

**WORKSESSION OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
CITY COUNCIL CHAMBERS  
MARCH 22, 2021**

**1. CALL TO ORDER**

Mayor Rice called the worksession meeting to order at 5:03 p.m.

**2. ROLL CALL**

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

Staff present: City Manager Greg Lee; City Planner Clark Palmer; Public Services Director Mark Anderson; Engineering Technician Ben Nelson; Community Development Director Doug Borglund; City Attorney Scott Baumgartner.

Absent: None.

**3. COUNCIL BUSINESS and/or DISCUSSION ITEMS**

**3.1 Discussion; Anoka Chamber of Commerce, Manufacturing Cohort – John LeTourneau.**

Community Development Director Doug Borglund shared a staff report with background information stating annually the City of Anoka contributes \$5,000 to Anoka Chamber of Commerce and Manufacturing Cohort.

Pete Turok, Anoka Chamber of Commerce, shared background on creation of the manufacturing cohort. John Letourneau, Anoka Chamber of Commerce and Manufacturing Cohort, updated the City Council on the work the cohort was doing that included coordination of a vaccination clinic and their mission to strengthen community manufacturing. He said members of the cohort identified issues that included competition, workforce, wages, communication, and others then shared Anoka County super sector statistics regarding employment, payroll, impact and opportunities for those that enter manufacturing work. He spoke about partnerships with the Anoka Hennepin School District and internships and the push to get more involved in manufacturing.

Councilmember Skogquist asked questions regarding their involvement with CareerForce. Mr. Letourneau outlined their work with CareerForce and Anoka County and the work on obtaining a pipeline grant to encourage people to enter sheet metal careers.

Councilmember Barnett asked if other cities contribute to the cohort and more about Village Bank's work in this effort. Mr. Letourneau said they also partner with the City of Ramsey then shared about Village Bank's contributions to Anoka Technical College STEP program of gear and equipment.

Councilmember Weaver asked about networking focus. Mr. Letourneau said the Highway 10 corridor area has the highest concentration of manufacturing in the state and how the Chamber had nine city members with the bulk of manufacturing in Anoka, Coon Rapids, and Ramsey. He commented on the regional effect of manufacturing as cities draw work from miles around.

Members of the audience suggested incorporating wind and solar power work as well as electric vehicles in future cohort plans.

### 3.2 Discussion; River Lane Access Agreement.

Mr. Borglund shared a staff report with background information stating a resident had brought forward concerns regarding the ability to utilize an existing 30-foot walkway easement located between existing single-family residential parcels known as 442 River Lane and 502 River Lane at the end of 5th Avenue. The existing 30-foot walkway easement was put in place in 1979 at the time of platting the subdivision known as Sandra Terrace. During the platting process, a portion of 5th Avenue had been vacated and the City retained a 30-foot drainage and utility easement for storm sewer as part of the plat. During the subdivision process, the developer contributed cash in lieu of parkland dedication and was required to sign and record a separate 30-foot-wide public walkway easement allowing public access to the Mississippi River between 442 River Lane and 502 River Lane in favor of the City of Anoka. He shared a timeline of the situation and said the property owner who is impacted by the existing public easement and new walkway easement exclusively granted to all non-riparian lots within the Sandra Terrace plat would like to discuss with the City Council this situation.

Colleen Ingalls, Anoka, said she understood that further action on this topic was not going to occur and that river access would continue on this lot.

Jim Nielson, 118 East Main Street, explained his involvement as attorney for the property owners affected and said the easement vacated on Sandra Terrace that allowed river access requested vacation of the original easement at the same time the plat went on record or to provide an easement back from all the parcels.

Councilmember Skogquist confirmed the second easement has been filed and recorded. Mayor Rice asked if the property owners were present at the September 8, 2020, meeting, stating he was unaware of how confusion occurred as there was a unanimous vote against abandoning the easement.

Frank Manella, property owner, said the recording work was done at the direction of the City but the outcome would be that the property would be vacated while giving neighbors deeded access and now there was a need to solve the two easements.

Ms. Ingalls recalled discussion on items in the easement such as stairs, retaining wall and docks but the vote was to leave the easement in place. She said many neighbors wanted the access to remain and the original easement needed to be honored.

Mr. Manella said he understood if the private easement was granted the public easement would be vacated and that the stairs and other items in the easement were irrelevant to the discussion.

Councilmember Skogquist explained his understanding of the issue was to work out an easement to allow access to the stairs as the City did not want to give up the easement so to allow the public access to the river.

Mayor Rice encouraged Mr. Manella to read the public meeting packet for further clarification and the Council's decision to not abandon the easement but work to maintain the easement and access to the Mississippi River, then asked if the property owner could work to abandon the second easement.

City Attorney Scott Baumgartner explained now that there were two easements on private property it doubled the burden of the property and that the property owners needed a solution to still allow access to the neighborhood. He said they would like to return to the original easement and not have the property burdened twice and that by reversing the quit claim deed should solve the problem while still allowing river access.

Councilmember Weaver asked who would bear the cost of the filing and correction. Mr. Manella said the existing easement allowed anyone to access the river then spoke about the burden of having redundant easements.

Mayor Rice explained direction was not to abandon the public easement and the need for the adjacent property owners to reverse the quit claim deeded access to correct the problem.

Councilmember Skogquist explained the need for the staircase to be altered to allow safe access.

Christine Manella, property owner, noted they never stopped anyone from using the stairs or dock even though there is another access within two blocks.

Councilmember Weaver asked about liability should anyone get hurt accessing the stairs. Mr. Baumgartner said most likely both the City and property owners

would be named in any potential lawsuit because this was a public easement on private property allowed by the City.

Mr. Manella said they will likely remove the stairs and allow the area to grow over.

Councilmember Weaver said the City needed to ensure proper access for the residents and the City should bear the cost of the filing and access to the river.

Mr. Nielson explained the need to reverse the quit claim deeds from the seven property owners as well. Mayor Rice explained the need to create a way to provide that easement without barrier.

City Manager Greg Lee explained the City would initiate a project that would create a 10-foot-wide graded area with seed and then maintain that slope.

### 3.3 Discussion; U.S. Highway 10/169 Improvement Project; Construction Administration and Project Updates.

Engineering Technician Ben Nelson shared a staff report with background information stating on August 5, 2019 Council adopted a resolution demonstrating the U.S. Highway 10/169 Improvement Project was fully funded since that time. The City has been working with the Minnesota Department of Transportation (MnDOT) State Aid on the project finance administration and cash flow for the City's U.S. Highway 10/169 Improvement Project that is scheduled to begin this fall, with the major work occurring in 2022-2023. The City cannot financially cash flow the project without assistance from MnDOT. The plan to proactively manage the cash flow was outlined in detail and that common with all State projects, MnDOT requires a cooperative agreement with the City for these roadway improvements where MnDOT funds are utilized for part of the project to the mutual benefit of all partners. The execution of the agreement is required prior to awarding a construction contract. The agreement will be reviewed by the City's attorney prior to council consideration. Mr. Nelson shared further project updates and schedule elements in detail.

Dan Lonnes, Principal Engineer with Bolton Menk, reviewed project status, project finances and typical payment requests, then provided an overview on the cooperative agreement and said they would work hard to ensure good communication throughout the project.

Dan Erickson, MnDOT Metro District State Aid Engineer, provided an outline of MnDOT's commitments and outlined next steps should the project bids come in too high. He spoke about payment processing for MnDOT State Aid in order for the City to pay contractors and unforeseen construction conditions and potential added costs. He said financial commitments have been made and that discussions would be needed to identify overages but that it would not all fall on one partner

as we all have a great working relationship. He said MnDOT was trying to be proactive to ensure agreements accurately reflect the discussions then shared a timeline of City funding and financing during construction.

Mr. Baumgartner asked questions regarding the Council payment request process and how MnDOT's process should be first in order to be properly reimbursed.

Councilmember Weaver asked if we sign the cooperative agreement would the City be responsible for payment should the bids go over and confirmed the project did not include the Rum River bridge. Mr. Lee explained those details would be worked out ahead should that occur and that the bridge project would be let later in the year.

Mr. Nelson spoke about the staging and how both projects would begin in 2022 even though bidding was staggered, adding MnDOT would do full project communication of the project.

Councilmember Weaver spoke about traffic impacts and alternate routes as the project progresses. Mr. Nelson said they would be providing staging videos for distribution and public information.

Councilmember Skogquist asked about the City's responsibility of local roads and if we would be tasked with construction or just maintenance. Mr. Lonnes said if the road is not a trunk highway, then it is deemed a local project paid for by project dollars but would be constructed with the overall project.

Councilmember Skogquist clarified plantings maintenance as the City's responsibility similar to the area from Kwik Trip to Valvoline Oil on the current West Main Street. Mr. Lonnes responded maintenance responsibilities would be outlined in the cooperative agreement but will be a discussion between the agencies, adding having access and rights to the sound wall and other areas made the most sense.

Mr. Lee said MnDOT will maintain a level of maintenance and if City wants more done, we can do that work.

Councilmember Weaver said he thought the City was not allowed to maintain MnDOT areas. Public Services Director Mark Anderson said after discussions were had the City would be able to maintain certain areas.

Mr. Nelson added any agreed-upon maintenance level should extend to the Rum River project as well.

3.4 Discussion; Intoxicating Liquor License Requirements/Request from Ambi Wine Bar.

Mr. Lee shared a staff report with background information stating Jess Pratt, Ambi Wine Bar, is requesting the ability to hold an on-sale intoxicating liquor license. He explained how current City Code prevented Ambi from obtaining an on-sale intoxicating liquor license based on the 35% food requirement and square footage of net dining area of 1,500 square feet. He said their 2021 renewal showed only 23% food sales but due to COVID staff waived the food requirement for 2020 for all licenses. He outlined current Statute and said a concern about amending City Code and allowing licenses to be issued to non-restaurants would be that the current licensees would then want to reapply as a non-restaurant for the and not be held to the food sales requirement. Mr. Lee said Ambi Wine bar was requesting the City consider a code amendment to redefine restaurants and food sales requirement from 35% to 10% and decrease the area from 1,500 to 900 square feet.

Councilmember Barnett asked for reasons for the request. Jess Pratt, Ambi Wine Bar, said they have not been open for long due to COVID-19 and explained while they added food to the menu in response, they see future growth hinderance due to the wine/food ratio being off balance. She said they do not have a full kitchen but are required to have food as required by State.

Councilmember Weaver said he understood the downtown entertainment district would allow for different events and serving options and not have other bars occur. Mr. Baumgartner explained how the restaurant definition and requirements would need to be changed to fit the request.

Mayor Rice said he wanted to ensure the entertainment district retains the family-friendly atmosphere and not be focused only on liquor sales. He said he is not concerned about the square footage requirement but wants the food requirement to remain.

Councilmember Skogquist spoke about exclusions from license limits such as theater and clubs and suggested that Ambi not be classified as a restaurant as they are more similar to a brewery. Mr. Baumgartner said that different category is not allowed within Statute.

Councilmember Barnett suggested a disincentive be created that would help ensure other bar owners do not want to move to this new license type. Mr. Baumgartner said while that would allow a benefit to some it could be considered a penalty to others as well.

Ms. Pratt said they could not do that because their space was too small to make up the cost difference and suggested using the space to their advantage and consider Ambi more of a boutique bar and exemption and with a lower food requirement. She said they do not want to remove the food as it brings people in, adding she did not see the larger bars dropping their menus.

Councilmember Skogquist asked about the ability to not renew a license if concerns occur and having some recourse and she he like the micro-restaurant concept with a smaller food requirement. Mr. Baumgartner said criteria would be needed that all applicants must meet and cautioned against denying a license based on hearsay.

Councilmember Weaver said he believed the restaurant definition could be open to interpretation and suggested working with State legislators on a possible Statute amendment.

### 3.2 Discussion; Organized Garbage Hauling.

Mr. Lee shared a staff report with background information stating the topic of organized garbage hauling has been discussed for many years. He outlined the history and said Council discussed this item and reviewed citizen feedback in 2020 that resulted in direction for staff to gather more information, continue the process of investigating organized hauling, and notify the public and haulers that the City's intention was to place this as a referendum question on the 2022 election ballot. He said due to the COVID outbreak that occurred soon after this direction, staff did not proceed with gathering the information and implementing the process as intended. He said researching the issues, collecting the data, and developing the referendum question and information packet will take an extensive amount of time and that the process will need to be initiated in the next couple months in order to stay on schedule and asked for further clarification before starting the process.

Councilmember Barnett said she wanted to allow residents free market choices and that we should not meddle in people's livelihoods, stating there was lot of work to be done and research would most likely result in no conclusive decision then asked for a cost estimate of the work to get this on the 2022 ballot. Mr. Lee responded research topics would include determining vehicle weights as well as environmental effects then work would be needed to create a draft contract to compare, educational information and open houses, and legislation changes to allow for a city-wide vote as we will not get true market pricing for seven years as well as crafting the ballot question. He estimated hundreds of hours of staff time would be needed as this will be a very large undertaking.

Councilmember Barnett asked if this item were to be stopped could we still focus on legislative changes. Mr. Lee said that work could still occur.

Mayor Rice said we are spending too much money on street renewal and while he supported free market for residents, they were not aware of the impact of so many garbage trucks are costing them and would prefer this item continue to move forward.

Councilmember Weaver said he supported change through attrition and an ordinance amendment to not allow any more trucks be licensed until reduction occurred.

Councilmember Barnett asked what parameters would be put in place to achieve attrition and noted we do not get many concerning service calls. Mr. Lee outlined the complaints that included careless driving, starting too early, and fast driving.

Councilmember Skogquist confirmed no licenses have been surrendered since 2015.

Councilmember Wesp said garbage hauling should be a resident choice and supported attrition instead. Mayor Rice commented about how the City was subsidizing businesses that impact streets.

Councilmember Skogquist agreed we should allow citizens to make a choice and that it was important for people to choose, similar to City recycling. He suggested using the recycling data for background then spoke about disincentives and how haulers could keep their licenses and about reasons to have a smaller number of trucks when concerns included noise and other impacts.

Council consensus was to not move forward with work towards a ballot question but continue with work towards attrition and creating criteria to not license new businesses.

#### **OTHER BUSINESS**

Mr. Lee referred to complaints received regarding election and other signs and asked if the Council would like to schedule this topic for a future worksession. Discussion was held on current case law and the ability to regulate these types of signs and Council consensus was to have staff return with more information prior to scheduling a formal discussion.

#### **4. ADJOURNMENT**

Motion by Councilmember Weaver, seconded by Councilmember Wesp to adjourn the Worksession at 8:10 p.m. Motion carried.

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

Approval Attestation:

Amy T. Oehlers, City Clerk