

**EXECUTIVE SESSION OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
COUNCIL EXECUTIVE SESSION ROOM
MARCH 1, 2021
EXECUTIVE SESSION COMMENCED AT 6:15 P.M.**

Mayor Rice called the Executive Session to order at 6:15 p.m.

1. ROLL CALL

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

Staff present: City Manager, Greg Lee and Engineering Tech Ben Nelson.

Guests: Attorney's Peter Mikhail and Amanda Johnson of LeVander, Gillen & Miller, P.A.

- 3.** Mayor Rice closed the meeting pursuant to Minnesota Statute 13D.05, Subd 3(b) for The purpose of discussing attorney-client privilege matter regarding negotiations and SETTLEMENT IN USING Eminent Domain to acquire property for U.S. Highway 10/169 Improvement Project
- 4.** After discussion, the closed executive session adjourned at approximately 6:36 p.m.

Approval Attestation:

Amy T. Oehlers, ACM/City Clerk

**REGULAR MEETING OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
MARCH 1, 2021**

1. CALL TO ORDER

The Council held a closed session pursuant to State Statute 13D.05, subd. 3(b) to discuss negotiation and settlement in using eminent domain to acquire property for U.S. Highway 10/169 improvement project, after which Mayor Rice called the regular meeting of the City Council to order at 7:02 p.m., followed by the Pledge of Allegiance, led by Eagle Scout Michaela Vacco.

ROLL CALL

Present at roll call: Mayor Rice, Councilmembers Barnett, Weaver, Skogquist, 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; Finance Director Brenda Springer; Communications and Recycling Manager Pam Bowman; Engineering Technician Ben Nelson; and City Attorney Scott Baumgartner.

Absent at roll call: None.

3. COUNCIL MINUTES

3.1 Minutes of the February 10, 2021, Council Goals Session.
Minutes of the February 16, 2021, Regular Meeting

Motion by Councilmember Skogquist, seconded by Councilmember Weaver, to waive the reading and approve the February 10, 2021, Council Goals Session and the February 16, 2021, Regular Meeting as presented.

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

4. OPEN FORUM

4.1 Police Activity Update.

Police Chief Eric Peterson shared an update on K-9 Bravo who was shot during a deadly altercation that involved a car chase. He thanked everyone for the

outpouring of support for Bravo from around the world and said they fully expected Bravo to return to service over the next few months.

Chief Peterson updated the Council on the hiring process for vacant patrol positions then spoke about meeting with the Anoka High School Leadership Academy and the positive conversation that will result in breaking down barriers with the City's minority population. He shared updates on COVID-19 statistics for the City, including vaccinations, then spoke about the progress that has occurred regarding the virus from one year ago at this time.

Councilmember Barnett encouraged support and prayers for Officer Sorteberg and K-9 Bravo as well as all those involved in the tragedy.

Councilmember Skogquist asked when the last incident involved a shooting with our officers. Chief Peterson responded the last event where officers used deadly force was in 1995, adding the incident on February 21 did not involve deadly force by Anoka.

OTHER INFORMATION UNDER OPEN FORUM

Edward Evans, 1186 Benton Street, spoke about the City's electric utility and rates. He explained about the electric power pool and how power was brought to the City, different from how power was brought to other states such as Texas and how Anoka was different than other power suppliers.

Councilmember Skogquist spoke about the utility's rate stabilization fund which was very stable and reliable, adding there was redundancy built in and commented how well the utility was managed. Mayor Rice agreed, stating the customers benefited from this utility.

Public Services Director Mark Anderson introduced Eagle Scout Michaela Vacco of Troop 518 who wanted to do a project in the City.

Eagle Scout Michaela Vacco, Troop 518, shared her proposed Eagle Scout project of placing United States flag donation boxes at City Hall and the Public Safety Center. She said the project would conclude mid-April and would include educational materials for the community.

Councilmember Weaver complimented Ms. Vacco for her work on achieving Eagle Scout rank as a female and thanked her for her work.

Councilmember Barnett inquired about Ms. Vacco's favorite badge. Ms. Vacco responded either music or pioneering and explained her work with younger scouts.

Councilmember Skogquist asked how much of Ms. Vacco's work transferred from the Venturing program. Ms. Vacco explained how none of her work from Venturing applied and that she had to start over in February.

5. PUBLIC HEARING(S)

None.

6. CONSENT AGENDA

Motion by Councilmember Weaver, seconded by Councilmember Wesp, to approve Consent Agenda 6.1 through 6.5.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 U.S. Highway 10/169 Improvement Project; Approving Purchase and Settlement Agreements for Parcel 17.
- 6.4 U.S. Highway 10/169 Improvement Project; Approving Purchase and Settlement Agreements for Parcel 39.
- 6.5 Rental Agreement with ACE Solid Waste, Inc., for Storage Space at 641 Jacob Lane.

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 Waste Reduction and Recycling Board.

7.1.A. Waste Reduction and Recycling Board Annual Report.

Communications and Recycling Manager Pam Bowman said each spring the Waste Reduction & Recycling Board (WRRB) presented its annual report to the City Council. Last year, due to COVID-19, the report was postponed, therefore, this report will review some of what the WRRB accomplished in 2020 and what is planned for 2021. She noted a significant portion of the report would provide details of the transition to ACE Solid Waste, Inc., the new recycling service provider, effective April 1, 2021, and details about the distribution process of the new recycling carts.

Chairperson Cheryl Knapek presented the report that highlighted the WRRB's activities and included the number of tons recycled at various events including the

Pumpkin Smash. She said the WRRB upcycled 1,200 books, shred 1.69 tons of paper, and recycled 621 pounds of holiday lights. She spoke about the Waterfowl for Warriors aluminum can collection, 2021 SCORE funding, enhancement grants, and joint events that included drop off events, newsletters, and organics recycling. Chair Knappek shared about the 2020 tonnage goal of 1,810 based on 190 pounds per person, adding the number of events was reduced in 2020 due to the pandemic. She shared information on recycling rates then spoke about the recycling service provider transition with ACE Solid Waste. She spoke about recycling impacts and the Board's current vacancy and encouraged the community to apply.

Councilmember Wesp inquired about contaminated items included in recycling. Chair Knappek shared examples of contamination included pizza boxes and peanut butter jars, stating when in doubt throw it out.

Councilmember Barnett asked about contamination issues in the past and effects with ACE Solid Waste. Ms. Bowman explained the process that included a letter from ACE explaining when contamination occurred and next steps to reach compliance.

Councilmember Skogquist asked questions regarding recycling and garbage pick up days with the new service and who set tonnage goals. Ms. Bowman explained Anoka County set the goals and explained the possibility of not receiving SCORE funds if the goals were not reached.

Mayor Rice spoke about the importance of recycling and not placing the items in plastic bags as they cannot be recycled.

8. PETITIONS, REQUESTS AND COMMUNICATION

None.

9. ORDINANCES AND RESOLUTIONS

NOTE: By motion from Councilmember Barnett, which was seconded by Councilmember Wesp, and by a unanimous vote of the Council, agenda item 10.1 was moved up on the agenda and acted upon at this point.

- 9.1 ORD/Amending Chapter 2, Section VI, Division 3; Human Rights Commission; Expanding Membership from (5) to (7) Members.

ITEM REMOVED FROM THE AGENDA

Councilmember Weaver said in light of the action on Item 10.1 should Item 9.1 be removed from agenda or tabled. City Attorney Baumgartner said that because the City Council voted to direct the Human Rights Commission become an

independent entity the ordinance regarding commission membership could be either postponed to a future date if it needed to be addressed.

Discussion was held about removing the items from the agenda instead.

Motion by Councilmember Weaver seconded by Councilmember Barnett, to remove Items 9.1 and 11.2 from the agenda.

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

9.2 ORD/Amending Chapter 78 Zoning, Article VIII Signs Section 78-518 B-1 Highway Business District and Section 78-519 B-2 Shopping Center Business District.

(2nd Reading)

ORDINANCE

Community Development Director Doug Borglund shared a background report stating that because of planned construction and elevation changes to the Highway 10 corridor occurring in 2022-2024, freestanding business signage in the B-1 and B-2 Zoning Districts should be amended to accommodate the proposed physical changes to Highway 10 that will increase visibility for those businesses affected by changes to the roads profile. At the January 20, 2021, Planning Commission Work Session the Planning Commission had discussions with those business owners that attended and provided direction to move forward with the amendments as proposed and hold a public hearing. The Planning Commission recommended approval of the proposed ordinance amendments as presented with added language that addressed freestanding signs for multi-tenant buildings in the corridor. Single permitted and conditional commercial uses as well as multi-tenant commercial use buildings in the B-1 Highway Business and B-2 Shopping Center Business Zoning Districts would be allowed the following if the amendments are adopted as recommended by the Planning Commission. He summarized the changes that would allow a business to obtain one monument style ground sign that is oriented to a local streets/traffic, adding businesses have been pleased with the efforts being made regarding these changes and that staff would continue to keep the business community involved throughout the process. He noted first reading was held on February 16 and that Council had no changes.

Motion by Councilmember Skogquist seconded by Councilmember Weaver, to hold second reading and adopt an ordinance amending Chapter 78, Article VIII Signs, Section 78-518 (a), 3(a), (4), (b) (c) and Chapter 78, Article VIII Signs, Section 78-519 (a),(1)(2)(3),(b),(c) of the Code of the City of Anoka, Minnesota.

Dr. Evans shared comments about the proposed base size which was unrealistic. Mr. Borglund explained the proposed size was based on a monument style sign and compared it to the Riverdale area in Coon Rapids, adding these bases were not uncommon.

Councilmember Skogquist confirmed this ordinance would not prohibit signs such as KFC and Perkins. Mr. Borglund explained the scenario that would allow for retaining current signage or replacing.

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

9.3 RES/Green Haven Parkway Phase II; Approve Plans and Specifications, Authorize Advertisement for Bid and Set a Bid Date.

Mr. Nelson shared a background report stating on October 21, 2019 City Council adopted a resolution approving the feasibility report, ordering the project and authorized the preparation of plans and specifications for Green Haven Parkway Phase II. The street improvements will be a 32 feet wide collector road, with a 12-foot bituminous railway between Verndale Avenue and Fairoak Avenue. The urban section will include B6-18 concrete curb & gutter within an 80-foot-wide right-of-way. Garfield Street will intersect the parkway at the existing location as part of the city project. He said Council should be aware that Garfield Street will be relocated to the south when the land between the parkway and Green Haven Golf Course are redeveloped. The sanitary sewer improvements include replacing the existing deteriorating sanitary sewer with an 8-inch sanitary sewer main under the new roadway. This will eventually eliminate the existing sanitary sewer main located within the golf course and provide improved access for maintenance. He outlined the watermain and storm sewer improvements in with an infiltration basin which will provide rate control and water quality prior to flowing to Loch Lake with in the golf course. Mr. Nelson described the landscaping improvements that included grading of a berm and a variety of trees. Council should be aware it is staff's recommendation/goal to have the same variety of landscaping along the east side of the parkway when the land between the parkway and Green Haven Golf Course is redeveloped. The electrical improvements include replacing the existing wooden pole cobra lights with LED "shoebox" fixture roadway lights and electrical conduits. The street lighting will match the streets lights on Green Haven Parkway Phase I. He shared the proposed schedule and cost of \$2,538,200.

Councilmember Skogquist inquired about Honest 1 Autocare's easement taking. Mr. Nelson said the parkway was aligned south of that area but they could shift the parkway towards Honest 1 and straighten the curve.

Councilmember Skogquist asked if plans included cul-de-sacing and removing old portions of Jerome Street and others. Mr. Nelson said the plans included tying

back if needed and if remaining utilities were needed Greenhaven utilities would be abandoned. He said the goal was to construct the parkway and not demolish utilities in the Highland Park neighborhood.

Councilmember Skogquist asked if roads in the area will be new rebuilt road but with old street surfaces and infrastructure. Mr. Nelson confirmed no existing roads will have new construction but could be part of future consideration.

Motion by Councilmember Wesp seconded by Councilmember Weaver, to adopt a resolution for Green Haven Parkway Phase II; approve plans and specifications, authorize advertisement for bid, and set bid date.

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

9.4 RES/Approving Financing Plan; Conduit Bonding for Ice Arena.

Councilmember Wesp asked if a conflict of interest existed as his brother was board member. Mr. Baumgartner responded as Councilmember Wesp has nothing to gain through that relationship regarding this item no legal conflict of interest exists.

Councilmember Weaver asked if a conflict of interest existed as his son-in-law was a board member. Mr. Baumgartner responded as Councilmember Weaver has nothing to gain through that relationship regarding this item no legal conflict of interest exists.

Mr. Lee shared a background report stating the Anoka Area Ice Arena Association (the AAIAA), a 501(c)(3) non-profit corporation, is requesting that the City issue \$4 million of tax-exempt private activity revenue bonds (“conduit bonds”) on its behalf, and loan the bond proceeds to the AAIAA to fund the acquisition and installation of new refrigeration and dehumidification equipment, and related improvements, at the Anoka Ice Arena. The AAIAA has distributed an RFP soliciting financing proposals from local and regional banks, they evaluated the proposals and recommended Premier Bank proposal to the AAIAA Board. Because these are purely conduit bonds, the City will bear absolutely no repayment and/or security obligation to Premier Bank or the AAIAA (the borrower). The AAIAA will be solely responsible to pay all bond principal and interest, and the bonds will be secured with a first mortgage on the Arena. The city of Anoka will still have access to \$6 million of tax-exempt bonding in 2021. The \$4 million that AAIAA borrows does not count towards the City’s total bonding/debt capacity.

Bruce Kimmel, Ehlers and Associates, shared more about the proposed arena’s replacement of refrigeration systems. He said the bonds were conduit revenue finances with no impact on the City’s financing, credit rating or ability to issue

bonds, with up to \$6 million for own capital projects but still under bank qualifications of \$10 million. He explained how they helped facilitate proposals and received four, which were all competitive, then after discussed concluded to proceed with Premier Bank at 2.69%. Mr. Kimmel said this rate was far better than they would be able to borrow at and will save the arena \$700,000 over 20 years.

Brian Lindberg, Anoka Area Ice Arena Board member, shared history of 40 years of service in the arena and how the equipment was well into its useful life and needed to be replaced as the current refrigerant used was no longer available.

Motion by Councilmember Barnett seconded by Councilmember Skogquist, to adopt a resolution expressing support for the proposed use of Tax-Exempt Conduit Revenue Bond Financing for the Anoka Area Ice Arena Project by Anoka Area Ice Arena Association, Inc.

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

10. UNFINISHED BUSINESS

10.1 Discussion on Structure of Human Rights Commission.

Mr. Lee said at the January joint worksession the Council and Human Rights Commission (HRC) discussed the roles, responsibilities, goals and objectives of the HRC. During the discussion there was a majority of Councilmembers that questioned whether the goals/objectives list that was produced by the HRC, listed appropriate things for a City Advisory Board/Commission to do. They questioned what the benefit is for such a group to be a City Advisory Board/Commission versus a separate entity, i.e., 501C3. The Council stated their support of the HRC's mission but questioned whether or not the HRC should fall under the guidance of City Government authority. There were liability concerns expressed about the HRC developing a hotline (crisis) service, investigating claims of alleged Human Rights violations, etc. Some Councilmembers suggested that it would be more appropriate for this group to be separate entity, such as a 501C3. A consensus of the Council supported that the City would offer legal services to this group if they would like to develop themselves into a 501C3, and further stated that if that were to occur, the City would like to have a member of the City Council serves as the City's representation to such an entity, much like what is done with other entities and non-profits, i.e., Anti-Crime Commission, Youth First, etc. After discussion, a majority of Councilmembers requested that an item be placed on a regular City Council meeting agenda for further discussion on the structure of the Human Rights Commission.

Councilmember Barnett spoke about concerns with the HRC's response to open meeting laws and Robert's Rules of Order. She said the HRC had shared

concerns with the staff liaison and lack of promptness of getting information as well as the number of members, age of members, and other items. She said these concerns have proven that the framework of a City commission is not the right fit and that the HRC had ignored the pros and cons of being a 501C3.

Councilmember Barnett said commissions serve at the pleasure of the Council and commented how the HRC has followed their own agenda, adding other organizations such as ABLA do amazing work but are not a formal City commission. She spoke about goals of the HRC that included human rights issues such as global warming, slavery, abortion, sanctuary city and others and while important issues would serve to further divide the structure.

Motion by Councilmember Barnett seconded by Councilmember Wesp, to recommend revising the structure of the Human Rights Commission to be an independent entity from the City effective immediately.

Councilmember Skogquist said he was disappointed about the assumptions and accusations made, stating these were not intended in the group and would not support the motion. He shared his disappointment regarding actions towards this advisory board stating the Council's goals were to support the HRC and not disband.

Councilmember Barnett responded many of the items she spoke of were mentioned in emails from Commission members or in other ways.

Councilmember Wesp said he was uncomfortable with some of the ideas the HRC presented last year and said the City would be best served to have the group as an independent nonprofit and that the HRC would be better served as their own organization.

Councilmember Weaver asked if Councilmember Barnett recommended a liaison from the Council. Councilmember Barnett responded that a liaison could be a consideration, similar to Anti-Crime Commission.

Mayor Rice said he was disappointed in the motion being brought forward so soon as he wanted to see if some of the concerns could be resolved.

Leslie Taha, Anoka, shared concerns about the label of a Human Rights Commission and their goal to eliminate discrimination and racism which can result in making matters worse. He commented about the work needed to promote areas of concerns but not focusing on getting the City's support.

Chholing Taha, Anoka, shared concerns about Native Americans, the social justice movement, and impacts of last year's civil unrest. She shared her personal experience in 1967 involving social justice and white supremacy and shared her concerns about the rise of dysfunction and lack of empathy then thanked the Council for their approachability.

Mr. Taha spoke about how at times groups are not always needed to educate about discrimination. He shared how little he has been exposed to discrimination personally and how sometimes talking about discrimination can make matters worse.

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

11. NEW BUSINESS

11.1 Consideration of Appointment to Parking Advisory Board.

Mr. Lee shared a background report stating currently the City has two vacancies on the Parking Advisory Board, with one term to expire on December 31, 2022 and one term to expire on December 31, 2023. He said the City received one application from Jackie Young then reviewed the requirements to serve on the PAB.

Motion by Councilmember Wesp, seconded by Councilmember Weaver, to recommend appointment of Jackie Young to the Parking Advisory Board to a term to expire on December 31, 2023.

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

11.2 Consideration of Appointment to Human Rights Commission.

ITEM REMOVED FROM THE AGENDA

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 said there were no COVID-19 updates at this time.

12.3 Staff and Council Input.

None.

13. ADJOURNMENT

Councilmember Wesp made a motion to adjourn the Regular Council meeting.
Councilmember Skogquist seconded the motion.

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

Time of adjournment: 8:58 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk