# City of Blaine
# Anoka County, Minnesota
# Minutes
## City Council Workshop

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

***While this is a public meeting where interested persons are welcome to attend, it is a work session for City Council and staff to discuss issues before them. It is not for the purpose of receiving public input.***

***To participate in the meeting remotely join the Zoom Webinar at https://blainemn.zoom.us/j/95219112023***

***Questions? Email - Communications@BlaineMN.gov***

**Monday, June 15, 2020** **6:00 PM** **Due to the COVID-19 pandemic, city meetings will now be held as virtual meetings until further notice**

**NOTICE OF WORKSHOP MEETING**

**1 Call to Order**

The meeting was called to order by Mayor Ryan at 6:00 p.m. Due to the COVID-19 pandemic this meeting was held virtually.

**2 Roll Call**

Quorum Present.

**ALSO PRESENT:** City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Public Works Director Jon Haukaas; Police Chief/Safety Services Manager Brian Podany; Fire Chief Charlie Smith; Public Services Manager/Assistant City Manager Bob Therres; City Engineer Dan Schluender; Recreation Manager Nate Monahan; City Planner Lori Johnson; City Attorney Patrick Sweeney; Communications Technician Roark Haver; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

**Present:** 7 - Councilmember Garvais, Councilmember Jeppson, Mayor Ryan, Councilmember Swanson, Councilmember Robertson, Councilmember Paul, and Councilmember Hovland

**3 New Business**

**3-1 PRIVATE FIRE HYDRANT MAINTENANCE ORDINANCE**

***Attachments:*** Fire Protection Water Supplies Ordinance

Public Works Director Haukaas stated SBM Fire and Blaine Public Works have been working together on how to best meet the requirements of Minnesota State Fire Code Section 507 requiring the regular inspection, testing and maintenance of

fire protection systems including fire hydrants on private property. This proposed ordinance would set forth requirements to ensure functional operation and on-going maintenance of these privately owned fire hydrants. Fire hydrants installed on private property as part of their development are a vital component of the fire protection system. This infrastructure does require regular maintenance to ensure it remains functional when needed in an emergency. Staff from both agencies believe it is in our best interest to develop a policy that outlines the procedures for private hydrants to be inspected, tested and repaired by qualified personnel to remain in good working order to protect life and property.

Mr. Haukaas reported the ordinance will require the property owner to arrange to have hydrants inspected annually and to include testing of the operation, flow, and proper marking flags installed. The owner may hire a City approved inspector or contract with SBM to perform the work. A nominal fee would reimburse SBM for such work. Fees are recommended to be $25 per hydrant inspection and $25 to install a marking flag. These fees would be collected through the Utility Billing system.

Councilmember Swanson commented his only concern was with townhouses when residents were already paying into the water, sewer, and utility fees the same as every other citizen. He did not want these citizens to be paying double. Mr. Haukaas stated he could not guarantee this would not happen and he understood townhouse associations had private infrastructure in place.
Councilmember Swanson indicated he could not support this program if townhomes had to pay double.

Fire Chief Smith asked if the townhome associations were testing their own fire hydrants. Councilmember Swanson stated the flushing was being done by the City.

Fire Chief Smith explained if the associations were already completing their own testing, the City would not duplicate this work.

Councilmember Hovland questioned what the City has done in the past to identify and test its hydrants. Mr. Haukaas reported the City does know where all of the hydrants are located, however, the City would like greater information regarding the maintenance and condition of all of the hydrants.

Councilmember Robertson inquired how many private hydrants were located in the City of Blaine. Mr. Haukaas reported the City had 700 private hydrants.

Councilmember Jeppson indicated she would be shocked if a Blaine resident knew they owned a hydrant and maintained/inspected this hydrant. She asked how much would be charged to inspect the hydrant. Mr. Haukaas commented he was

proposing a $25 fee to inspect private hydrants.

Councilmember Jeppson stated she did not support charging private hydrant owners for the inspection. She explained the City and the Fire Department would be the only ones using the hydrant. Mr. Haukaas commented the fee would not be sent to single family homeowners, but rather to commercial business owners and multi-family properties in Blaine.

Councilmember Swanson said he did not support charging the multi-family properties for a fire hydrant inspection.

Councilmember Hovland agreed. He recommended the City assume the responsibility for the fire protection system throughout the City of Blaine.

Councilmember Garvais commented he was not certain he supported charging townhome associations for this maintenance fee when no other homeowners would be charged this fee. He indicated he may feel differently about the fee being charged to commercial properties. He supported the City inspecting and maintaining all of the hydrants from a public safety standpoint.

Councilmember Paul agreed.

Mayor Ryan indicated he did not want the City to assume the maintenance for broken private hydrants, such as the hydrant that was damaged within the Mendard's property.

Councilmember Hovland questioned what would be the trigger when a hydrant would shift from merely needing an inspection to requiring maintenance. Mr. Haukaas stated it was obvious when hydrants were failing because there would be leakage or an inability to hold pressure. He reported the City wanted to put hands on these hydrants for an inspection before they failed.

Councilmember Robertson indicated this wasn't just an inspection cost because maintenance on the hydrant may be required. She questioned what type of maintenance issues were common, what would the cost be, and who would bear this cost. Mr. Haukaas commented he was proposing an inspection plan for private hydrants, which was for commercial/industrial properties and multi-family developments. He explained he was not proposing to make corrections to the private infrastructure but could direct the private property owner to a contractor that could make the maintenance improvements.

Further discussion ensued regarding the maintenance and inspection of the City's fire hydrants.

Councilmember Swanson reiterated that he did not want townhome associations to be charged a fire hydrant fee.

Councilmember Hovland supported this recommendation.

Councilmember Garvais commented he agreed with Councilmember Swanson and Councilmember Hovland. He understood that utility bills charged residents for maintenance and upkeep of the City's utility system, which was unfair to those that had a private fire hydrant. He questioned if the inspections for the private hydrants were mandatory. He indicated he was willing to take a $17,000 hit in order to ensure all of the City's fire hydrants were properly inspected with the understanding the private hydrant owner would be responsible for the repairs.

Mayor Ryan supported the City completing the inspections as he wanted the City to have a properly working water system in the event there was a fire.

Councilmember Swanson questioned how often a fire hydrant fails. Ms. Haukaas stated this depends on the hydrants exposure to salt or how often they are opened/flushed. He reported the City rarely has hydrants that fail, but has hydrants that leak from time to time.

Councilmember Hovland supported the City covering the expense for the inspections with the property owner covering the expense for repairs or maintenance.

Fire Chief Smith commented when he began speaking about this topic with staff it was after a fire occurred within a commercial building in Blaine noting the two closest fire hydrants had failed. He explained this slows the Fire Department's ability to put out the fire. He reported Blaine has a younger infrastructure than surrounding communities. He indicated he was uncertain if the private hydrants had ever been inspected and for this reason, he recommended these be inspected to ensure they are working properly.

Councilmember Hovland recommended staff run the numbers and report back to the City Council.

Councilmember Robertson agreed. She explained that the City Council wanted to have all of its hydrants operational and working properly. Fire Chief Smith stated he appreciated the Council's support.

Councilmember Swanson indicated the Council supported the private fire hydrant inspections, but did not support the maintenance or repairs costs for the private hydrants at this point.

**Council consensus was to support inspections but not identified repairs. In addition, the Council directed staff to provide the Council with associated costs, along with a proposed ordinance.**

***15 Minute Discussion***

3-2

## DISCUSS ESTABLISHING AN EMERGENCY FUNDING PROGRAM FOR BUSINESSES RELATED TO COVID-19

Community Development Director Thorvig explained the EDA would be considering this program later this evening.

**Discussed**

***30 Minute Discussion***

3-3

## COVID-19 IMPACTS

City Manager Wolfe stated she was pleased to report the City has not had a positive case amongst its employees. She reported a return to work plan had been drafted by staff and would be approved by the City Council this evening. She explained staff has been brainstorming ideas for the beach. She indicated the first concern with the beach was enforcement and monitoring, along with the cost to hire seasonal employees. She commented staff was uncertain if the park and beach could be restricted to only Blaine residents.

Police Chief/Safety Services Manager Podany discussed how police presence has increased at the beach given the events that have occurred over the past two weeks. He indicated the events that have occurred at the Blaine beach have been in direct correlation to the closing of Lake George beach. He reported some very violent fights and disorderly conduct has occurred. He commented on the cost to increase the police presence at the beach. He noted the camera trailer has been posted at the beach and this camera footage would be monitored. He discussed how difficult it was to restrict access to the beach. He explained the beach was supposed to be an asset and amenity for the community.

Recreation Manager Monahan stated the beach has been difficult to monitor in the last two weeks. He explained the Police Chief has done a great job to assist the park attendant and rules were being followed. He anticipated putting up the camera trailer had helped as well. He noted non-residents were being charged $5 daily or $25 for a season pass.

Chief Podany reported the UTV has been utilized in the beach area, along with the department's bike officers in order to have efficient and positive interactions with the public.

Councilmember Garvais requested comment from the City Attorney regarding the potential of making this beach only for Blaine residents. City Attorney Sweeney stated this had been investigated and he explained it would be a challenge to limit the beach to only Blaine residents. Staff proposed charging a higher daily parking fee to non-residents instead. He commented it would be difficult for the parking attendant to specify who was and was not a Blaine resident.

Councilmember Garvais supported the City further pursuing the beach being open to Blaine residents only.

Mayor Ryan indicated he did not mind charging non-residents more for parking to visit the beach.

Ms. Wolfe stated it was her understanding the beach was a publicly dedicated space which was not limited to residents. Mr. Sweeney commented this was a concern and if someone were to challenge the matter the City's position may be difficult to defend.

Councilmember Garvais explained this was a City of Blaine park and not a county or regional park and would like staff to investigate this matter further. Mr. Sweeney stated he could investigate this further and would report back to the Council.

Councilmember Robertson indicated everyone wants the beach to be safe, however, there was always someone out there who wanted to break the law. She explained the Blaine beach was right in the middle of a neighborhood and the City could not have fights and unruly behavior spilling over into this space. She feared that closing the beach to non-residents may not solve the problem.
Mayor Ryan agreed stating kids would conduct themselves however they wanted at the beach.

Councilmember Jeppson stated the expense to have lifeguards at the beach was $125,000 for the summer season. She requested further comment from staff regarding the liability issue. Mr. Sweeney reported the liability concerns are higher when the City has lifeguards onsite, versus having the beach without lifeguards.

Councilmember Jeppson indicated there was a huge movement online and people wanted to be involved to ensure the beach remained a family friendly amenity in the City. She requested staff list the ways residents could get involved. Mr. Monahan stated staff supported volunteers at the beach but not if this meant they were getting into a risky situation. She commented after staff spoke about this matter further, some monitoring at the bridge and the beach was suggested, along with cleanup efforts at the beach. Mr. Monahan indicated volunteers could serve for additional

monitoring and also assist with cleanup.

Councilmember Jeppson believed it would be a slippery slope to limit the beach to only Blaine residents. She noted she could support a higher daily parking fee/season rate for non-residents.

Chief Podany commented there was also a record number of bicyclists visiting the beach, many being junior high and high schoolers. He indicated these students may not have an ID on them. He stated there would be some logistical challenges if the beach were limited to only Blaine residents.

Mr. Monahan explained if the beach was limited to only Blaine residents, visitors would park in the adjacent neighborhood and walk to the beach. He stated this would be difficult for park attendants and the Police Department to enforce.

Councilmember Swanson did not support driving people into the adjacent neighborhoods. He asked if the higher level of law enforcement at the beach was impacting the level of police presence in the remainder of the City. Chief Podany reported extra staffing shifts had been filled for the beach and the law enforcement presence in the City has remained the same.

Councilmember Hovland discussed the fees for the lifeguards and stated he anticipated the proposed fees were quite conservative. He commented that if the City had lifeguards the number of people at the beach would have to be limited. He stated he was a proponent for having lifeguards on duty but understood this was a liability issue.

Councilmember Robertson indicated the type of activity at the beach was reaching a new level. She questioned if the Police Chief anticipated this type of activity would continue or if the seasonal staff would be able to maintain order at the beach without police presence. Chief Podany commented last week there were a few tough days and much of the adverse activity came from people outside of the community and wished he could tell the Council this was the end of it but he was uncertain. He anticipated that with more and more beaches opening in the metro area, this may help lessen the crowds at the Blaine beach.

Councilmember Robertson asked if Police Reserves could be posted at the beach given the overtime expense for police officers. Chief Podany explained the Police Reserves have not been called up this year due to COVID-19.

The Workshop recessed at 7:28 p.m.

The Workshop reconvened at 8:44 p.m.

Ms. Wolfe commented she sketched out some points that the Council may be comfortable with moving forward. She reported increased police presence and police initiatives would be considered, such as the camera trailer. She stated a volunteer program would be another opportunity for the City, along with an increased presence of the Recreation Managers at the beach. She indicated the Council also discussed restricting the beach to only Blaine residents.

Councilmember Garvais stated he would like to discuss to populations at the beach. He understood the legalities of restricting the beach to only Blaine residents would have to be explored. He commented the Council had also suggested increasing the parking fees and indicated his support. He recommended the Council look into a fee of $25 to $30, but understood the parking areas also had to be considered. He anticipated it would be difficult to post and enforce "No Beach Parking" signs.

Councilmember Robertson discussed the need for a parking attendant and understood it would be difficult to facilitate this position. Mr. Monahan reported staff was hesitant to hire for this position because it would be difficult to properly social distance in the parking lot because there was no gate or enclosed hut.

Councilmember Robertson indicated before the Council could have a discussion regarding parking fees, staff would have to find an individual who was comfortable working in the parking lot. Mr. Monahan reported he had contacted PlayNet to see if they may have staff available to fill this position.

Ms. Wolfe stated an increase in the beach fees would require an ordinance amendment which would have to be done over the timespan of two City Council meetings. She reported this may be able to be done as an emergency change in an effort to address the public safety issues at the beach. She commented face shields may be required for this position. She indicated if parking was being pushed into the neighborhood the City would have to consider signing the street "Resident Only Parking" and permits could be issued to residents of this neighborhood.

Councilmember Garvais suggested the parking fee be increased to $25.

Councilmember Paul commented people would continue to come to the beach. He indicated the City had to have the proper processes and procedures in place to keep people safe.

Mayor Ryan stated the City may have seen the worst of it at the beach. He believed the law enforcement and staff presence has been helpful.

Councilmember Jeppson explained she did not believe things could remain as is.

She supported things changing in order to keep the public and staff safe. She wanted to see the City having a presence at the beach, and wanted this presence to be done well. She commented there were private homes 30 feet from this beach and these homeowners needed the beach to be properly regulated. She feared it may be a slippery slope for the City to try and restrict the beach to Blaine residents. She encouraged staff to find a parking attendant and that the Council consider what the fees should be. She appreciated the work that had been put into this issue and commented the public does not understand the huge magnitude of running a public beach.

Mayor Ryan stated as bad as things look right now, at least the City of Blaine did not resemble other cities such as Seattle or New York City. He commented no one could have predicted a pandemic and he understood that kids just wanted a place to go on warm days. He anticipated that things would continue to get better.

Councilmember Paul indicated he has visited the City's beach and thanked Councilmember Jeppson for her comments.

Ms. Wolfe stated she would like some closure on the restricting access/parking attendant issue. She anticipated that a parking attendant could not start until a fee amendment was adopted by Council.

Councilmember Robertson explained currently Blaine residents can visit the beach and purchase a season pass. She indicated raising the fee to enter the park may not address the concern of people entering the park to cause trouble and stated she did not want to push beach parking into the adjacent neighborhood and questioned if increasing the beach parking fee was the answer. She indicated she was bothered by the fact that a few were ruining it for the many. She questioned what would happen if people were to visit the park after 10:00 p.m. Chief Podany explained complaints are coming in regarding noise at the beach because the noise spreads out across the lake. He reported the beach currently closes at 8:00 p.m. and the park closes at 10:00 p.m. He indicated he has received complaints from residents of teenagers swimming after 10:00 p.m. and sometimes there are fireworks and alcohol involved.

Councilmember Robertson questioned if closing the park at 8:00 p.m. would alleviate some of the problems going on. Chief Podany suggested the beach and the park be closed at 9:00 p.m.

Councilmember Robertson commented she could support closing the beach earlier if this would help law enforcement and indicated families were not coming to the beach at 10:00 p.m. She feared that teenagers would continue to visit the park after hours because they were teenagers.

Mayor Ryan supported closing the beach and the park at the same time. He did not believe now was the right time to raise the parking fee and suggested the parking fee be reconsidered in 2021.

Councilmember Garvais suggested a multi-phased approach be considered for the beach. He anticipated closing the beach at 9:00 p.m. would not stop large groups from still gathering in the park area or swimming after hours. He commented that now that more beaches were open, the City beach may not be a problem. He supported the beach and park closing at 9:00 p.m. with the parking fee being set at $25. He recommended a one-third mile radius surrounding the beach be posted "No Parking without Permit". He explained permits could then be provided to residents. He indicated the Council has broached this subject before and the parking issue has to be addressed.

Councilmember Robertson questioned if the safety services team approach to parking for the 3M Open could be pursued. She stated perhaps parking could be very restrictive and residents could be given a certain number of passes. She indicated all others parking in this neighborhood would then be towed. She asked if a similar type of hybrid parking program could be pursued surrounding the beach. She commented if the Council was going to come up with these ideas she wanted to see the proposed programs enforced. Chief Podany reported the Police Department was doing that to a greater degree this year and has been bringing kids home that have been jumping off the bridge.

Ms. Wolfe questioned if the Council wanted to allow food trucks at the beach.

Councilmember Garvais suggested staff review if the beach can be restricted to only Blaine residents and report back to the Council. He stated the main concern was how to control the massive surges of people coming to the park.

Councilmember Jeppson reported the Police Department was monitoring the surges within the park on social media. Chief Podany commented the Police Department was monitoring social media and was able to close the Blaine beach entrance prior to the crowd arriving in order to cut off the situation.

Councilmember Hovland asked if the teenagers causing problems at the beach were from Blaine or from surrounding communities. Chief Podany stated the kids fighting at the beach were from outside communities but noted the kids jumping off the bridge were usually youth from Blaine.

Councilmember Hovland inquired how the parking situation surrounding the beach could be addressed.

Councilmember Garvais stated this may have to be done through signs posted "Permit Parking Only".

Councilmember Jeppson commented she supported the park and beach closing at 9:00 p.m. She indicated she supported the beach having food trucks and stated this would be a positive amenity for both the residents and these businesses. She discussed how sound from the beach traveled easily to the adjacent homes across the lake.

Councilmember Robertson stated it would be difficult to enforce resident only parking. She indicated support for food trucks at the beach and park and supported the City having a food truck night at City Hall or other locations as well. Mr. Monahan stated he had two food truck vendors willing and interested in being at the beach and suggested a flat fee of $500 be charged to the food truck vendors and noted staff could create a timeline or schedule for the food truck vendors.

**Council consensus was to direct staff to explore a multi-phased approach for the beach, to investigate parking restrictions that could be put in place and for staff to return to Council for further consideration in July.**

***30 Minute Discussion***

**4 Council Calendar Review**

Ms. Wolfe reviewed the Council Calendar.

## OTHER BUSINESS

None.

**ADJOURN**

The Workshop was adjourned at 9:38 p.m.

**Adjourned**