



City of Blaine

City Council Workshop

December 18, 2023 | 5:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

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

1. Call to Order

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

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson (arrived at 5:05PM), Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya (arrived at 5:11PM).

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; Captain Mark Boerboom; Captain Matt Carlson; Officer Justin Pohlman; Finance Director Jason Zimmerman; Finance Analyst Jenna Trittin; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Senior Parks and Recreation Manager Jerome Krieger; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

2. New Business

2.1. 2023-634 Plate Reader Demo

Sponsors: Brian Podany, Safety Services Manager/Police Chief

Safety Services Director/Police Chief Podany and Captain Boerboom explained there were representatives from Flock to provide the council with a demonstration on the Flock Safety License Plate Reader.

Kristin MacLeod, Flock Safety, introduced herself to the council and shared information on Flock's mission to eliminate crime and create a safer future. She noted Flock was created in

2017 after the founder saw an uptick in crime in his neighborhood. The data retention policies were discussed with the council. She commented further on how license plate readers were used to assist with solving and deterring crime. She then provided examples on how Flock assisted with solving crimes in communities throughout the country.

Councilmember Larson asked how many cities in Minnesota had a Flock system in place. Kyle Whyte, Flock Safety, explained Mounds View, Fridley, Coon Rapids, the Anoka County Sheriff's Office, Brooklyn Center, Champlin, Roseville and the Ramsey County Sheriff's Office were all participants. He estimated 25 to 30 agencies in Minnesota had a Flock system in place. He indicated there were 4,000 agencies across the country that had a Flock system in place.

Police Chief Podany reported he reached out to several other agencies in Minnesota in order to learn more about the benefits of the Flock system. He commented on a recent event that occurred in the community where this technology would have benefited his officers in finding a suspect. Mr. Whyte commented on how several large retailers such as Lowe's and Target had invested in Flock systems in order to reduce and deter crime. He noted systems were also being installed at schools.

Councilmember Newland stated he saw the benefit of the Flock cameras but questioned where the department would have them installed. Mr. Whyte explained he has different types of cameras that can be installed based on where they would be installed to ensure the department was receiving high quality images. He reported Flock would maintain and service all cameras if the event there were issues with the quality of the images. He indicated the majority of Flock cameras were installed on traffic signal poles.

Councilmember Newland asked how many cameras would be installed in 2024 and questioned where they would be located. Mr. Whyte stated 30 cameras would be installed in 2024. He noted cameras would be installed at all entry points to the community and around shopping areas. Police Chief Podany explained he would be applying for grants to assist with purchasing additional mobile units and cameras. He stated the more private partnerships the department can pursue, the better the Flock system will be for the community. He commented further on how the cameras from Mounds View and Anoka County would compliment Blaine's system.

Councilmember Newland inquired if Flock cameras could be relocated. Mr. Whyte stated the cameras could be relocated for a nominal fee.

Councilmember Saroya requested further information regarding the data that was collected and if mistakes were made when license plates were entered into the system then shared she spent thousands of dollars in attorneys fees to get off a similar watch list. Mr. Whyte described the checks and balances that were in place within the system to ensure this doesn't occur.

Ms. MacLeod further discussed how law enforcement agencies enter information into the system and commented on how this information is coordinated and integrated with the NCIC. Police Chief Podany explained information on stolen vehicles was updated four times daily within the Flock system.

Council consensus was for support of the Flock system plate reader.

2.2. 2023-463 Introductory Car Wash Study Discussion
Sponsors: Erik Thorvig, Community Development Director

Community Development Director Thorvig stated on September 6, 2023, the city council adopted a six-month moratorium to study the zoning of car washes in the city. The moratorium identified the following study areas:

- Appropriate locations where car washes should be located. Things to be considered will include what zoning districts car washes are currently allowed in, and existing zoning of priority development areas. The study will generally focus on stand-alone car washes. Car washes as an accessory use to convenience stores will also be reviewed. The zoning ordinance treats these uses differently.
- The general impact on the health, safety and welfare that car washes may impose specifically related to traffic, infrastructure, environment, noise and light.
- Economic impact and benefits of the nature of the business as it relates to the intent of certain zoning districts.

Mr. Thorvig reviewed the initial information staff had gathered related to the study areas. It was noted staff was in the process of reviewing other city ordinances to determine what specific regulations are placed on car washes that could be incorporated into Blaine's zoning code. The recently approved standalone car washes recycle approximately 33% of the water used. This allows a reduction in sewer access charges (SAC) that is regulated by the Metropolitan Council. The Met Council reserves the right to inspect systems to ensure recycling is in place. While recycling is not required, the reduction in SAC charges is significant.

Councilmember Robertson asked if other cities consider variances when it comes to car washes. Mr. Thorvig reported this would depend on each city's requirements.

Councilmember Robertson stated she struggled with the car wash on Lexington Avenue because it was adjacent to people's homes. She recommended car washes only be allowed across the street from residential properties. She supported the city treating standalone car washes differently than car washes that were an accessory to a gas station.

Councilmember Newland questioned when the car wash moratorium would end. Mr. Thorvig reported the moratorium was put in place in September and would run for six months through March. He indicated the council would have the opportunity to extend this moratorium an additional six months if required.

Councilmember Newland asked if the city has received additional inquiries about new car washes. City Planner Sellman explained she has received two requests in the Northtown area.

Councilmember Newland stated he anticipated the market would balance itself out when it comes to car washes in the community.

Councilmember Larson explained she supported car washes being across the street from residential properties.

Councilmember Saroya questioned what the distance was between Tommy's Car Wash and the adjacent homes. Ms. Sellman stated this was somewhere between 300 to 400 feet.

Councilmember Massoglia asked if an overlay district could be considered along TH65 or in the Northtown area. Mr. Thorvig reported the city had an overlay district along TH65. He stated an overlay district could be put in place to limit certain uses.

Councilmember Massoglia indicated he supported car washes having to be separated by a street from residential properties. In addition, he recommended an overlay district be considered in order to assist with limiting the number of car washes in the community.

Council supported car washes not being located adjacent to residential properties; to allow car washes near residential only if across a street; consider separating standalone car washes from accessory car washes when reviewing applications; and to consider an overlay district for areas to restrict car washes.

2.3. 2023-608 Proposed Charter Amendment - Council Salaries
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated following council discussion at the November 6 workshop, the charter commission met to review council's request to make a specific salary recommendation as opposed to a salary range. After discussion, the commission agreed to remove the recommendation of an "up to" salary range amounts and recommended the following salary increases effective 2025:

- Mayor - \$18,315.03/year - currently \$14,313.60/year
- Councilmembers - \$13,461.54/year - currently \$10,500/year

Ms. Sorensen explained the commission wanted to echo their belief that their role was to recommend charter language that provided for regular salary review going forward based on established criteria, but that decisions regarding specific salaries should be made by council. Staff will schedule a public hearing regarding the proposed charter amendment as well as a proposed ordinance amending salaries for council consideration.

Councilmember Massoglia and Councilmember Newland supported this charter commission moving forward.

Councilmember Robertson stated this was a difficult topic to discuss and thanked the charter commission for passing along this recommendation.

Councilmember Saroya believed there were many other topics the council could be discussing other than a raise, considering how many people in her ward were struggling. She stated she did not support the pay increase for the council and mayor.

Councilmember Larson reiterated that the pay increase would not go into effect until 2025.

Council supported the charter amendment putting a mechanism in place for regular review going forward and recommended adding "charter commission" to the language to provide clarity on who does the review. Staff was directed to bring this charter amendment forward.

2.4. 2023-610 Proposed Charter Amendment - Council Recall
 Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated council requested the commission draft language that allowed for a recall petition as it currently does not exist in charter. Several city charters were reviewed. Minnesota Constitution/state case law restricts reasons for a recall to serious malfeasance or nonfeasance:

- Malfeasance - performance of an act in their official capacity that is wholly illegal and wrongful
- Nonfeasance means neglect or refusal, without sufficient excuse, to do what is a member's legal duty to do

Ms. Sorensen explained council requested the commission consider removing reference to nonfeasance and lowering the threshold of registered voters from 25% to 20%. The commission agreed to those recommendations and the revised charter amendment is being presented for final input prior to scheduling for public hearing.

Councilmember Newland thanked staff for bringing forward the proposed language.

Councilmember Saroya stated malfeasance was an act committed in a councilmember's official capacity and questioned what action could be taken if a councilmember were to commit fraud or some other crime in a private capacity. Ms. Sorensen explained doing something outside of city business would not apply here. She commented on how there was already a provision in charter that a vacancy shall be called should a councilmember be unable to serve if convicted of certain crimes.

Councilmember Saroya supported the community being able to do a recall if a councilmember were convicted of a DUI or if they committed fraud. City Attorney Loonan explained the charter amendment applied specifically to when councilmembers were serving in an official capacity. He reported a vacancy shall exist on the council in the case of the conviction of any such person of a crime, for which a sentence of more than one year in prison shall be imposed. He stated this meant a recall process would not have to be followed, but rather a vacancy shall be declared for anyone convicted of a crime with a one year prison sentence.

Councilmember Newland stated he did not believe the council should regulate people's lives outside of the council chambers.

Councilmember Saroya expressed concern that if a councilmember were to plea out or was not convicted of a crime, they would still be allowed to serve as a councilmember.

Councilmember Robertson recommended the charter language not be manipulated too much. She stated if a felony were committed by a councilmember, the council would have a vacant seat.

Councilmember Saroya indicated she would like to know more about how the state and other cities handled these situations and supported adding serious crimes and malfeasance language to the charter.

Councilmember Massoglia supported the language moving forward as presented by staff.

Council consensus was not to include additional reasons for recall and supported the charter language moving forward as proposed.

2.5. 2023-609 Proposed Charter Amendment - Redetermination of Ward Boundaries
Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated the charter commission reviewed council's recommendation to postpone consideration of the proposed charter amendment regarding re-determination of ward boundaries until 2027 as part of the comprehensive plan update at their November 14 meeting. After discussion they respectfully request a joint workshop be scheduled in 2024 to further share their reasons and allow council to ask questions regarding this proposed amendment.

Council was generally supportive of having the commission appear to better explain their reasoning for the proposed amendment.

3. Other Business

City Manager Wolfe shared proposed amendments to the board/commission policy, including the term and appointment process.

Ms. Sorensen explained that staff will work to schedule tours of an edible cannabis facility and Hope 4 Youth.

Ms. Wolfe noted staff would be working to schedule a council retreat in the first quarter of 2024.

4. Adjournment

The workshop was adjourned at 6:40PM.

Signed by _____





Tim Sanders, Mayor

Signed by

Catherine M. Sorensen, CMC, City Clerk