City of Blaine
City Council

January 3, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

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

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers 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; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; Senior Parks and Recreation Manager Jerome Krieger; Police Captain Matt Carlson; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

4.1. RES 24-4 Mission Statement Affirming Council/Staff Responsibilities
Sponsors: Michelle Wolfe, City Manager

City Manager Wolfe stated Council is asked to adopt the annual resolution affirming Council/staff responsibilities.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adopt the Mission Statement Affirming Council/Staff Responsibilities.

Motion adopted unanimously.

4.2. RES 24-5 Rules of Procedure and Quorum - Order of Business
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated Council is asked to adopt the annual rules of procedure and quorum - order of business. She noted these rules were revised in October and staff was recommending approval as presented.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to adopt the Rules of Procedure and Quorum - Order of Business.

Councilmember Newland explained the proposed amendments made by staff in August 2023 were hybrid in nature and sufficient and did not support the changes ultimately adopted, therefore be voting against this motion.

Motion adopted 6-1 (Councilmember Newland opposed).

4.3. 2024-004 Designate Official Newspapers for 2024
Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen explained that State law and city code require that the Council designate a single newspaper as its official newspaper. Due to occasional publication deadlines that could impact scheduling an agenda item before the Planning Commission or City Council, staff is recommending that Council designate both the Blaine/Spring Lake Park/Columbia Heights/Fridley Life and Star Tribune as the official newspapers for 2024.

Moved by Councilmember Newland, seconded by Councilmember Fleming, to Designate Official Newspapers for 2024.

Motion adopted unanimously.

4.4. 2024-005 Recording Secretary Service Agreement for 2024
Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated Minute Maker Secretarial transcribes meeting minutes for all council, EDA, boards and commissions and posts approved minutes for viewing on the City’s webpage. The agreement reflects their fees for all recording services and extends the expiration date to December 31, 2024.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to approve the Recording Secretary Service Agreement for 2024.

Motion adopted unanimously.

4.5. 2024-006 Appointment of Liaisons to Various Boards and Commissions
Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated each year the City Council designates Council and/or staff liaisons to serve on various boards and commissions throughout the year.

Moved by Mayor Sanders, seconded by Councilmember Newland, to approve the Appointment of Liaisons to Various Boards and Commissions as presented with an amendment appointing Councilmember Fleming to Twin Cities Gateway in place of Commissioner Jeppson.

Councilmember Saroya shared concerns with the fact that two councilmembers have not been appointed to any boards or commissions. She explained she voiced this same concern on January 4, 2023 and was told new councilmembers had to wait a year to be appointed to various boards and commissions. She reported she has waited a year and was still not being appointed and was of the opinion some councilmembers were being excluded.

Motion adopted 6-1 (Councilmember Saroya opposed).

4.6. 2024-007 Adoption of the Official City of Blaine Flag
Sponsors: Ben Hayle, Communications Manager

Communications Manager Hayle stated in 2022, staff worked to redesign the city flag. The previous flag had an old city logo and color scheme. The redesigned flag was shared with the council for feedback. After receiving no initial feedback, the new flag was ordered. Staff and Council agreed to fly the new flag starting in late 2022. Now that the new flag has been integrated into City business, it is recommended the flag be officially adopted by the City Council.

Moved by Councilmember Fleming, seconded by Councilmember Larson, to adopt the Official City of Blaine Flag.

Councilmember Robertson recommended in the future that new things not be integrated into the city and then approved by the council at a later date. She suggested a more engaged process be followed in the future to have matters approved by the council prior to integration.

Councilmember Newland agreed with Councilmember Robertson and questioned if the city needed an official flag. He supported the city using the American flag only at city hall and not incorporate the city flag.

Motion adopted unanimously.

5. Communications

Mayor Sanders and Councilmember Massoglia recognized the 34-year career of North Metro TV Executive Director Heidi Arnson and thanked her for her commitment to the community. Mayor Sanders wished Ms. Arnson a long and healthy retirement.

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 7:20PM.

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

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

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

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

Motion adopted unanimously.

8.1. 2024-008 Schedule of Bills Paid

Sponsors: Jason Zimmerman, Finance Director

8.2. 2024-009 Approval of Minutes

Sponsors: Cathy Sorensen, City Clerk

8.3. RES 24-6 Designate Official City Depositories for 2024

Sponsors: Jason Zimmerman, Finance Director

8.4. RES 24-7 Designate the Finance Director to Make Electronic Funds Transfers

Sponsors: Jason Zimmerman, Finance Director

8.5. 2024-010 Acknowledgment of Financial Contributions of Organizations Conducting Lawful Gambling

Sponsors: Jason Zimmerman, Finance Director

8.6. 2024-011 Approve Payment to Insight Public Sector for Microsoft Enterprise Agreement Annual License Renewal.

Sponsors: Jason Zimmerman, Finance Director

8.7. RES 24-8 Resolution to Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for 2022 Street Reconstructions, Improvement Project No. 22-04

Sponsors: Daniel Schluender, Director of Engineering

8.8. RES 24-9 Resolution Approving State of Minnesota Joint Powers Agreements with the City of Blaine on Behalf of its City Attorney and Police Department.

Sponsors: Brian Podany, Safety Services Manager/Police Chief

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

9.1. RES 24-10 Order Improvement and Order Preparation of Plans and Specifications for the 2024 Northwest Area Street Reconstructions, Improvement Project No. 24-05

Sponsors: Daniel Schluender, Director of Engineering

Director of Engineering Schluender stated Council is asked to conduct the public hearing and consider ordering the improvements and preparation of the project plan and specification for the 2024 Northwest Area Street Reconstruction. Staff reviewed the streets included in the improvement project. The proposed project will generally involve reconstructing the existing road by removing the existing pavement and installing new pavement. Spot replacement of damaged curb and gutter will also occur. In addition, storm sewer improvements and minor water main work will occur in certain areas. The estimated cost of these proposed improvements is $3,191,442 with $650,302 to be assessed to the benefiting properties over a 15-year period. The remaining project cost is proposed to be funded with $1,647,736 from City Pavement Management Plan funds, $164,899 from City Public Utility Funds, $101,714 from City Storm Water Utility Funds, and $626,793 from State Aid Funds. The proposed project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Mayor Sanders opened the public hearing at 7:25PM.

There being no public input, Mayor Sanders closed the public hearing at 7:25PM.

Moved by Councilmember Massoglia, seconded by Councilmember Larson, to Order Improvement and Order Preparation of Plans and Specifications for the 2024 Northwest Area Street Reconstructions, Improvement Project No. 24-05.

Councilmember Saroya shared concerns with burdening residents with the 35% street assessment costs and stated she desired to lower the assessment rate. She explained there were people in her ward that were unemployed, single mothers, and veterans and these individuals could not afford an $8,000 assessment. Mr. Schluender explained the current assessment policy charges residents 35% with the remaining 65% being paid for by the city. He reported the council has discussed the assessment policy over the past year but no consensus was reached to change the current policy or assessment rate.

Councilmember Newland noted this street improvement project was not within Ward 1 but located in Wards 2 and 3.

Motion adopted 6-1 (Councilmember Saroya opposed).

9.2. RES 24-11 Order Improvement and Order Preparation of Plans and Specifications for the 2024 Pleasure Creek Area Street Reconstructions, Improvement Project No. 24-06

Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated Council is asked to conduct the public hearing and consider ordering the improvements and preparation of the project plan and specification for the 2024 Pleasure Creek Area Street Reconstruction. Staff reviewed the streets within the project area. The proposed project will consist of the following work for each project area:

Area 1 is proposed to be reconstructed with full depth bituminous pavement removal, bituminous curb removal, installation of concrete curb and gutter, new bituminous pavement, storm sewer improvements, spot water main repair, and appurtenant construction.

Area 2 is proposed to be reconstructed with full depth bituminous pavement removal, spot concrete curb and gutter replacement, new bituminous pavement, minor storm sewer improvements, spot water main repair, and appurtenant construction.

Mr. Schluender explained the estimated cost of these proposed improvements is $6,572,381 with $1,303,843 to be assessed to the benefiting properties over a 15-year period. Replacement of existing sanitary sewer castings/rings at an estimated cost of $184,470 and replacement of malfunctioning gate valves and broken access valve boxes at an estimated cost of $385,099 is proposed to be paid for by City Public Utility Funds. The remaining portion of $4,698,969 is proposed to be paid from the City's Pavement Management Program Fund. The proposed project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Mayor Sanders opened the public hearing at 7:32PM.

Josh Tyra, 324 Territorial Road, expressed concerns with the proposed assessments and reported there were many residents in his neighborhood that could not afford to pay the assessed amount. He understood that he needed a new road but asked the city to find a new way to cover roadway expenses through the property taxes residents are already paying.

There being no further public input, Mayor Sanders closed the public hearing at 7:40PM.

Moved by Councilmember Newland, seconded by Councilmember Fleming, to Order Improvement and Order Preparation of Plans and Specifications for the 2024 Pleasure Creek Area Street Reconstructions, Improvement Project No. 24-06.

Councilmember Newland stated as a Ward 1 representative, the main concerns he heard from constituents was for the city to properly maintain the roads and waterlines. He noted this was an older portion of the city that was in need of reinvestment for the benefit of the surrounding residents. He indicated the assessment amount paid by residents was a fraction of the expense taken on by the city for these projects. He stated he would be supporting this project moving forward.

Councilmember Saroya reported this project was in Ward 1 and shared concerns about burdening residents with the 35% assessment costs. She believed there was a difference in affordability levels when it came to assessment levels throughout the community and noted she would not be supporting this project moving forward.

Councilmember Fleming asked how much residents would be paying over 15 years in order to pay off their street improvement assessment. Mr. Schluender stated residents would be paying approximately $38 per month.

Councilmember Saroya explained this may seem like a small amount but for elderly people living on a fixed income this was a burden. She shared comments regarding how people from The Lakes with unlimited budgets were making decisions for people who were struggling financially and did not believe this was fair.

Counclimember Newland reported it was not people from The Lakes making decisions but rather councilmembers elected to make these decisions. He encouraged Councilmember Saroya to not segment the city because it was not helpful then explained dollars were set aside each year to assist with covering the expense of roadway improvements. He reported if the city were to cover 100% of all future street improvement projects, taxes would have to be raised, which would be a burden for all residents. He stated this was discussed last year and the council opted not to proceed in this manner. He indicated he supported this project moving forward because it was an investment in the city's infrastructure.

Mayor Sanders requested Mr. Schluender provide further comment on the city's assessment policy. Mr. Schluender discussed the city's assessment policy along with the requirements that have to be followed per State Statute. He explained the city is not able to assess more than the benefit to a parcel then provided further comment on the project timeline.

Mayor Sanders confirmed assessment amounts have to be uniform and equal across the city.

Councilmember Larson explained she was the newest member to council and that her understanding was there was not one specific guideline for assessment policies but rather each city operated in the manner they saw best for their community. She reported if the city were to not assess, then taxes would have to increase for all residents to make up the difference.

Motion adopted 6-1 (Councilmember Saroya opposed).

10. Development Business

10.1. RES 24-12 Resolution Granting a Conditional Use Permit to Operate an Approximately 3,000 Square Foot Indoor Playground in a Community Commercial (B-2) Zoning District at 1250 126th Avenue NE, #400. Indoor Playground (MN Events LLC) (Case File No. 23-0081/SLK)

Sponsors: Sheila Sellman, City Planner

Community Development Director Thorvig stated the applicant is requesting to open an approximately 3,000 square foot indoor playground for children under the age of 10 years old. Staff commented further on the proposed business plan. It was noted the Planning Commission reviewed this matter, held a public hearing and recommended approval of the request.

Moved by Councilmember Newland, seconded by Councilmember Fleming, to adopt a Resolution Granting a Conditional Use Permit to Operate an Approximately 3,000 Square Foot Indoor Playground in a Community Commercial (B-2) Zoning District at 1250 126th Avenue NE, #400.

Councilmember Fleming stated she met the applicant when she brought her first concept to council and commended Ms. Rice for working with the city to find a business model that will work at this site. She stated she supported this idea and wished Ms. Rice all the best in her new venture.

Councilmember Massoglia agreed this was a great business concept for this space.

Councilmember Saroya stated she really liked this project ad questioned if this space would be used for birthday parties then inquired why the space was shifted to an indoor playground and away from an event center. Michelle Rice, applicant, explained she shifted away from the event center because the cost for the additional parking spaces was over $78,000. She stated this led her to pursue a new business model for the space.

Councilmember Saroya asked if the applicant was willing to share the monetary loss she has incurred due to having to meet city requirements for the project. Ms. Rice reported she was not comfortable sharing this number, but indicated there has been an impact. She stated she understood an event center was not the right fit for this shopping center and looked forward to bringing an indoor playground to Blaine.

Motion adopted unanimously.

11. Administration

11.1. RES 24-13 Resolution Accepting a Bid from Levanen Underground, LLC in the amount of $77,281.50 for the National Street Water Services Project, Improvement Project No. 23-23
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated this item would accept a bid and approve a contract with Levanen Underground, LLC for the proposed National Street Water Services Project. The project consists of sealing the existing private wells, directionally drilling new water services to connect to the City water main, reestablishing service to the dwellings, and restoration of the disturbed areas. Staff commented on the project specifications further and recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Fleming, to adopt a Resolution Accepting a Bid from Levanen Underground, LLC in the amount of $77,281.50 for the National Street Water Services Project, Improvement Project No. 23-23.

Councilmember Newland asked when the new connections would be in place. Mr. Schluender anticipated the project would be done by the end of February.

Motion adopted unanimously.

11.2. 2024-012 Motion to Authorize the Mayor and City Manager to Enter into a Contract with Short Elliott Hendrickson, Inc. (SEH) for Professional Design and Construction Services for the 2024 Pleasure Creek Area Street Reconstruction Improvement Project, Improvement Project No. 24-06
Sponsors: Daniel Schluender, Director of Engineering

Mr. Schluender stated Council is requested to approve a contract with Short Elliott Hendrickson, Inc. (SEH) for professional services for final design and construction services for the 2024 Pleasure Creek Area Street Reconstructions, Improvement Project No. 24-06, in the amount of $527,344.00 with a 10% contingency.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to Authorize the Mayor and City Manager to Enter into a Contract with Short Elliott Hendrickson, Inc. (SEH) for Professional Design and Construction Services for the 2024 Pleasure Creek Area Street Reconstruction Improvement Project, Improvement Project No. 24-06.

Motion adopted unanimously.

11.3. 2024-013 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

Mr. 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 landowners 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 $900 was negotiated with the Kwik Trip property at 11736 Ulysses Street.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, 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 commented on recent concerns that were raised by a resident and asked if roundabouts delay emergency response. Mr. Schluender explained with every intersection control type there was some delay experienced by any emergency vehicle. He explained the existing intersection was a four-way stop sign. He reported police and fire were not allowed to drive through stop signs or traffic signals, but rather were required to slow or stop before proceeding through the intersection. He stated he has not found a study that shows roundabouts were less efficient for emergency vehicles.

Safety Services Director/Police Chief Podany stated he believed the differences between intersections were nominal. He indicated from a safety standpoint, he supported roundabouts because drivers had to focus more. He noted the number of crashes tend to be lower within roundabouts than at signalized intersections. He stated he reached out to the resident that brought up this concern and spoke with him further regarding this matter.

Motion adopted unanimously.

11.4. 2024-014 Accept Quotes for Playground Equipment from Landscape Structures and Playground Installation by Flagship Recreation at Colony Preserve Park

Sponsors: Jerome Krieger, Sr. Recreation Manager

Senior Parks and Recreation Manager Krieger stated pursuant to the City's purchasing rules, the staff is bringing forward the quotes for playground equipment from Landscape Structures and playground installation by Flagship Recreation at Colony Preserve Park. Staff commented on the work that would be done at Colony Preserve Park and recommended the Council accept the quotes.

Moved by Councilmember Robertson, seconded by Councilmember Fleming, to Accept Quotes for Playground Equipment from Landscape Structures and Playground Installation by Flagship Recreation at Colony Preserve Park.

Councilmember Larson explained she appreciated how all of the parks in Blaine were different and commended staff for their efforts to bring forward a new plan for Colony Preserve Park.

Councilmember Saroya agreed, stating she appreciated the time and effort staff spent on the new park plans.

Motion adopted unanimously.

11.5. 2024-015 Accept Quotes for Playground Equipment from Landscape Structures and Playground Installation by Flagship Recreation at Lakeside Park
Sponsors: Jerome Krieger, Sr. Recreation Manager

Mr. Krieger stated pursuant to the City's purchasing rules, the staff is bringing forward the quotes for playground equipment from Landscape Structures and playground installation by Flagship Recreation at Lakeside Park. Staff commented on the work that would be done at Lakeside Park and recommended the Council accept the quotes.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to Accept Quotes for Playground Equipment from Landscape Structures and Playground Installation by Flagship Recreation at Lakeside Park.

Motion adopted unanimously.

11.6. 2024-016 Accept Quotes for Playground Equipment from Landscape Structures and Playground Installation by Flagship Recreation at West Lake Park
Sponsors: Jerome Krieger, Sr. Recreation Manager

Mr. Krieger stated pursuant to the City's purchasing rules, the staff is bringing forward the quotes for playground equipment from Landscape Structures and playground installation by Flagship Recreation at West Lake Park. Staff commented on the work that would be done at West Lake Park and recommended the Council accept the quotes.

Moved by Councilmember Larson, seconded by Councilmember Robertson, to Accept Quotes for Playground Equipment from Landscape Structures and Playground Installation by Flagship Recreation at West Lake Park.

Motion adopted unanimously.

12. Other Business

Councilmember Massoglia and Councilmember Fleming requested staff schedule review of the rules of order and procedure and council code of conduct to a workshop meeting in January or February.

13. Adjournment

Signed by ______________________________
Tim Sanders, Mayor

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

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adjourn the meeting at 8:14PM.

Motion adopted unanimously.