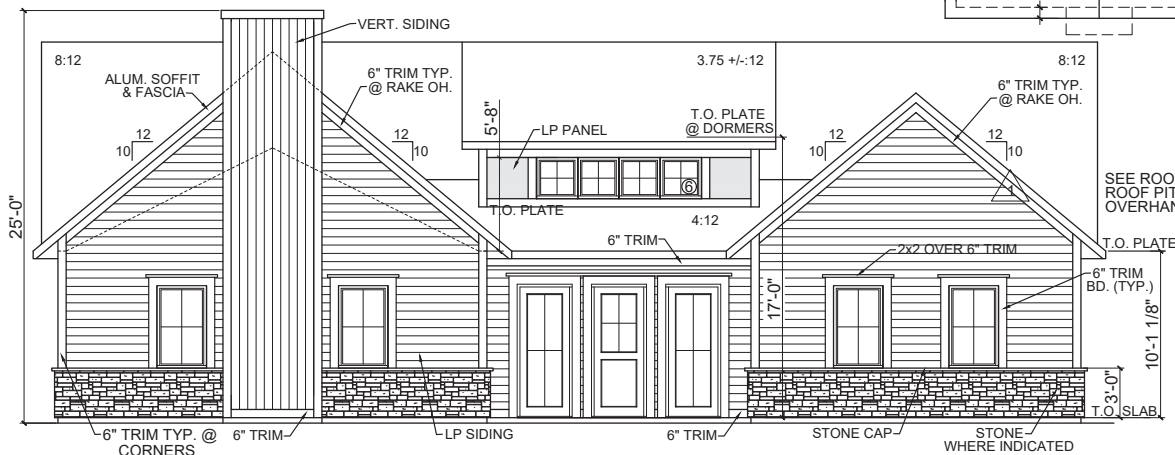
P R E L I M I N A R Y
D R A F T

Signed: Carlson McCain, Inc.

By:

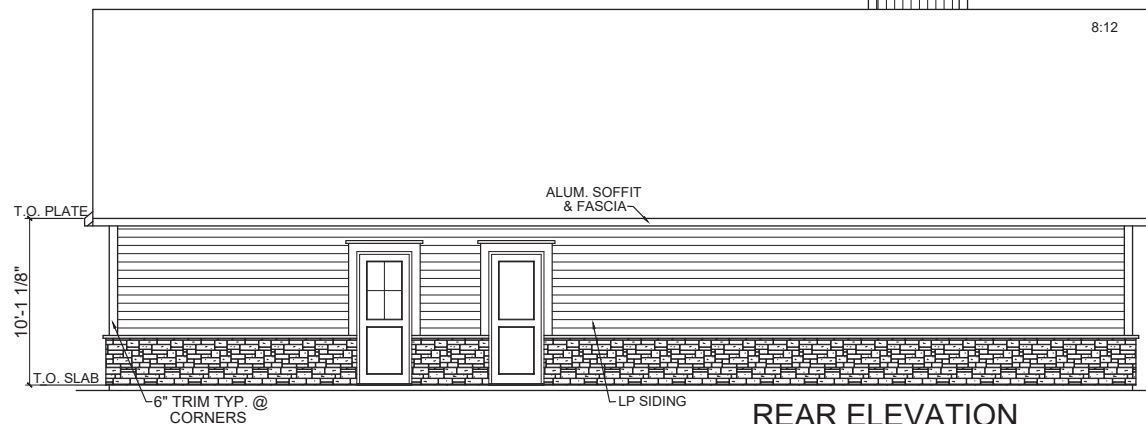
Thomas R. Balluff, L.S. Reg. No. 40361
Peter J. Blomquist, L.S. Reg. No. 51676

NO.	DESCRIPTION
A1	FRONT ELEV.; INDEX; CODE INFORMATION; ROOF PLAN
A1-1	CODE REVIEW INFORMATION
A2	SIDE & REAR ELEVATIONS
A3	BUILDING FOUNDATION PLAN
A4	BUILDING MAIN FLOOR PLAN
A5	BUILDING SECTIONS
A6	BUILDING SECTIONS
A7	INTERIOR ELEVATIONS
E8	ELECTRICAL
A9	POOL HOUSE FLOOR PLANS / ELECTRICAL / ELEV. / SECTION
S-1	STRUCTURAL
S-2	STRUCTURAL
S-3	STRUCTURAL



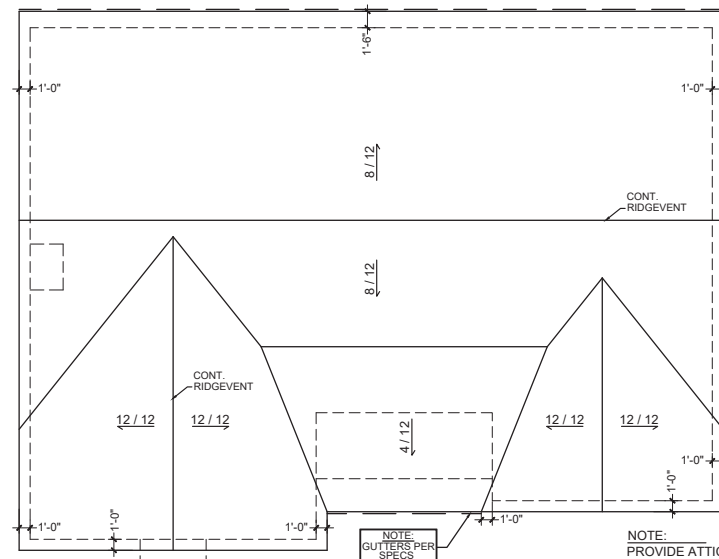
FRONT ELEVATION

SCALE: 3/16" = 1'-0"



REAR ELEVATION

SCALE: 3/16" = 1'-0"



ROOF PLAN

SCALE: 1/8" = 1'-0"

NOTE:
SEE ROOF TRUSS LAYOUT
FOR TRUSS DIRECTION
AND GIRDER LOCATIONS

NOTE:
WHERE WALLS MEET ROOF
ICE & WATER SHIELD SHOULD
RUN UP WALL 1'-6" AND OUT
FROM WALL 1'-6"

NOTE:
ICE AND WATER SHIELD
6'-0" IN FROM EAVES
1'-6" ON EACH SIDE OF VALLEY

NOTE:
PROVIDE ATTIC VENTILATION EQUAL TO 1/150th
ATTIC AREA. IF 50% OR MORE IS PROVIDED IN
UPPER PORTION OF THE ROOF AND REMAINDER
IS PROVIDED IN SOFFIT VENTS, IT MAY BE
REDUCED TO 1/300th ATTIC AREA.

NOTE:
GUTTERS PER
SPECS

SEE ROOF PLAN FOR
ROOF PITCHES AND
OVERHANGS

GENERAL NOTES & DISCLAIMERS

These drawings have been prepared to meet generally accepted industry standards. The user acknowledges that these drawings are not a contract and that the user may require changes and change building code requirements vary with location and change from time to time. Before starting construction, the builder must review & be responsible for obtaining all applicable codes and regulations. These plans meet all current requirements in your area. All const. shall conform to latest building codes.

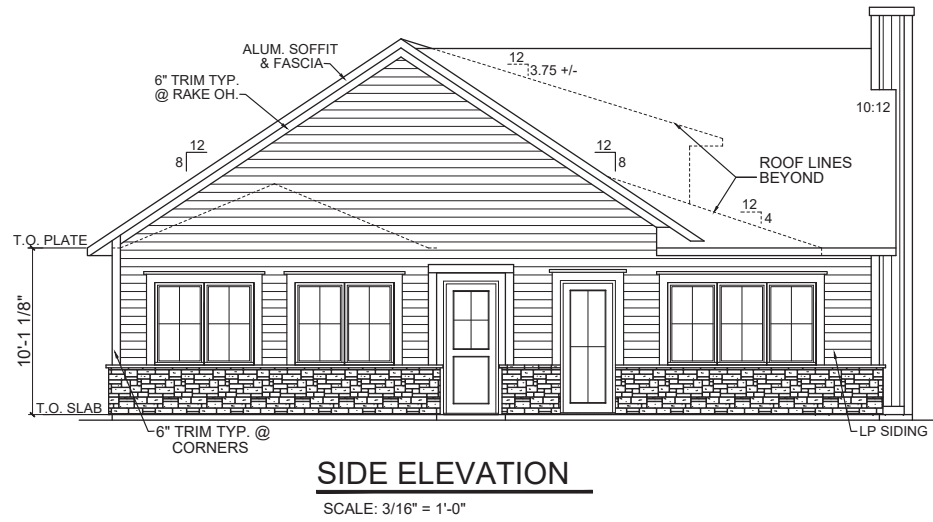
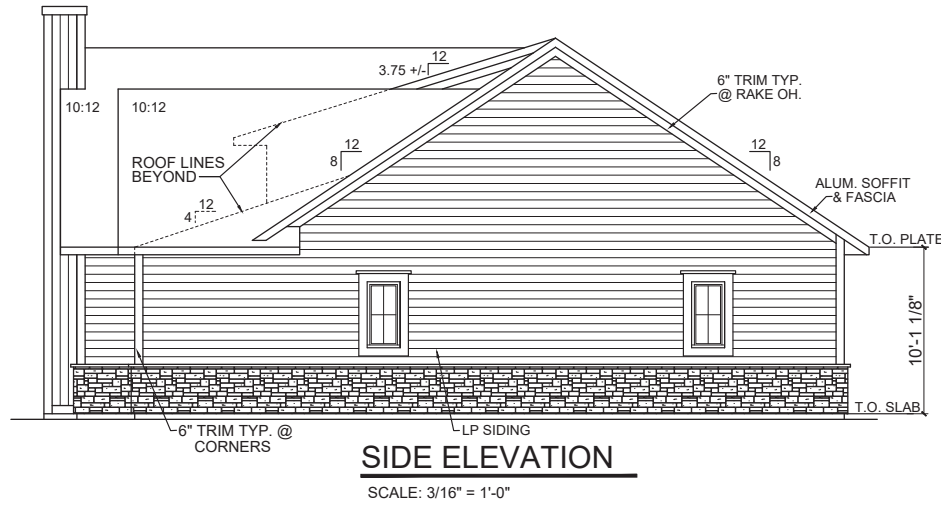
THESE DRAWINGS HAVE BEEN PREPARED BY THE ARCHITECT AND ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

PROJECT NUMBER:
DATE:

CLUBHOUSE
LEXINGTON WATERS
BLAINE, MN.
CREATIVE HOMES

PROJECT # 07-00-BUYER
AGENT: X
BUYER S/O
BUYER S/O
STARTED: X
REVISIONS:
9-26-2023 BID SET

A1



GENERAL NOTES & DISCLAIMERS

These drawings have been prepared to meet generally accepted industry standards and practices. The drawings are for informational purposes only and do not constitute a contract. The drawings are subject to change without notice. The drawings are not to be used for any other purpose without the written consent of the architect. The drawings are not to be used for any other purpose without the written consent of the architect. The drawings are not to be used for any other purpose without the written consent of the architect. All const. shall conform to latest building codes.

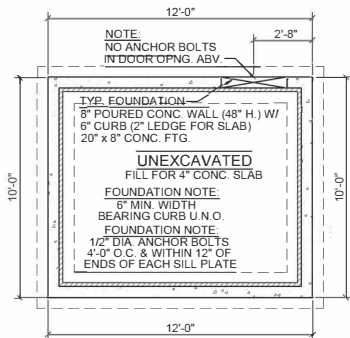
PROJECT INFORMATION

PROJECT: CLUBHOUSE
 LOCATION: LEXINGTON WATERS
 ADDRESS: BLAINE, MN.
 CLIENT: CREATIVE HOMES

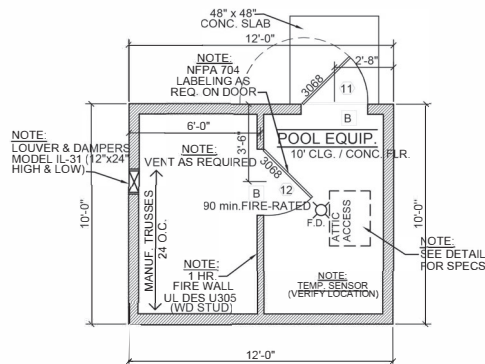
CLUBHOUSE
 LEXINGTON WATERS
 BLAINE, MN.
 CREATIVE HOMES

PROJECT #	07-00-BUYER
AGENT:	X
BUYER S/O	
BUYER S/O	
STARTED:	X
REVISIONS:	
9-26-2023 BID SET	

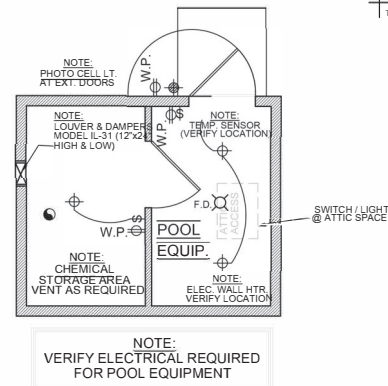
A2



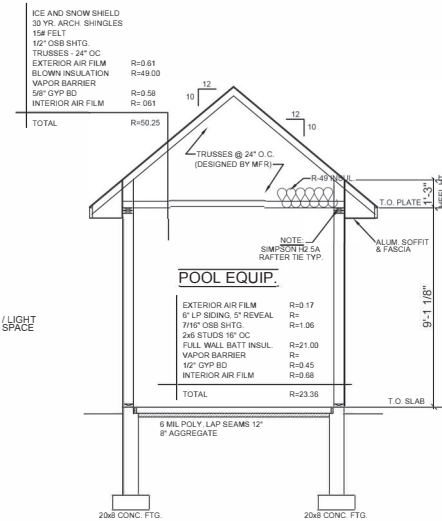
POOL HOUSE FDN. PLAN
SCALE: 1/4" = 1'-0"



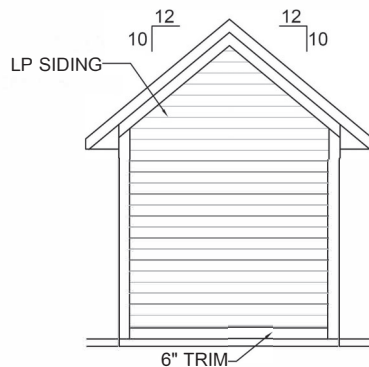
POOL HOUSE FLOOR PLAN
SCALE: 1/4" = 1'-0"



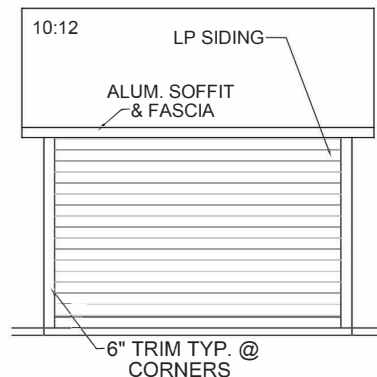
POOL HOUSE ELEC PLAN
SCALE: 1/4" = 1'-0"



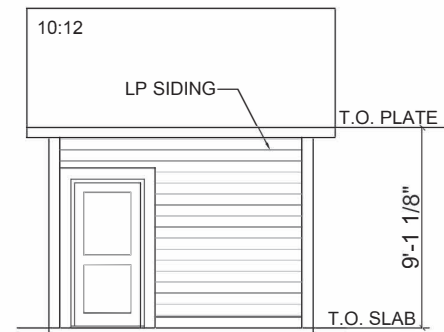
POOL HOUSE SECTION
SCALE: 1/4" = 1'-0"



SIDE ELEVATIONS
SCALE: 1/4" = 1'-0"



ISETTA CIR. ELEVATION
SCALE: 1/4" = 1'-0"



POOL ELEVATION
SCALE: 1/4" = 1'-0"

GENERAL NOTES & DISCLAIMERS

These drawings have been prepared to meet generally accepted industry standards. The designer does not warrant that the drawings are complete or that they conform to all applicable codes and regulations. The owner is responsible for obtaining all necessary permits and for ensuring that the drawings meet all current requirements in your area. All const. shall conform to latest building codes.

THESE DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.

DATE: _____

POOL HOUSE
LEXINGTON WATERS
BLAINE, MN.
CREATIVE HOMES

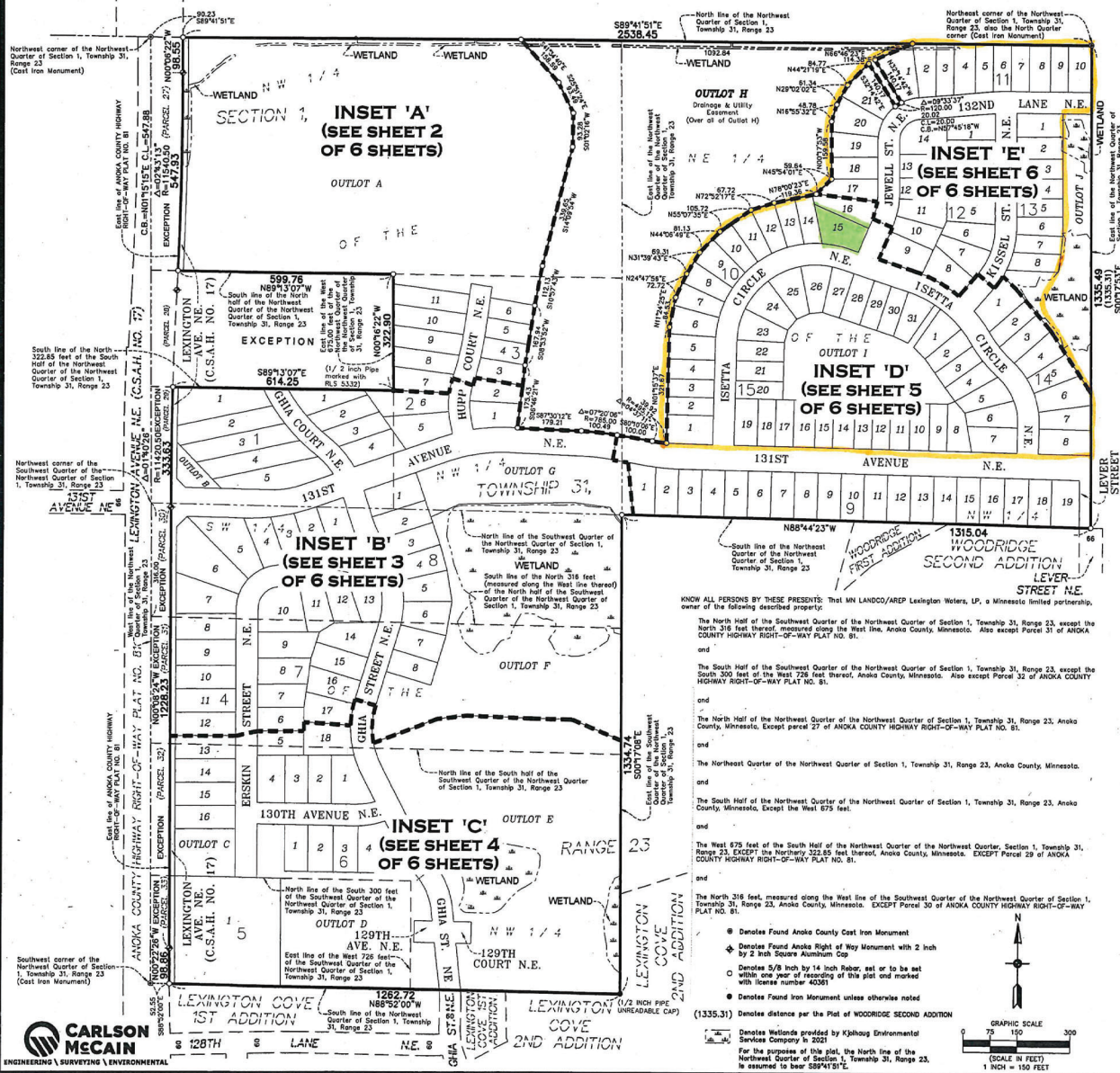
PROJECT # 07-00-BUYER
AGENT: X
BUYER S/O
BUYER S/O
STARTED: X
REVISIONS:
10-12-2023 BID SET

A1

LEXINGTON WATERS

CITY OF BLAINE
COUNTY OF ANOKA
SEC. 1, TWP. 31, RGE. 23

2364659.004



And that Letellie M. Good, a single person, owner of the following described property:

The South 300 feet of the West 726 feet of the South Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, Anoka County, Minnesota. EXCEPT Parcel 33 of ANOKA COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 81.

Have caused the same to be surveyed and plotted as LEXINGTON WATERS and do hereby dedicate to the public for public use the public ways and the drainage and utility easements as shown on this plat. Also dedicating to the County of Anoka the right of access onto County State Aid Highway No. 17 as shown on this plat.

In witness whereof said LANDCO/AREP Lexington Waters, LP, a Minnesota limited partnership, has caused these presents to be signed by its proper partner the 21st day of April, 2022.

MIN LANDCO/AREP LEXINGTON WATERS, LP
by MN LANDCO/AREP Land GP, LLC

Benjamin N. Schmidt (Signed)
Benjamin N. Schmidt, President

STATE of Minnesota
COUNTY of Anoka

This instrument was acknowledged before me on April 21, 2022, by Benjamin N. Schmidt, President of MIN LANDCO/AREP Land GP, LLC, a Delaware limited liability company, the Sole General Partner of MIN LANDCO/AREP Lexington Waters, LP, a Minnesota limited partnership on behalf of said limited partnership.

Cynthia J. Marical (Signed)
Cynthia J. Marical (Printed)
Notary Public, Hennepin County, Minnesota
My commission expires January 31, 2025

In witness whereof said Letellie M. Good, a single person, has hereunto set her hand this 2nd day of May, 2022.

Letellie M. Good (Signed)
Letellie M. Good

STATE of Minnesota
COUNTY of Anoka

This instrument was acknowledged before me on May 2, 2022, by Letellie M. Good, a single person.

Letellie M. Good (Signed)
Letellie M. Good (Printed)
Notary Public, Minnesota
My commission expires 1-31-26

I, Thomas R. Balluff, 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 555.01, 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 21st day of April, 2022.

Thomas R. Balluff (Signed)
Thomas R. Balluff, Licensed Land Surveyor
Minnesota License No. 40381

STATE of Minnesota
COUNTY of Anoka

This instrument was acknowledged before me on April 21, 2022, by Thomas R. Balluff.

Cynthia J. Marical (Signed)
Cynthia J. Marical (Printed)
Notary Public, Hennepin County, Minnesota
My commission expires January 31, 2025

CITY COUNCIL, CITY OF BLAINE, MINNESOTA

This plat of LEXINGTON WATERS was approved and accepted by the City Council of the City of Blaine, Minnesota at a regular meeting thereof held this 14 day of May, 2022, and said plat is in compliance with the provisions of Minnesota Statutes, Section 555.03, Subd. 2.

CITY COUNCIL, CITY OF BLAINE, MINNESOTA

By: *David M. Ziegler* Mayor
By: *Christine* Clerk

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 555.02, Subd. 11, this plat has been reviewed and approved this 10th day of May, 2022.

By: *David M. Ziegler* (Signed)
David M. Ziegler
Anoka County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 555.021, Subd. 9, taxes payable in the year 2022 on the land hereinafter described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this 10th day of May, 2022.

Patricia J. LeBlanc (Signed)
Patricia J. LeBlanc
County Auditor/Treasurer
By: *Christine* Deputy

COUNTY RECORDER/REGISTRAR OF TITLES

County of Anoka, State of Minnesota

I hereby certify that this plat of LEXINGTON WATERS was filed in the office of the County Recorder/Registrar of Titles for public record on this 10th day of May, 2022, at 10:00 a.m. and was duly recorded as Document Number 2364659.004.

Patricia J. LeBlanc (Signed)
Patricia J. LeBlanc
County Recorder/Registrar of Titles
By: *Christine* Deputy

\$56



City of Blaine
Anoka County, Minnesota
Signature Copy

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Resolution: RES 21-198

File Number: RES 21-198

**Granting a Conditional Use Permit to Allow for the Construction of 272
Single-Family Homes in a DF (Development Flex) Zoning District on the 13000
Block of Lexington Avenue NE. Lexington Waters (Sotarra) (Case File No.
21-0061/SLK)**

WHEREAS, an application has been filed by Sotarra as Conditional Use Permit Case
File No. 21-0061; and

WHEREAS, said case involves the land described as follows:

The North One-Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township
31, Range 23, except the North 316 feet thereof (measured along the West line), Anoka
County, Minnesota. Also except Parcel 31 of Anoka County Highway Right-of-Way Plat No.
81.

And

The South Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township 31,
Range 23, except the South 300 feet of the West 726 feet thereof, Anoka County, Minnesota.
Also except Parcel 32 of Anoka County Right-of-Way Plat No. 81.

And

The North ½ of the Northwest Quarter of the Northwest Quarter of Section 1, Township 31,
Range 23, Anoka County, Minnesota, Except parcels 27, 43 and 44 of Anoka County,
Highway Right-of-Way Plat No. 61.

And

The Northeast Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, Anoka
County, Minnesota.

And

The South ½ of the Northwest Quarter of the Northwest Quarter of Section 1, Township 31,
Range 23, Anoka County, Minnesota, Except the West 675 feet.

And

The West 675 feet of the South ½ of the Northwest ¼ of the Northwest ¼, Section 1, Township 31, Range 23, except the Northerly 322.85 feet thereof, Anoka County, Minnesota. Except Parcel 29 of the Anoka County Highway Right-of-Way Plat No. 81.

And

The North 316 feet (measured along the West line) of the Southwest ¼ of the Northwest ¼ of Section 1, Township 31, Range 23, Anoka County, Minnesota. Except Parcel 30 of Anoka County Highway Right-of-Way Plat No. 81.

And

The South 300 feet of the West 726 feet of the South Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, Anoka County, Minnesota. Except Parcel 33 of Anoka County Highway Right-of-Way Plat No. 81.

(Abstract Property)

WHEREAS, a public hearing has been held by the Blaine Planning Commission on September 14, 2021; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on October 4, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.110 of the of the Zoning Ordinance to allow for the construction of 272 single-family homes in a DF (Development Flex) zoning district based on the following conditions:

Single Family - DF Development Standards - 65 foot wide lots (104), 55-foot wide lots (76), and existing home on Preliminary Plat Lot 19 Block 5.

Permitted Uses

1. Single-family detached dwellings.
2. Group family daycare.

Accessory Uses

1. Private garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.10.

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet for house and 7.5 feet for garage
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Rear yard setback (Lexington Avenue)- 50 feet
6. Maximum building height - 2 1/2 stories or 35 feet
7. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. Accessory storage buildings below 120 square feet must meet 5-foot side and rear yard setbacks, and be located within the rear yard.
8. The minimum finished floor area above grade for all homes shall be:
 - 1,600 square feet for 65-foot wide lots
 - 1,200 square feet for 55-foot wide lots
9. All homes shall have a minimum depth and width of 24 feet.
10. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. Use of premium materials such as brick, natural stone, stucco, cementitious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single-family homes built within the development do not have the same exterior color or architectural elevations.
11. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
12. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city approved material that is consistent in durability and quality.
13. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.
14. Each lot shall contain one front yard tree and one rear yard tree with a minimum of 2½-inch caliper. Corner lots shall each have one additional front yard tree.
15. A 6-foot maintenance free fence will be required to be constructed on the west side of the lots on Lexington Avenue to enhance the landscape screening along this roadway.
16. All homes within 500 feet of Lexington Avenue NE, to incorporate the Noise Abatement Standards with central air conditioning to mitigate noise impacts.
17. Developer to execute and record, if deemed appropriate by the City Engineer, an affidavit with the sale of each single family lot indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools, and that additional effort may be required by the homeowner, to stabilize those soils before additional construction could

occur.

18. All development entrance signage by separate permit.

Single Family-Detached Townhomes-50 foot wide lots and 60 foot wide lots -DF Development Standards (92 units)

Permitted Uses

1. Single-family detached dwellings.
2. Group family daycare.

Accessory Uses

1. Private garages - No detached structures permitted.
2. Private swimming pools meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

1. Construction of all detached townhomes to be generally guided by depictions, drawings and information submitted for review and approval for this conditional use permit. All site plans and unit plans require approval of the Planning Department prior to work beginning. All site work to meet the Performance Standards Section 33.00 of the Zoning Ordinance. A landscape plan to be submitted prior to Site Plan approval.
2. Minimum floor area above grade for detached townhomes must be 1,500 square feet.
3. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. Use of premium materials such as brick, natural stone, stucco, cementious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single-family homes built within the development do not have the same exterior color or architectural elevations.
4. All units to be placed according to the following minimum building setbacks:
 - 25-foot front yard setback for houses and garages
 - 5-foot side yard setback for garages
 - 5-foot side yard setback for houses
 - 25-foot rear yard setback for houses and garages
 - 20-foot corner side yard setback for houses and garages
5. All garages to be minimum of 400 square feet with no dimension less than 20 feet. Maximum garage area limited to not more than 1,000 square feet.
6. No detached accessory structures except for those associated with or required for operation and maintenance of swimming pools.
7. Each lot shall contain one front yard tree and one rear yard tree with a minimum of 2 ½-inch caliper. Corner lots shall each have one additional front yard tree.

8. All lots shall have underground irrigation.
9. All entrance monument signage to be approved by a separate permit.
10. The landscape plan must detail any landscaping associated with entrance monument signage.
11. Developer to execute and record, if deemed appropriate by the City Engineer, an affidavit with the sale of each single family lot indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools, and that additional effort may be required by the homeowner, to stabilize those soils before additional construction could occur.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.

PASSED by the City Council of the City of Blaine this 4th day of October, 2021.



Signed by

Tim Sanders, Mayor

Date October 4, 2021

Attest by

Catherine Sorensen, CMC, City Clerk

Date October 4, 2021



City of Blaine

Planning Commission

November 14, 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, November 14, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Halpern, Homan, Olson, Swanson, and Chair Goracke.

Members Absent: None.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.2.** 2023-525 Case File No. 23-0078 // Lexington Waters Clubhouse // 13202 Jewell Street NE
The applicant is requesting a conditional use permit amendment to allow a clubhouse and outdoor pool in Lexington Waters in the DF (Development Flex) zoning district.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0078 was opened at 7:06PM.

Tim Witten, architect for the applicant, introduced himself to the planning commission and thanked them for considering his request.

The public hearing was closed at 7:07PM.

Chair Goracke stated this would be a great addition to the Lexington Waters neighborhood. He asked if the two parking spaces would be adequate.

Planner Kaye reported the Wagamon Ranch clubhouse has zero parking spaces and this clubhouse would have two parking spaces. She indicated visitors could walk to the clubhouse or park on the street.

Motion by Commissioner Halpern to recommend approval of Planning Case 23-0078 based on the following conditions:

Case 23-0078:

- 1. Site plan approval will be required as a part of the building permit application. All site improvements to be included in the Site Improvement Performance Agreement and covered by an acceptable financial guarantee.**
- 2. The clubhouse is to be constructed using LP siding and stone or similar materials.**
- 3. The pool equipment building is to be constructed using LP siding or similar materials.**
- 4. Two parking stalls to be constructed on site meeting zoning ordinance size requirements. Parking stalls to include curb and gutter.**
- 5. A landscape plan must be provided for site plan approval that includes two trees with a minimum of 2.5 inch caliper.**
- 6. Staff to approve the type of fencing to be placed around the pool during the site plan approval process.**
- 7. The setbacks are:**
 - o Front yard (Jewell Street): 25 feet**
 - o Corner Side Yard (Isetta Circle): 20 feet**
 - o Side yard: 10 feet**

Motion seconded by Commissioner Swanson. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the December 4, 2023 city council meeting.



City of Blaine Staff Report

File Number: 2023-600RES 23-195

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Resolution

Administration - Jason Zimmerman, Finance Director

Agenda Item # 11.1

Awarding the sale of \$22,280,000 General Obligation Improvement and Utility Revenue Bonds, Series 2023A; fixing their form and specifications; directing their execution and delivery; and providing for their payment

Executive Summary

The Council is asked to approve the sale of \$22,280,000 of general obligation and utility improvement bonds to finance pavement management projects, various utility infrastructure activities, and the acquisition of capital equipment, consistent with the 2023-2027 Capital Improvement Plan.

Background

On October 16, 2023, the City Council approved Baker Tilly's, the city's financial advisor, recommendation to accept bids for the sale of \$24,665,000 general obligation improvement and utility revenue bonds. The bonds are issued per Minnesota Statutes, Chapters 429, 444, and 475. Proceeds from the sale will be used to finance the 2023 pavement management program, utility infrastructure activities, and the acquisition of capital equipment. Projects include:

Sewer:

- Lift Station #8 Rehabilitation
- Lift Station #13 Rehabilitation
- Lift Station #16 Rehabilitation
- Lift Station #25 Rehabilitation

Water:

- Water Treatment Plant 2 Improvements
- Water Treatment Plant 1 Improvements
- Water Main Replacement

Storm Water:

- Infiltration Basin - Cloverleaf Park
- CIPP Lining - 99th Ave - Pleasure Creek to Jackson St

Pavement Management:

- [Project 23-06 – Northwest Area Street Reconstructions](#)
- [Project 23-07 – Southwest Area Street Reconstructions](#)
- [Project 23-08 – Southeast Area Street Reconstructions](#)

On November 7, 2023, city staff along with representatives from Baker Tilly participated in a call with Standard & Poor's Global Ratings (S&P) to evaluate the creditworthiness of Blaine's general obligation debt. On November 22, 2023, S&P affirmed Blaine's AAA rating, citing very strong financial management, a very strong economy, and strong budgetary performance. The AAA rating, which is the highest rating assigned by S&P, includes a stable outlook which reflects the expectation that Blaine's continued economic growth, paired with strong management policies and practices, will support balanced operations and a strong overall financial profile while absorbing potentially substantial increases in debt levels over the next two years.

Bids on the bonds were due at 10:30 a.m. on Monday, December 4. A representative from Baker Tilly will be at the meeting to deliver the completed resolution, inform the Council of the bid amounts, and recommend Council action.

Consistent with past practice, as the sale and City Council meeting are scheduled for the same date, the initial resolution for the award of sale is a draft outline. The resolution will be updated upon bid opening on the afternoon of December 4, prior to Council consideration for approval.

Strategic Plan Relationship

The issuance of debt to finance utility infrastructure activities, pavement management projects, and the acquisition of capital equipment aligns with the city's adopted strategic priorities of a well-maintained infrastructure and financial stability.

Board/Commission Review

N/A

Financial Impact

The proceeds of the bond sale will be used to fund the city's pavement management program, infrastructure improvements and the acquisition of capital equipment, consistent with the 2023-2027 Capital Improvement Plan (CIP). The associated debt is anticipated to be repaid with the general property tax levy, special assessments, and funds raised by benefiting utility funds. The full financial

impact will be known at the time Council considers approval of the bond sale, which is scheduled to occur on December 4, 2023.

Public Outreach/Input

On October 16, 2023 the City Council adopted a resolution providing for the competitive negotiated sale of \$24,665,000 general obligation improvement and utility revenue bonds, series 2023A.

Staff Recommendation

By motion, adopt the resolution awarding the competitive negotiated sale of \$22,280,000 general obligation improvement and utility revenue bonds, series 2023A; fixing their form and specifications, directing their execution and delivery, and providing for their payment.

Attachment List

1. 2023A Award Resolution - V3



City of Blaine

Signature Copy

Resolution: RES 23-195

Awarding the sale of \$22,280,000 General Obligation Improvement and Utility Revenue Bonds, Series 2023A; fixing their form and specifications; directing their execution and delivery; and providing for their payment

See attached.

Extract of Minutes of Meeting of the
City Council of the City of Blaine, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Blaine, Minnesota, was duly held in the City Hall in said City on Monday, December 4, 2023, commencing at 7:00 P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was the consideration of the proposals which had been received for the purchase of the City's \$22,280,000 General Obligation Improvement, Utility and Equipment Bonds, Series 2023A.

The City Finance Director presented a tabulation of the proposals which had been received in the manner specified in the Notice of Sale for the Bonds. The proposals are summarized on **Exhibit A** attached hereto.

After due consideration of proposals, Councilmember _____ introduced the following resolution, and moved its adoption:

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE SALE OF
\$22,280,000 GENERAL OBLIGATION
IMPROVEMENT, UTILITY AND EQUIPMENT BONDS, SERIES 2023A
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT

BE IT RESOLVED By the City Council of the City of Blaine, Anoka and Ramsey Counties, Minnesota (the “City”) as follows:

Section 1. Background.

1.01 The City is authorized by Minnesota Statutes, Chapters 429 and Minnesota Statutes, Chapter 475, as amended (collectively, the “Improvement Act”) to provide financing for various public street improvements in the City (the “Assessable Improvements”).

1.02 The City is authorized by Minnesota Statutes, Section 444.075 and Minnesota Statutes, Chapter 475, as amended (the “Utility Act”), to finance all or a portion of the cost of the acquisition, construction and betterment of various water, sewer, and storm water utility system improvement projects of the City (the “Utility Improvements”) by the issuance of general obligation bonds of the City payable from the net revenues of the water, sewer, and storm water systems of the City.

1.03 The City is authorized by Minnesota Statutes, Sections 410.32(g) and 412.301 (the “Equipment Act”) to finance the acquisition of items of capital equipment (the “Equipment”), subject to certain limitations contained in the Equipment Act.

1.04 As required by the Equipment Act, (i) the expected useful life of each item of Equipment is or will be at least as long as the term of the of the Equipment Certificates (as defined below); and (ii) the principal amount of the Equipment Certificates will not exceed 0.25% of the estimated market value of taxable property in the City for taxes payable in 2023, which is the market value as last finally equalized.

1.05 The City is authorized by Minnesota Statutes, Section 475.60, subdivision 2(9) to negotiate the sale of the Bonds, if the City has retained an independent municipal advisor in connection with such sale. The City has retained Baker Tilly Municipal Advisors, LLC as an independent municipal advisor in connection with the sale of the Bonds. The actions of the City staff and the City’s municipal advisor in negotiating the sale of the Bonds are ratified and confirmed in all aspects.

Section 2. Sale of Bonds.

2.01 Authorization. It is hereby determined that it is necessary to provide financing for the Assessable Improvements, the Utility Improvements, and the Equipment and to finance those projects through the issuance of the City's \$22,280,000 General Obligation Improvement, Utility and Equipment Bonds, Series 2023A (the "Bonds").

2.02. Award to the Purchaser and Interest Rates. The proposal of Morgan Stanley & Co, LLC, New York, New York (the "Purchaser") to purchase the Bonds of the City described in the official statement thereof is found and determined to be the most favorable offer received and is hereby accepted. The successful proposal is to purchase the Bonds at a price of \$24,373,670.79 (par amount of \$22,280,000, plus a premium of \$2,152,832.05 less underwriter's discount of \$59,161.26), for Bonds bearing interest as follows:

<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Interest Rate</u>
2025	5.00%	2035	5.00%
2026	5.00	2036	5.00
2027	5.00	2037	4.00
2028	5.00	2038	4.00
2029	5.00	2039	4.00
2030	5.00	2040	4.00
2031	5.00	2041	4.00
2032	5.00	2042	4.00
2033	5.00	2043	4.00
2034	5.00	2044	4.00

2.03. Purchase Contract. Any amount paid by the Purchaser over the minimum purchase price shall be credited to the Debt Service Fund hereinafter created, or deposited in the accounts in the Construction Fund hereinafter created, as determined by the City Finance Director after consultation with the City's municipal advisor. The City Finance Director is directed to retain the good faith deposit of the Purchaser, pending completion of the sale of the Bonds. The Mayor and City Manager are authorized to execute a contract with the Purchaser on behalf of the City, if requested by the Purchaser.

2.04. Terms and Principal Amount of Bonds. The City will forthwith issue and sell the Bonds pursuant to the Improvement Act, Equipment Act and Utility Act (together, the "Act"), in the total principal amount of \$22,280,000, originally dated the date of delivery, in fully registered form, in denominations of \$5,000 each or any integral multiple thereof, numbered No. R-1 and upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$ 945,000	2035	\$1,225,000
2026	1,400,000	2036	1,275,000
2027	1,450,000	2037	1,330,000
2028	1,510,000	2038	1,370,000
2029	1,580,000	2039	1,415,000
2030	990,000	2040	625,000
2031	1,040,000	2041	650,000
2032	1,080,000	2042	680,000
2033	1,125,000	2043	695,000
2034	1,170,000	2044	725,000

As may be requested by the Purchaser, one or more term Bonds (the “Term Bonds”) may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

\$9,475,000 of the Bonds (the “Assessable Improvement Bonds”) maturing in the amounts and on the dates set forth below are being issued to finance the cost of the Assessable Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$180,000	2033	\$670,000
2026	535,000	2034	690,000
2027	540,000	2035	720,000
2028	560,000	2036	745,000
2029	580,000	2037	775,000
2030	600,000	2038	795,000
2031	620,000	2039	820,000
2032	645,000		

\$9,975,000 of the Bonds (the “Utility Improvement Bonds”) maturing in the amounts and on the dates set forth below are being issued to finance the cost of the Utility Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$265,000	2035	\$505,000
2026	325,000	2036	530,000
2027	340,000	2037	555,000
2028	355,000	2038	575,000
2029	375,000	2039	595,000
2030	390,000	2040	625,000
2031	420,000	2041	650,000
2032	435,000	2042	680,000
2033	455,000	2043	695,000
2034	480,000	2044	725,000

\$2,830,000 of the Bonds (the “Equipment Certificates”) maturing in the amounts and on the dates set forth below are being issued to finance the cost of the Equipment:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$500,000	2028	\$595,000
2026	540,000	2029	625,000
2027	570,000		

2.05. Optional Redemption. The City may elect on February 1, 2033, and on any day thereafter to prepay Bonds maturing on or after February 1, 2034. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 7 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

Section 3. Registration and Payment.

3.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof is payable by check or draft issued by the Registrar described herein.

3.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment

date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing August 1, 2024, to the registered owners thereof of record as of the close of business on the 15th day of the immediately preceding month, whether or not that day is a business day.

3.03. Registration. The City will appoint, and will maintain, a bond registrar, transfer agent, authenticating agent and paying agent (the “Registrar”). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar will keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the 15th day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is at any time registered, as of the applicable record date, in the bond register as the absolute owner of such Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner’s order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds, sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to the Registrar that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to the Registrar and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, written notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) at least 30 days prior to the redemption date to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

3.04. Appointment of Initial Registrar. The City appoints U.S. Bank Trust Company, National Association, St. Paul, Minnesota, as the initial Registrar. The Mayor and the City Manager are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Finance Director must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

3.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Finance Director and executed on behalf of the City by the signatures of the

Mayor and the City Manager, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of any Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the City Finance Director will deliver the same to the Purchaser thereof upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

3.06. Form of Bonds. The Bonds will be printed or typewritten in substantially the form set forth in **EXHIBIT B** attached hereto.

3.07. Approving Legal Opinion. The City Finance Director is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which will be complete except as to dating thereof and will cause the opinion to be printed on or accompany each Bond.

Section 4. Payment; Security; Pledges; and Covenants.

4.01. Debt Service Fund and Accounts Maintained Therein. For the convenience and proper administration of the moneys to be borrowed and repaid on the Bonds, and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the “General Obligation Improvement, Utility and Equipment Bonds, Series 2023A Debt Service Fund (the “Debt Service Fund”). The Debt Service Fund shall be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Debt Service Fund will be maintained in the manner herein specified until all of the Bonds and the interest thereon have been fully paid. The City will maintain the following accounts in the Debt Service Fund: the “Assessable Improvements Account,” the “Utility Improvements Account,” and the “Equipment Account.” Amounts in the Assessable Improvements Account are irrevocably pledged to the Assessable Improvement Bonds, amounts in the Utility Improvements Account are irrevocably pledged to the Utility Improvement Bonds, and amounts in the Equipment Account are irrevocably pledged to the Equipment Certificates.

(a) Assessable Improvements Account. To the Assessable Improvements Account in the Debt Service Fund there is hereby pledged and irrevocably appropriated and there will be credited: (i) proceeds of the ad valorem taxes levied under Section 4.03(a) or hereafter levied (the “Improvement Taxes”) and, subject to Section 4.02(a), special assessments levied or to be levied against the property specially benefited by the Improvements (the “Assessments”), which ad valorem taxes and Assessments are pledged to

the Assessable Improvements Account; (ii) capitalized interest financed from the proceeds of the Assessable Improvement Bonds, if any; (iii) a pro rata portion of the amount over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 2.03 hereof; (iv) all investment earnings on amounts in the Assessable Improvements Account of the Debt Service Fund; and (v) any other funds appropriated for the payment of principal or interest on the Assessable Improvement Bonds. The Finance Director must report to the City Council any current or anticipated deficiency in the Assessable Improvements Account in the amount necessary to pay principal of and interest on all of the Assessable Improvement Bonds when due. If a payment of principal or interest on the Assessable Improvement Bonds becomes due when there is not sufficient money in the Assessable Improvements Account in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for the advances out of the proceeds of Improvement Taxes and Assessments when collected.

(b) Utility Improvements Account. The City will continue to maintain and operate its water, sewer and storm water funds, to which will be credited all gross revenues of the water, storm water and sewer utility systems (collectively, the “Systems”), and out of which will be paid all normal and reasonable expenses of current operations of such Systems. Any balances therein are deemed net revenues (the “Net Revenues”) and will be transferred, from time to time, to the Utility Improvements Account of the Debt Service Fund in an amount sufficient to pay the principal of and interest on the Utility Improvement Bonds, which Utility Improvements Account will be used only to pay principal of and interest on the Utility Improvement Bonds, and any other bonds similarly authorized. There is also appropriated to the Utility Improvements Account (i) any collections of taxes hereafter levied for the payment of the Utility Improvement Bonds and interest thereon, (ii) a pro rata portion of any amount over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 2.03 hereof; (iii) all investment earnings on funds in the Utility Improvements Account of the Debt Service Fund; and (iv) any and all other moneys which are properly available and are appropriated by the City Council to the Utility Improvements Account of the Debt Service Fund or in the availability of Net Revenues to pay principal of and interest, when due, on the Utility Improvement Bonds and any other bonds similarly authorized. The Finance Director must report to the City Council any current or anticipated deficiency in the Utility Improvements Account in the amount necessary to pay principal of and interest on all of the Utility Improvement Bonds when due. If a payment of principal or interest on the Utility Improvement Bonds becomes due when there is not sufficient money in the Utility Improvements Account of the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for the advances out of the proceeds of Net Revenues of the Systems and taxes when collected.

(c) Equipment Account. To the Equipment Account in the Debt Service Fund, there is hereby pledged and irrevocably appropriated and there will be credited: (i) proceeds of ad valorem property taxes levied under Section 4.03(b) or hereafter levied (the “Equipment Taxes”) for the Equipment, which ad valorem taxes are pledged to the Equipment Account; (ii) capitalized interest financed from Equipment Certificates proceeds, if any; (iii) a pro

rata portion of the amount of the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 2.03 hereof; and (iv) all investment earnings on funds in the Equipment Account; and (v) any and all other moneys which are properly available and are appropriated by the City Council to the Equipment Account. If a payment of principal or interest on the Equipment Certificates becomes due when there is not sufficient money in the Equipment Account in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for the advances out of the proceeds of Equipment Taxes when collected.

4.02. Construction Fund. The City hereby creates the General Obligation Improvement, Utility and Equipment Bonds, Series 2023A Construction Fund (the “Construction Fund”) to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The City will maintain the following accounts in the Construction Fund: the “Assessable Improvements Account,” the “Utility Improvements Account,” and the “Equipment Account.” Amounts in the Assessable Improvements Account will be used to construct the Assessable Improvements, amounts in the Utility Improvements Account will be used to construct the Utility Improvements, and amounts in the Equipment Account will be used to acquire the Equipment.

(a) Assessable Improvements Account. Proceeds of the Assessable Improvement Bonds, less the appropriations made in Section 4.01(a) hereof, together with any other funds appropriated for the Assessable Improvements and the Assessments and Taxes collected during the construction of the Assessable Improvements, will be deposited in the Assessable Improvements Account of the Construction Fund to be used solely to defray expenses of the Assessable Improvements and the payment of principal of and interest on the Assessable Improvement Bonds prior to the completion and payment of all costs of the Assessable Improvements. Any balance remaining in the Assessable Improvements Account after the Assessable Improvements are completed and the cost thereof have been paid may be used to pay the cost in whole or in part of any other improvement instituted under the Improvement Act under the direction of the City Council or may be used as provided in Minnesota Statutes, section 475.65, under the direction of the City Council. Thereafter, the Assessable Improvements Account of the Construction Fund is to be closed and any balance remaining therein and any subsequent collections of the Assessments and Taxes for the Assessable Improvements are to be deposited in the Assessable Improvements Account of the Debt Service Fund.

(b) Utility Improvements Account. Proceeds of the Utility Improvement Bonds, less the appropriations made in Section 4.01(b) hereof, will be deposited in the Utility Improvements Account of the Construction Fund to be used solely to defray expenses of the Utility Improvements. Any balance remaining in the Utility Improvements Account after the Utility Improvements are completed and the cost thereof have been paid may be used as provided in Minnesota Statutes, section 475.65, under the direction of the City Council. Thereafter, the Utility Improvements Account of the Construction Fund is to be closed and any balance remaining therein is to be deposited in the Utility Improvements Account of the Debt Service Fund.

(c) Equipment Account. Proceeds of the Equipment Certificates, less the appropriations made in Section 4.01(c) hereof, will be deposited in the Equipment Account of the Construction Fund to be used solely to defray expenses of acquiring the Equipment. Any balance remaining in the Equipment Account, after the Equipment has been acquired and the cost thereof have been paid, may be used as provided in Minnesota Statutes, section 475.65, under the direction of the City Council. Thereafter, the Equipment Account of the Construction Fund is to be closed and any balance remaining therein is to be deposited in the Equipment Account of the Debt Service Fund.

4.03. Tax Levy.

(a) For the purpose of paying the principal of and interest on the Assessable Improvement Bonds, there is hereby levied a direct annual irrepealable ad valorem property tax upon all of the taxable property in the City, which Improvement Taxes will be spread upon the tax rolls and collected with and as part of other general taxes of the City. Such Improvement Taxes will be credited to the Assessable Improvements Account of the Debt Service Fund above provided and will be in the years and amounts as set forth in **Exhibit C**. The tax levy herein provided will be irrepealable until all of the Assessable Improvement Bonds are paid, provided that the City Finance Director may annually, at the time the City makes its tax levies, certify to the County Auditor of Anoka and Ramsey Counties the amount available in the Assessable Improvements Account of the Debt Service Fund to pay principal and interest due during the ensuing year on the Assessable Improvement Bonds, and the County Auditor of the County will thereupon reduce the levy collectible during such year by the amount so certified.

(b) For the purpose of paying the principal of and interest on the Equipment Certificates, there is hereby levied a direct annual irrepealable ad valorem property tax upon all of the taxable property in the City, which Equipment Taxes will be spread upon the tax rolls and collected with and as part of other general taxes of the City. Such Equipment Taxes will be credited to the Equipment Account of the Debt Service Fund above provided and will be in the years and amounts as set forth in **Exhibit D**. The tax levy herein provided will be irrepealable until all of the Equipment Certificates are paid, provided that the City Finance Director may annually, at the time the City makes its tax levies, certify to the County Auditor of Anoka and Ramsey Counties the amount available in the Equipment Account of the Debt Service Fund to pay principal and interest due during the ensuing year on the Equipment Certificates, and the County Auditor of the County will thereupon reduce the levy collectible during such year by the amount so certified.

4.04. City Covenants with Respect to the Assessable Improvement Bonds. It is hereby determined that the Assessable Improvements will directly and indirectly benefit certain abutting and other benefited property in the City, and the City hereby covenants with the holders from time to time of the Assessable Improvement Bonds as follows:

(a) The City has caused or will cause the Assessments for the Assessable Improvements to be promptly levied so that the first installment will be collectible not later

than 2024 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Improvement financed wholly or partly from the proceeds of the Assessable Improvement Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Assessable Improvement Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in the Assessments and Taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing: receipts and disbursements in connection with the Assessable Improvements, Assessments and Taxes levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

(e) At least 20% of the cost to the City of the Assessable Improvements described herein has been or will be specially assessed against benefited properties.

4.05 City Covenants with Respect to the Utility Improvement Bonds. The City Council covenants and agrees with the holders of the Bonds that so long as any of the Utility Improvement Bonds remain outstanding and unpaid, the City will keep and enforce the following covenants and agreements:

(a) The City will continue to maintain and efficiently operate the Systems as public utilities and conveniences free from competition of other like municipal utilities and will cause all revenues therefrom to be deposited in bank accounts and credited to the accounts of the Systems as hereinabove provided, and will make no expenditures from those accounts except for a duly authorized purpose and in accordance with this resolution.

(b) The City will also maintain the Utility Improvements Account of Debt Service Fund as a separate account in the water, storm water and sewer utility funds and will cause money to be credited thereto from time to time, out of Net Revenues from the Systems in sums sufficient to pay principal of and interest on the Utility Improvement Bonds, when due.

(c) The City will keep and maintain proper and adequate books of records and accounts separate from all other records of the City in which will be complete and correct entries as to all transactions relating to the Systems and which will be open to inspection and copying by any bondholder, or the bondholder's agent or attorney, at any reasonable time, and it will furnish certified transcripts therefrom upon request and upon payment of a reasonable fee therefor, and said account will be audited at least annually by a qualified public accountant and statements of such audit and report will be furnished to all bondholders upon request.

(d) The City Council will cause persons handling revenues of the Systems to be bonded in reasonable amounts for the protection of the City and the bondholders and will cause the funds collected on account of the operations of the Systems to be deposited in a bank whose deposits are guaranteed under the Federal Deposit Insurance Law.

(e) The City Council will keep the Systems insured at all times against loss by fire, tornado and other risks customarily insured against with an insurer or insurers in good standing, in such amounts as are customary for like plants, to protect the holders, from time to time, of the Utility Improvement Bonds and the City from any loss due to any such casualty and will apply the proceeds of such insurance to make good any such loss.

(f) The City and each and all of its officers will punctually perform all duties with reference to the Systems as required by law.

(g) The City will impose and collect charges of the nature authorized by Minnesota Statutes, Section 444.075 at the times and in the amounts required to produce Net Revenues adequate to pay all principal and interest when due on the Utility Improvement Bonds and to create and maintain such reserves securing said payments as may be provided in this resolution.

(h) The City Council will levy general ad valorem taxes on all taxable property in the City, when required to meet any deficiency in pledged Net Revenues.

(i) The City hereby determines that the estimated collection of Net Revenues herein pledged for the payment of principal and interest on the Utility Improvement Bonds will produce at least 5% in excess of the amount needed to meet, when due, the principal and interest payments on the Utility Improvement Bonds.

4.06 Registration of Resolution. The City Clerk is directed to file a certified copy of this resolution with the County Auditors of Anoka and Ramsey Counties and to obtain the certificate required by Minnesota Statutes, Section 475.63.

4.07. Debt Service Coverage. It is hereby determined that the estimated collection of the foregoing Improvement Taxes levied under Section 4.03(a) and the Assessments herein pledged will produce at least 5% in excess of the amount needed to pay when due, the principal and interest payments on the Assessable Improvement Bonds, the Net Revenues herein pledged will produce at least 5% in excess of the amount needed to pay when due the principal and interest payments on the Utility Improvement Bonds, and the estimated collection of the foregoing Equipment Taxes levied under Section 4.03(b) will produce at least 5% in excess of the amount needed to pay when due, the principal and interest payments on the Equipment Certificates.

4.08. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which

are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

Section 5. Authentication of Transcript.

5.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds and such instruments, including any heretofore furnished, may be deemed representations of the City as to the facts and representations stated therein as it relates to the City.

5.02. Certification as to Official Statement. The Mayor, City Manager and Finance Director, or any of them, are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is, as of the date thereof, a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement as it relates to the City.

5.03. Other Certificates. The Mayor, City Manager, and Finance Director, or any of them, are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor, City Manager, and Finance Director, or any of them, shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Finance Director shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

5.04. Electronic Signatures. The electronic signature of the Mayor, City Manager, and Finance Director, or any of them, to this resolution and to any certificate authorized to be executed hereunder shall be as valid as an original signature of such party and shall be effective to bind the City thereto. For purposes hereof, (i) “electronic signature” means (a) a manually signed original signature that is then transmitted by electronic means or (b) a signature obtained through DocuSign or Adobe or a similarly digitally auditable signature gathering process; and (ii) “transmitted by electronic means” means sent in the form of a facsimile or sent via the internet as a portable document format (“pdf”) or other replicating image attached to an electronic mail or internet message.

Section 6. Tax Covenants.

6.01 Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the “Code”), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary

to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds. To that end, the City will comply with all requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, and limitations on amounts invested at a yield greater than the yield on the Bonds.

6.02. Rebate. The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States (unless the City qualifies for any exception to the rebate requirements based on timely expenditure of proceeds of the Bonds, in accordance with the Code and applicable Treasury Regulations).

6.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the bonds or the Assessable Improvements or the Utility Improvements or the Equipment financed by the Bonds, or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. No Designation of Qualified Tax-Exempt Obligations. The Bonds have not been designated as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code.

6.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 7. Book-Entry System; Limited Obligation of City.

7.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 2.04 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (DTC). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of

Bonds, as shown by the registration books kept by the Registrar,) of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Manager of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co.," will refer to such new nominee of DTC; and upon receipt of such a notice, the City Manager will promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

7.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 8. Continuing Disclosure.

8.01. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate is not an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

8.02. Execution of Continuing Disclosure Certificate. “Continuing Disclosure Certificate” means that certain Continuing Disclosure Certificate executed by the Mayor and City Manager and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Section 9. Defeasance. When all Bonds (or all of any of the Assessable Improvement Bonds, Utility Improvement Bonds or Equipment Certificates portion thereof) and all accrued interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution (with respect to the Assessable Improvement Bonds, Utility Improvement Bonds or Equipment Certificates portion of the Bonds, as the case may be) to holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds (or all of any of the Assessable Improvement Bonds, Utility Improvement Bonds or Equipment Certificates portion thereof) which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full or by depositing irrevocably in escrow, with a suitable institution qualified by law as an escrow agent for this purpose, cash or securities which are backed by the full faith and credit of the United States of America, or any other security authorized under Minnesota law for such purpose, bearing interest payable at such times and at such rates and maturing on such dates and in such amounts as shall be required and sufficient, subject to sale and/or reinvestment in like securities, to pay said obligation(s), which may include any interest payment on such Bond and/or principal amount due thereon at a stated maturity (or if irrevocable provision shall have been made for permitted prior redemption of such principal amount, at such earlier redemption date). If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Approved this 4th day of December, 2023, by the City Council of the City of Blaine, Minnesota.

CITY OF BLAINE, MINNESOTA

Mayor

ATTEST:

City Clerk

EXHIBIT A PROPOSALS



\$24,665,000*

City of Blaine, Minnesota

General Obligation Improvement, Utility and Equipment Bonds, Series 2023A

S&P Underlying Rating: AAA

Sale Date: December 4, 2023

BBi: 3.49%

Average Maturity: 9.530 Years

Bidder	TIC
Morgan Stanley & Co. LLC	3.2834%
BOK Financial Securities, Inc.	3.3003%
KeyBanc Capital Markets	3.3360%
Fifth Third Securities, Inc.	3.3434%
Hilltop Securities Inc.	3.3459%
Mesirow Financial, Inc.	3.3495%
J.P. Morgan Securities LLC	3.3543%
TD Securities (USA) LLC	3.3558%
Loop Capital Markets, LLC	3.3672%
Piper Sandler & Co.	3.3708%
Robert W. Baird & Co., Incorporated	3.3753%
UMB Bank, N.A.	3.3812%
RBC Capital Markets	3.3868%
StoneX Financial, Inc.	3.4231%
Jefferies LLC	3.4263%

Winning Bidder Information	Maturity	Interest Rate	Reoffering Yield	Reoffering Price
MORGAN STANLEY & CO. LLC	2/1/2025	5.00%	2.87%	102.309%
Raymond James & Associates, Inc.	2/1/2026	5.00%	2.75%	104.581%
Fidelity Capital Markets	2/1/2027	5.00%	2.65%	106.970%
UBS Financial Services Inc.	2/1/2028	5.00%	2.57%	109.420%
FHN Financial Capital Markets	2/1/2029	5.00%	2.59%	111.465%
SumRidge Partners, LLC	2/1/2030	5.00%	2.60%	113.477%
Ramirez & Co., Inc.	2/1/2031	5.00%	2.61%	115.417%
Advisors Asset Management, Inc.	2/1/2032	5.00%	2.64%	117.127%
American Veterans Group, PBC	2/1/2033	5.00%	2.64%	118.998%
	2/1/2034	5.00%	2.65%	118.908%
	2/1/2035	5.00%	2.73%	118.198%
	2/1/2036	5.00%	2.87%	116.967%
	2/1/2037	4.00%	3.25%	105.870%
	2/1/2038	4.00%	3.35%	105.064%
	2/1/2039	4.00%	3.45%	104.265%
	2/1/2040	4.00%	3.55%	103.473%
	2/1/2041	4.00%	3.60%	103.080%
	2/1/2042	4.00%	3.70%	102.299%
	2/1/2043	4.00%	3.75%	101.911%
	2/1/2044	4.00%	3.80%	101.524%

Purchase Price: \$26,951,189.27*

Net Interest Cost: \$8,165,605.17*

TIC: 3.2834%*

* Subsequent to bid opening, the par amount decreased to \$22,280,000; and the price, net interest cost, and true interest cost have changed to \$24,373,670.79, \$7,494,134.77, and 3.2839%, respectively.

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EXHIBIT B
FORM OF BOND

No. R-_____ UNITED STATES OF AMERICA \$_____
STATE OF MINNESOTA
COUNTIES OF ANOKA AND RAMSEY
CITY OF BLAINE
GENERAL OBLIGATION IMPROVEMENT, UTILITY AND
EQUIPMENT BOND SERIES 2023A

Rate	Maturity Date	Date of Original Issue	CUSIP
	February 1, 20____	December 21, 2023	

Registered Owner: Cede & Co.

The City of Blaine, Minnesota, a duly organized and existing municipal corporation in Anoka and Ramsey Counties, Minnesota (the “City”), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum set forth above on the Maturity Date specified above, unless called for earlier redemption, with interest thereon from the date hereof at the annual Rate specified above (calculated on the basis of a 360-day year of twelve 30-day months), payable February 1 and August 1 in each year, commencing August 1, 2024, to the person in whose name this Bond is registered at the close of business on the 15th day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by U.S. Bank Trust Company, National Association, St. Paul, Minnesota, as Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

This Bond is one of an issue in the aggregate principal amount of \$22,280,000, all of like original issue date and tenor, except as to number, denomination, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on December 4, 2023 (the “Resolution”), for the purpose of providing monies in part for various street improvements, improvements to the sewer system and water system and the acquisition of capital equipment pursuant to and in full conformity with its home rule charter, the Constitution, and the laws of the State of Minnesota, including Minnesota Statutes, Sections 410.32(g) and 412.301 and Chapters 429, 444 and 475. The principal hereof and interest hereon are payable from certain special assessments against property specially benefited by local improvements, net revenues of the sewer, storm water and water systems, and from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit

of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments, net revenues and ad valorem taxes pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City may elect on February 1, 2033, and on any date thereafter to prepay Bonds maturing on or after February 1, 2034. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify the Depository Trust Company (“DTC”) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

The City has not designated the Bonds as “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that in and by the Resolution, the City has covenanted and agreed that it will continue to own and operate the sewer, storm water and water systems free from competition by other like municipal utilities; that adequate insurance on said system and suitable fidelity bonds on employees will be carried; that proper and adequate books of account will be kept showing all receipts and disbursements relating to the Systems fund, into which it will pay all of the gross revenues from the sewer, storm water and water systems; that it will also create and maintain a Utility Improvements Account within the General Obligation Improvement, Utility and Equipment Bonds, Series 2023A Debt Service Fund, into which it will pay, out of the net revenues from the water, storm water and sewer systems, a sum sufficient to pay principal of and interest on the Utility Improvement Bonds when due; and that it will provide, by ad valorem tax levies, for any deficiency in required net revenues of the sewer, storm water and water systems.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner’s attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner’s attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed in regular and due form, time and manner, that prior to the issuance of this bond the City Council of the City has provided funds for the payment of principal and interest on the bonds of this issue as the same become due, but the full faith and credit of the City is pledged for their payment and additional taxes will be levied, if required for such purpose, without limitation as to the rate of amount; and that this bond, together with all other indebtedness of the City outstanding on the date of its issuance, does not exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Blaine, Anoka and Ramsey Counties, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Manager and has caused this Bond to be dated as of the date set forth below.

Dated: _____, 2023

CITY OF BLAINE, MINNESOTA

City Manager

Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

U.S. BANK TRUST COMPANY, NATIONAL
ASSOCIATION

By _____
Its Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM – as tenants
in common

UNIF GIFT MIN ACT _____ Custodian _____
(Cust) (Minor)

TEN ENT – as tenants
by entireties

under Uniform Gifts or Transfers to
Minors

JT TEN – as joint tenants
with right of
survivorship and
not as tenants in
common

Act.....
(State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to,

or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners
if this Bond is held by joint account)

Please insert social security or
other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Registrar</u>
_____, 2023	Cede & Co. Federal ID #13-2555119	_____

EXHIBIT C

ASSESSABLE IMPROVEMENT BONDS TAX LEVY

<u>Collection Year</u>	<u>Levy Amount</u>
2024	\$713,825.00
2025	715,782.86
2026	713,128.26
2027	714,748.44
2028	715,318.62
2029	714,838.80
2030	713,308.98
2031	715,979.18
2032	717,336.86
2033	712,132.04
2034	716,377.22
2035	713,797.40
2036	715,155.08
2037	712,575.26
2038	714,405.44

EXHIBIT D

EQUIPMENT CERTIFICATES TAX LEVY

<u>Collection Year</u>	<u>Levy Amount</u>
2024	\$690,083.33
2025	689,325.00
2026	692,475.00
2027	688,800.00
2028	689,062.50



City of Blaine

Staff Report

File Number: ORD 23-2536

Agenda Date	Status
December 4, 2023	
In Control	File Type
City Council	Ordinance

Administration - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 11.2

Ordinance Amending Chapter 50, Offenses and Miscellaneous Provisions, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession

Executive Summary

Council is asked to hold second reading and adopt an ordinance updating the current code regarding drug paraphernalia to reflect the new cannabis products law.

Background

Council is asked to adopt an ordinance updating the current code regarding drug paraphernalia to more accurately reflect the new cannabis products law and move the language from Offenses Involving Underage Persons to new Sec. 50-3. - Drug Paraphernalia.

This session the Minnesota Legislature repealed the state level crime of possessing any form of drug paraphernalia. This previous state statute of 152.092 was the statute that made it a misdemeanor to possess drug paraphernalia. There is a new State statute enacted, 152.093, which makes it a misdemeanor to intentionally *manufacture* drug paraphernalia for delivery. Additionally, MN Statute 151.40 was amended to make it a crime only to manufacture or sell hypodermic needles.

With the change in State Statute, staff is recommending the City amend the City ordinance to continue to criminalize transportation or possession of such items based on the new law Statute 342.09 except in conjunction with cannabis. The new law also defines cannabis paraphernalia: "Subd. 18. Cannabis paraphernalia. "Cannabis paraphernalia" means all equipment, products, and materials of any kind that are knowingly or intentionally used primarily in:

- (1) manufacturing cannabis products;
- (2) ingesting, inhaling, or otherwise introducing cannabis flower or cannabis products into the human body; and
- (3) testing the strength, effectiveness, or purity of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products."

While the city does not have the authority to regulate the possession and transportation of cannabis paraphernalia as it is expressly permitted by statute, this amendment would still provide law enforcement the ability to stop or expand searches based on non-cannabis paraphernalia now that the law is silent. Although infrequently utilized to arrest, the provision would provide a tool for law enforcement to utilize in managing a multitude of situations.

Strategic Plan Relationship

N/A

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

Notice of this ordinance amendment was published on the City's website.

Staff Recommendation

Attachment List

None



City of Blaine

Signature Copy

Ordinance: ORD 23-2536

Ordinance Amending Chapter 50, Offenses and Miscellaneous Provisions, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession

~~Sec. 50-312. Opium-smoking paraphernalia; possession.~~

~~No person shall use, possess or have under such person's control for use any stem, bowl, pipe, lamp, yen hock, or other opium-smoking paraphernalia or cannabis indica or cannabis sativa or marijuana smoking paraphernalia or accessories used for the smoking or inhalation of opium or cannabis indica or cannabis sativa or marijuana.~~

~~(Code 1963, § 104.04; Code 1980, § 13-10)~~

Chapter 50 - Offenses and Miscellaneous Provisions

Article I. - In General

Sec. 50-3. - Drug Paraphernalia

It is unlawful for any person knowingly or intentionally to use or possess drug paraphernalia.

For the purposes of this Section, drug paraphernalia is defined as all equipment, products, and materials of any kind, except those used in conjunction with permitted uses of controlled substances pursuant to state law, which are knowingly or intentionally used primarily in:

- (1) manufacturing a controlled substance;
- (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance; or
- (3) enhancing the effect of a controlled substance.

Drug paraphernalia does not include the possession, manufacture, delivery, or sale of:

- (1) hypodermic syringes or needles or any instrument or implement which can be adapted for subcutaneous injections;
- (2) products that detect the presence of fentanyl or a fentanyl analog in a controlled substance; or
- (3) cannabis paraphernalia as defined by Minnesota Statute §342.01 Subd. 18.

INTRODUCED and read in full this 20th day of November, 2023.

PASSED by the City Council of the City of Blaine this 4th day of December, 2023.