



City of Blaine

City Council Workshop

October 7, 2024 | 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 5:36PM.

2. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Tom Newland, and Jess Robertson.

ABSENT: Councilmembers Chris Massoglia and Lori Saroya.

Quorum Present.

ALSO PRESENT: Acting City Manager/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; Police Captain Russ Clark; Director of Administrative Services Scott Johnson; City Attorneys Tom Loonan and Lida Bannick; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

3. New Business

- 3.1.** 2024-411 (5:00-5:30 PM North Parking Lot) Police Department Unmanned Aerial System (UAS) and Armored Rescue Vehicle (Bearcat) Demonstrations
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Safety Services staff provided a demonstration of the Unmanned Aerial System (UAS) Drone and the Armored Rescue Vehicle (Bearcat) at 5:00 PM in the North Parking Lot near the Fire Garage. It was noted in October 2023, the City of Blaine established an Unmanned Aerial

System (UAS) unit and purchased a DJI Matrice M30T UAS. Training began of 16 Officers to become certified FAA Part 107 Pilots. The use of drones provides many benefits to public safety during emergency response by quickly locating missing persons, dangerous suspects, surveying scenes of natural disasters, and assisting in security assessments for the many large events hosted in Blaine. It was explained in October 2022, the City of Blaine purchased an Armored Rescue Vehicle (Bearcat) and took possession of the vehicle in the Spring of 2024. The Bearcat vehicle has the capability to protect and rescue personnel during public safety operations. It contains armor and bullet resistant glass. It provides the ability to safely transport personnel, bystanders, and victims to and away from an active/hostile scene. Both pieces of equipment have been activated and used as part of the Police Department fleet.

3.2. 2024-450 Review of Investigative Report
Sponsors: Lida Bannink, Labor Attorney

Attorney Lida Bannick stated after receiving a formal complaint from city employees alleging a violation of the Blaine City Council Code of Conduct and a lack of upholding the City of Blaine Mission Statement by Councilmember Saroya. It was noted Councilmember Saroya requested, and the City Council authorized, an independent third-party investigation on June 3, 2024. The investigation is now complete and the investigation was presented to the city council.

Ms. Bannick gave the council ten minutes to review the findings from the investigation.

Councilmember Robertson asked if this was the full report or a summary of the report. Ms. Bannick explained this was the full redacted report with exhibits.

Ms. Bannick reported notification was sent on October 3, 2024, notifying this item would be heard this evening. She shared an email received earlier in the evening stating Councilmember Saroya had requested the item be postponed to the next workshop in order for her to submit a statement and have her attorney available. She noted Councilmember Saroya and her attorney had been allowed to be part of the investigation process and had received notification of the item being included on this agenda. She summarized violations of the Code of Conduct had occurred regarding: violations relating to Councilmember Saroya's working with City staff, working with boards and commissions, and conduct with City staff; violations did not occur regarding Councilmember Saroya's questions of City staff and revisiting and challenging process; and Councilmember Saroya has not been intentionally excluded from City events or social media posts. She explained now was the time for the Council to consider what if any action would be taken based on these findings.

City Attorney Loonan advised the investigation was limited to code of conduct violations only and that this is Blaine's Council Code of Conduct and council can determine how they want to proceed, adding no formal procedure or process was outlined in the code of conduct. He reported the council could opt to move forward with a formal warning, a censure resolution, or adopt the report and take no action at this time.

Mayor Sanders noted a third-party investigation was requested by Councilmember Saroya and the council had agreed to that request. Ms. Bannick reported this was the case.

Councilmember Robertson questioned how the investigation process worked, noting the council had not made the request for the investigation. Ms. Bannick clarified that the city council, the City Attorney and staff were independent from the investigation process.

Councilmember Robertson asked what actions the council could take at this time. Ms. Bannick advised the council could move forward with a warning for censure, a resolution for censure or no action at this time.

Councilmember Robertson stated there were two formal complaints that had been filed against Councilmember Saroya. She expressed concern with the habitual mistreatment of staff by Councilmember Saroya. She reported the city council could not function without city staff. She stated she was very upset by the actions of Councilmember Saroya noting she wanted Blaine City Hall to be a great place to work. She commented she did not like anything about this situation, or that complaints had to be filed. However, this was the situation at hand. She believed everyone at City Hall should be treated with respect. She was of the opinion some kind of action should be taken in order to address the concerns raised within the investigation and to assure staff that the city council does not stand for this kind of behavior.

Councilmember Newland agreed, noting the city's biggest asset was its staff. He reported the findings from the investigation was condemning and he supported the council taking the harshest action possible. He indicated the previous warning had no impact. He recommended a firmly worded censure be approved by the city council. He understood this was not a pleasant issue to address, but he believed the city council owed it to staff.

Councilmember Fleming stated after reading through the report and understanding the seriousness of the complaint, this was a concern to her. She explained she valued staff and did not want staff to be treated in this manner. She supported the council making a strong statement because the previous warning has gone unnoticed. She recommended the council move forward with a resolution of censure. The council was in agreement.

Ms. Bannick explained she would need to prepare a resolution of censure and asked for clarity on what items should be included. The council recommended all communication from Councilmember Saroya go through City Manager Wolfe. The council supported Councilmember Saroya issuing an apology for her actions as a city council member at the planning commission meeting.

Mayor Sanders asked if Councilmember Saroya could be kept from attending a city-specific event, as was stated within the investigation. City Attorney Loonan reported the city could not prohibit Councilmember Saroya from attending a third-party event but could prohibit Councilmember Saroya from attending a city-sponsored event.

Councilmember Robertson recommended the items within the resolution be strictly based on the findings within the investigation.

Ms. Bannick asked if the council supported requiring Councilmember Saroya to issue a

general oral or written apology to city staff and the city council.

Councilmember Robertson believed it was only right to issue an apology for the wrong behavior and the mistreatment of staff.

Councilmember Newland supported this recommendation as well.

Councilmember Larson and Councilmember Fleming were also in agreement.

City Attorney Loonan reported because the council was considering a resolution of censure, findings would be adopted and these findings would support the decision to censure. He explained the censure would be based on the findings within the independent investigation report.

Council consensus was to move forward with a resolution of censure.

3.3. 2024-395 Adult-Use Cannabis Zoning Discussion
Sponsors: Erik Thorvig, Community Development Director

Community Development Director Thorvig stated adult-use cannabis was legalized in August 2023. The legislation created the framework for licensing and establishing the Office of Cannabis Management (OCM) for regulation, and requires cities to issue a retail registration to a cannabis micro business/mezzo business with a retail operations endorsement, a cannabis retailer, medical cannabis retailer, or lower-potency hemp edible retail that:

- Has a valid license issued by the OCM.
- Has paid the registration fee.
- Is found to be in compliance with the requirements of the applicable state laws through a preliminary compliance check performed by the city.
- Is current on all property taxes and assessments at the location where the retail establishment is located.

Mr. Thorvig reported the city council discussed preliminary zoning regulations at the July 8, 2024, workshop. He commented on the existing medical use cannabis shop that was located in the Northtown area, noting they would like to remain in place. Staff commented further on the previous recommendations to staff and requested further direction on how to proceed with the adult-use cannabis zoning regulations.

Councilmember Robertson asked what the pros and cons were of having a separate category for medical cannabis. She was of the opinion medical cannabis uses should be included in the number of retail licenses allowed in the city.

Councilmember Newland stated he believed it was premature for the council to be asked to make a decision regarding medical cannabis shops without knowing all of the rules and regulations from the state.

Councilmember Larson supported including medical cannabis shops with the retail shops noting the city would then have a maximum of six shops.

Mr. Thorvig reported he appreciated this approach, noting adjustments could be made in the future. He asked if the council wanted to limit these uses in the proposed zoning districts and along TH65.

Councilmember Larson stated her initial thought was to allow the use along TH65 and as proposed by staff.

Councilmember Robertson commented on how it may benefit the city to have all cannabis retail in one area for police patrolling purposes. Mr. Loonan cautioned the council from being too restrictive when it comes to location. He understood not all five districts may make sense, but suggested two or three districts be considered.

Councilmember Newland questioned if the city could benefit in some way from the sale of cannabis. Mr. Loonan reported all current efforts have fallen flat, but noted the state would be receiving a tax from cannabis sales.

Councilmember Newland inquired if the municipal cannabis could be restricted to the TH65 district. Mr. Thorvig commented the city was setting zoning for the use and noted the city could not differentiate between the ownership.

Councilmember Larson supported the cannabis shops being spread out throughout the city. Councilmember Newland agreed.

Councilmember Fleming raised concerns regarding the appearance of future cannabis shops. Mr. Thorvig commented on how the aesthetics of cannabis shops would be like a retail shop versus a vape shop, noting there would be no windows to display products.

Mr. Thorvig questioned how the council wanted to address the cultivation, manufacturing, warehousing and the distribution of cannabis.

Councilmember Robertson requested staff complete research on how other states are addressing cultivation, manufacturing, warehousing and the distribution of cannabis.

Councilmember Larson stated she would be open to this in Blaine in an industrial area.

Councilmember Fleming indicated she could support this, but stated she did not want smell to become a concern from these uses. Mr. Thorvig reported the state did pass new regulations when it comes to odors, of any kind, but these regulations were not in place yet.

Mr. Thorvig asked if the council wanted to pursue a municipal cannabis dispensary. Staff commented on the possibility of a public/private partnership for a municipal dispensary and explained the council could listen to a presentation from a group sometime this fall, if interested. The council supported staff bringing in a group to hear a presentation.

Council provided direction to include the medical/retail license within the required six licenses, to limit hours from 10AM-9PM all days of the week, spread licenses throughout the

City/wards, and would be open to allowing cultivation/manufacturing/warehousing/distribution in industrial areas and possibly a retail component there as well as it would keep retail farther away from youth. Staff will explore other states, such as Michigan, to see how they address cultivation/manufacturing.

4. Other Business

None.

5. Adjournment

The workshop was adjourned at 6:58PM.



Signed by

Tim Sanders, Mayor

Signed by

Catherine M. Sorensen, CMC, City Clerk