

**REGULAR MEETING OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
JANUARY 19, 2021**

1. CALL TO ORDER

Mayor Rice called the regular meeting of the City Council to order at 7:08 p.m., followed by the Pledge of Allegiance.

ROLL CALL

Present at roll call: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp.

Staff present: City Manager Greg Lee; Community Development Director Doug Borglund; City Planner Clark Palmer; Police Chief Eric Peterson; Public Services Director Mark Anderson; Engineering Technician Ben Nelson; City Assessor Scott Varner; and City Attorney Kurt Glaser.

Absent at roll call: None.

3. COUNCIL MINUTES

3.1 Minutes of the January 4, 2021, Regular Meeting.

Councilmember Barnett noted a misspelling of Mayor Rice's name on Page 6. Councilmember Skogquist asked for a correction on Page 6 to the Community Education Advisory Board

Motion by Councilmember Skogquist, seconded by Councilmember Barnett, to waive the reading and approve the Minutes of the January 4, 2021, Regular Meeting as corrected.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp. Motion carried.

4. OPEN FORUM

4.1 Recognition of Long-Standing Board/Commission Members; Jim Nielson and Zilla Way.

City Manager Greg Lee shared a background report stating Jim Nielson of the Parking Advisory Board and Zilla Way of the Charter Commission had decided not to reapply to their position seats. Both of these individuals served for decades

on their Boards as well as being very active members of the community. He shared further on their service to the City and presented them with plaques thanking them for their work to the City.

Mr. Nielson thanked the Council for the recognition.

Councilmember Wesp shared the importance of Mr. Nielson's service to ensure parking was conducted fairly throughout the City as well as his other work and thanked him for his service to the City.

Councilmember Skogquist thanked Mr. Nielson for his institutional knowledge of the City which will be missed.

Police Chief Eric Peterson thanked Mr. Nielson for his leadership and friendship on the Parking Advisory Board.

Mayor Rice thanked Mr. Nielson for his work to defend the people of Anoka as well as the City Council with his knowledge and well-prepared arguments.

Councilmember Weaver thanked Mr. Nielson for his work over the years for the City, ABLA, and others.

Mr. Lee thanked Mr. Nielson for the donation of his collection of historical photos to the City.

Ms. Way thanked the Council for the recognition and said she enjoyed her years of service.

Councilmember Wesp noted Ms. Way was the first woman to serve on the City Council and thanked her for her service.

Councilmember Skogquist shared comments on how Ms. Way cares about the Anoka community and shared about her other service commitments, stating she was still very involved in the community.

Mayor Rice commented about Ms. Way's years of service since the 1950s and said her work was part of why Anoka looks as it is today, stating she was a pioneer volunteer.

Mr. Nielson commented how Ms. Way helped him while employed at his firm through real estate work.

4.2 Police Activity Update.

Police Chief Eric Peterson shared an update regarding bars reopening in the State under the Governor's recent executive order with restrictions and said while there

had been a couple disorderly behavior calls it was nothing unusual and that reopening was going very well. He said the COPS department would be holding their quarterly landlord association meeting to share information regarding background and records to help landlords better understand the law when considering tenants to lease to. He shared a car seat clinic for teen mothers would be held as well as a virtual safety fair and home alone safety class. Chief Peterson shared that Officer Wellman will be retiring from the department then shared about her service to the City. He wished her the best in retirement and said the department was now working to hire that position. He shared the COVID-19 vaccine location listed by the State is located somewhere in Anoka County and not the City, although it could be in the City in the future, then shared an update on vaccination phasing and the difficulty to distribute the vaccine due to limited quantities but noted the State's positive test rate had decreased to less than 5%.

OTHER INFORMATION UNDER OPEN FORUM

None.

5. PUBLIC HEARING(S)

5.1 2021 Swede Town Street Renewal Project; Public Improvement Hearing.

Mr. Nelson shared a background report stating on November 30, 2020 the virtual open house went live for the 2021 Swede Town Street Renewal Project to further educate the neighborhood on the Street Renewal Program (SRP) and receive feedback from the benefiting property owners. Overall, resident comments were in favor of the project. On December 21, 2020 City Council adopted a resolution approving the feasibility report and setting the public improvement hearing for 7:00 p.m. on January 19, 2021. All benefitted property owners were sent a notice for the public improvement hearing and notice was published in the City's legal newspaper. It should be noted this public improvement hearing is to address the feasibility of the project and whether or not the project should proceed. He shared the streets proposed to be included in the Swede Town SRP Project and explained the project will involve the total reconstruction of the streets, including the replacement of the concrete curb & gutters and the bituminous pavement. In addition, the existing sidewalks, street lights, driveways, and driveway aprons will be replaced within the right-of-way. Mr. Nelson stated with City right of ways, the sanitary sewer will be replaced with new 8" or larger PVC mains and the watermain will be replaced with new 6" or larger ductile iron watermain, adding all sewer and water service laterals of the benefiting properties fronting on the above streets would also be replaced from the main to the property line.

Councilmember Barnett asked about potential bid increases each year. Mr. Nelson said historically staff sees 5% increases each year and anticipated the same level of increase this year.

Mayor Rice opened the public hearing at 7:38 p.m.

Barb Thurston, 1815 3rd Avenue South, asked about her property at 609 Jackson Street and if Jackson Street reconstruction would occur within five years then asked if the curb cut will be replaced and if so where would it be located and the width. Mr. Nelson said Jackson Street was not part of the five-year program at this time then explained curb cuts were grandfathered in unless removed, adding the standard width was 12 feet based on ordinance.

Ms. Thurston asked when assessments would be due and asked Council to send invoices to residents in order to avoid the amounts being included on their tax statements then shared concerns with the 5% interest rate.

Linda Landeau, St. Stephen's Church, asked why Jackson Street was not being included in the five-year plan. Mr. Lee explained reasons included utilities, sanitary and storm sewer and the intent to stage projects downstream then work upstream.

Jill Johnson, 647 School Street, thanked staff for their work in helping her understand the project then shared concerns about the assessment amount. She asked about tree replacement and possible relocation of trees and said she would like to be notified when work begins for logistics of accessing her home. Ms. Johnson asked if the project cost could be lowered by excluding unnecessary items for drainage as most of Anoka's soils is sand. She shared comments about funding sources and if the City is paying interest and money being made from this interest, adding this expense is very challenging during this time.

Mr. Nelson outlined the proposed funding sources then explained the project in more detail, stating final design of stormwater will occur with final construction plans.

Being no further comments Mayor Rice closed the public hearing at 7:55 p.m.

5.2 2021 Swede Town Street Renewal Project; Public Assessment Hearing.

Mr. Nelson shared a background report stating on December 21, 2020 City Council adopted a resolution approving the feasibility report, setting the public improvement and public assessment hearing for January 19, 2021. The purpose of the assessment hearing is to hear any objections to a property owner's proposed assessment and to consider adoption of the assessment roll for the 2021 Swede Town Street Renewal Project. The proposed streets were shared and all benefitted property owners were sent a notice for the assessment hearing and the notice was published in the City's legal newspaper. The assessment roll and property frontage maps for the proposed project were shared. He reviewed the assessment roll of all property owners with their individual proposed assessment amounts and outlined the assessments in detail, stating the total assessment for a

typical 80-foot-wide lot would be \$8,110. The assessments will be payable over a 10-year period with an interest rate of 5.0%. The annual payment for the typical assessment would be approximately \$1,057. A property owner can pay all or part of their assessment with no interest charges until November 15, 2021. After this, any balance remaining will automatically be certified to Anoka County for collection on the property taxes. The City also provides for the deferment of special assessments for qualified applicants. Any person who objects to his/her assessment amount may appeal to district court within 30 days after the adoption of the assessment roll by City Council. However, in order to maintain the right to appeal, they must file a written objection signed by the property owner either prior to the meeting or at the hearing.

Mr. Nelson shared a background report stating the Mayor should open the public assessment hearing to receive any objections to the proposed assessments to the benefiting properties. Council can then have any further discussion on this item and then act upon the two resolutions, Order Project and Authorize the Preparation of Plans & Specifications and then Adopting the Assessment Roll for the 2021 Swede Town Street Renewal Project.

Mayor Rice opened the public hearing at 8:00 p.m.

Ms. Thurston asked Council to reconsider the 5% interest rate being charged for assessments.

Ms. Johnson reiterated how the 5% interest rate compounded annually seemed excessive compared to other financial institutions and said she was surprised to learn she could have submitted an objection prior to the meeting had she known.

City Attorney, Kurt Glaser, noted an objection could still be submitted. Ms. Johnson stated she objected to the assessed amount and interest rate being proposed for her property, especially due to the pandemic year.

Being no comments Mayor Rice closed the public hearing at 8:06 p.m.

NOTE: By motion from Councilmember Barnett, which was seconded by Councilmember Weaver, and by a unanimous vote of the Council, agenda items 9.1 and 9.2 were moved up on the agenda and acted upon at this point.

Councilmember Skogquist said there were many streets in the City that needed work and stressed the importance of doing these areas correctly, including storm sewer work needed where water pools in the streets. He said he trusts staff and engineering consultants to work to extend the life of streets so asphalt lasts longer and said he was pleased that work could occur to relocate and save trees.

Motion by Councilmember Barnett seconded by Councilmember Weaver, to adopt a resolution approving the 2021 Swede Town Street Renewal project; order project and authorize the preparation of plans and specifications.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp voted in favor. Motion carried.

Councilmember Barnett asked for more information as to why the 5% interest rate continues to be charged. Mr. Nelson explained the rate was established in 2004 to be consistent and fair for both past and future projects on a 10-year term and explained the assessment could be paid interest free up to November 15.

Councilmember Skogquist agreed the rate was higher and would support a lower rate and suggested those with existing balances be included, suggesting a prime rate plus half for example offered annually. Mr. Nelson replied he would follow-up if that suggestion was possible, adding interest was higher in the beginning standardized to the present.

Councilmember Weaver shared concerns with changing the rate as there are options for residents to borrow funds at a lower interest rate.

Councilmember Skogquist said he believed borrowing from banks to be unusual as the default was an assessment each year and should be further explored.

Councilmember Wesp noted Ms. Thurston was Councilmember Skogquist's mother and said he should not be weighing in on a topic that would benefit her and their relationship disclosed.

Mayor Rice said 40% of the project would come from City taxes with 22% of the project assessed. He said there were options for property owners and said he was not opposed to a rate reduction, adding those who deferred the assessment to the sale of home becomes a burden to property values and should be considered in the future.

Motion by Councilmember Weaver seconded by Councilmember Skogquist, to adopt a resolution approving the 2021 Swede Town Street Renewal project; adopt the assessment roll.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Weaver and Wesp voted in favor. Councilmember Skogquist voted nay. Motion carried.

6. CONSENT AGENDA

Motion by Councilmember Weaver, seconded by Councilmember Wesp, to approve Consent Agenda 6.1 through 6.3.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 Recommended Approval of an LG220 Gambling Permit (Raffle); Church of St. Stephen, February 13, 2021, Annual Mardi Gras Event.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp voted in favor. Motion carried.

7. REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

7.1 Planning Items.

7.1.A. RES/Site Plan Review; Law Enforcement Training Center.

City Planner Clark Palmer shared a background report stating the City proposes to expand the existing Public Safety Center located at 275 Harrison Street by constructing a new law enforcement training and animal control facility along 3rd Avenue. The scope of the project includes an 8,427 square-foot building on two levels. The main entry for the animal control facility will be accessed from 3rd Avenue including 3 new parking stalls and a two-stall garage for interior loading and unloading. He referred to the landscaping plan and outlined the lower level in detail. The Planning Commission reviewed the proposed project at their January 5, 2021, regular meeting where neighboring property owners at 2326 3rd Avenue spoke. They reported concerns about the proposed project including the change of view from the front of their home, additional traffic, noise, and also wished to see additional landscaping focused at the front and sides of the new building along 3rd Avenue. The Planning Commission recommended approval of the project with conditions and following the Planning Commission meeting, questions have been raised regarding the change to the neighboring properties view shed and whether or not the building as proposed should be built on the site. In the construction of the golf maintenance facility at Greenhaven Golf Course, provisions have been made that would accommodate an animal control facility at that site if the City Council would like to move in a different direction than what is proposed.

Councilmember Skogquist asked if the building could be relocated along the bluff. Public Works Director Mark Anderson shared visuals of relocation that depicted moving the building north 30 feet and flipping the structure north to south and relocating the animal containment facility further north and the training range more south. He explained negative impacts that included access to the northwest corner of the building and if moved north maximized distance from the public safety and animal control and the LETF and possibly concerns with fence and utility lines.

Councilmember Wesp noted the neighborhood had concerns their sight line was being taken from their front yards based on the animal containment facility which could be done in the new park maintenance building instead and said they supported the training facility and height as it would not be much higher than the existing berm.

Councilmember Weaver agreed with Councilmember Wesp about having to spend \$2.5 million to build a new dog facility when there was already one in place and said he would prefer not to build on 3rd Avenue and instead save the funds to use for modifications of the current facility and complete the safety building, adding the cost was a lot for very few animals each year.

Mayor Rice noted the building was designed for a golf maintenance facility and not for dog kennels and would be used temporarily but was not designed for that purpose.

Councilmember Barnett said the \$2.3 million for the entire facility would be without the animal containment facility and said she was surprised these objections were coming late in the process as it was important to know the impacts to the neighboring community. She said moving the project north would only impact other neighbors instead and commented about making the animal containment facility at the golf building result in a long-term solution where temperatures could not be maintained as well as other reasons.

Chief Peterson shared the building would have to be amended to include insulation, air conditioning, waste runs, grooming and washing facilities changes. Mr. Anderson added other changes would be needed such as enlarging stalls then further explained why the \$2 million cost was only for the training facility because they had added two lanes to the training building.

Councilmember Weaver asked if \$850,000 would complete the training facility and update the current facility for use for multi functions. Councilmember Wesp noted the neighbors were not notified of the proposed project until the Planning Commission public hearing and said he would like to review further to try to combine and save \$1 million.

Councilmember Skogquist commented about this long-time discussion on this plan and replace a facility the City sold for \$650,000, adding it was a choice of the Council to sell to build a replacement facility. He said there would be a new coop building along the golf course with discussion and said he was fine with not moving forward now but needed to do so soon.

Motion by Councilmember Weaver, seconded by Councilmember Wesp, to postpone consideration of a resolution approving a site plan review for the law enforcement training center.

Mayor Rice commented how if the City did not move forward every time there was an objection, improvements would not occur and said while he understood there were concerns some are needed to function items. Councilmember Weaver agreed but said the argument was made to review to reduce costs.

Upon a roll call vote: Mayor Rice, Councilmembers Skogquist, Weaver and Wesp voted in favor. Motion carried.

7.1.B. ORD/Amending Chapter 78 Section 78-562(e) Walls, Fences, and Hedges.
(1st Reading)

Mr. Palmer shared a background report stating the Community Development Department is proposing a text amendment to City Code Section 78-562 (e). This section of the Zoning Code regulates fence heights in residential zoning districts. Staff is proposing to amend the language because the current language may lend itself to confusing interpretations concerning when fences are limited to no more than 4 feet. The unclear portion of the code says “in front of the front line of the residential structure.” The problem is the Zoning Code does not define “front line of the residential structure.” Staff recommends striking this language. Staff finds the elimination of the stricken text does not alter the meaning, spirit and intent of the code. The Planning Commission reviewed the proposed amendment and held a public hearing at their January 5, 2021, regular meeting and recommended approval.

Motion by Councilmember Barnett, seconded by Mayor Rice, to hold first reading of an ordinance amending Chapter 78, Article IX, Division 1, Section 78-562(e) of the Code of the City of Anoka, Minnesota.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett and Wesp voted in favor. Councilmember Skogquist voted nay. Councilmember Weaver abstained. Motion carried.

8. PETITIONS, REQUESTS AND COMMUNICATION

None.

9. ORDINANCES AND RESOLUTIONS

- 9.1 RES/2021 Swede Town Street Renewal Project; Order Project and Authorize the Preparation of Plans and Specifications.

ACTED UPON AFTER PUBLIC HEARING

- 9.2 RES/2021 Swede Town Street Renewal Project; Adopt Assessment Roll.

ACTED UPON AFTER PUBLIC HEARING

9.3 RES/Law Enforcement Training Center/Animal Containment; Approve Plans and Specifications and Authorize Ad for Bidding.

Motion by Councilmember Wesp seconded by Councilmember Skogquist, to postpone consideration of a resolution for the law enforcement training center/animal containment; approve plans and specifications and authorize ad for bidding.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp voted in favor. Motion carried.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

11.1 Consideration of Appointment(s) to Charter Commission; Tim Sheie and Destin Anderson.

Mr. Lee shared a background report stating the City has three openings on the Charter Commission, two full terms and one partial term. The City has received two applications from Tim Sheie and Destin Anderson. Appointments to the Charter Commission are done by the 10th Judicial District Court and Council action would be to make a recommendation on their appointment.

Motion by Councilmember Wesp seconded by Councilmember Weaver, to recommend appointment of Tim Sheie and Destin Anderson to the Charter Commission for terms to expire November 1, 2024 and November 1, 2022.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp voted in favor. Motion carried.

12. UPDATES AND REPORTS

12.1 Tentative Agenda(s).

The Council reviewed the tentative agendas of the upcoming Council meetings.

12.2 COVID-19: City Operations, Changes, and Impacts – Questions, Comments, and Discussion.

Mr. Lee shared there were no COVID-19 updates at this time.

12.3 Staff and Council Input.

Mr. Lee said the first round of interviews for the Anoka-Champlin Fire Department fire chief position will be begin this week.

Councilmember Wesp shared comments regarding Councilmember Skogquist not disclosing potential conflicts of interest with regard to members of his family on items and potential open meeting law violations and asked for a review of these types of situations and Council responsibility to identifying issues.

Councilmember Skogquist said he took exception to Councilmember Wesp's comments, stating he had been chided for not voting on items in other instances. He said he suggested revising the interest rate as it would assist all residents in an SRP project area for 10 years which was a large aggregate of residents and not limited only to his mother then explained the discussion regarding Van Buren Street in which his brother owned property was because a neighborhood wanted their petition to be heard. He said the recent neighborhood meeting where Councilmembers were present had been posted by the City Manager which allowed him to participate in discussions then asked Councilmember Wesp to stop trying to impugn him.

13. ADJOURNMENT

Councilmember Wesp made a motion to adjourn the Regular Council meeting at 9:09 p.m. Councilmember Barnett seconded the motion.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp voted in favor. Motion carried.

Time of adjournment: 9:18 p.m.

Submitted by: Cathy Sorensen, *TimeSaver Off Site Secretarial, Inc.*

Approval Attestation:

Amy T. Oehlers, City Clerk