

**EXECUTIVE SESSION OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
COUNCIL EXECUTIVE SESSION ROOM  
APRIL 5, 2021  
EXECUTIVE SESSION COMMENCED AT 6:00 P.M.**

Mayor Rice called the Executive Session to order at 6:00 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 Peter Mikhail 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, motion was made by Weaver and seconded by Wesp to move back into the public meeting at 6:17 p.m. Vote taken. All Ayes.
- 5.** Motion to adjourn the meeting at 6:17 p.m. was made by Weaver, seconded by Skogquist. Vote taken. All Ayes.

Approval Attestation:

Amy T. Oehlers, ACM/City Clerk

**REGULAR MEETING OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
CITY COUNCIL CHAMBERS  
APRIL 5, 2021**

**1. CALL TO ORDER**

Following a closed executive session pursuant to Minnesota Statute 13D.05, subd. 3(b) for attorney-client discussion on the negotiation and settlement in using eminent domain to acquire property for US Highway 10/169 improvement project, Mayor Rice called the regular meeting of the City Council to order at 7:15 p.m., followed by the Pledge of Allegiance.

**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; Police Captain Andy Youngquist; Public Services Director Mark Anderson; Finance Director Brenda Springer; Engineering Technician Ben Nelson; and City Attorney Scott Baumgartner.

Absent at roll call: None.

**3. COUNCIL MINUTES**

3.1 Minutes 15, 2021, Regular Meeting

Motion by Councilmember Skogquist, seconded by Councilmember Barnett, to waive the reading and approve the March 15, 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 Introduction/Swearing In; Officer Dylan Bebeau.

Police Chief Eric Peterson administered the oath of office to Officer Dylan Bebeau. He shared background on Officer Bebeau and thanked him for his service to the City of Anoka.

The Council congratulated Officer Bebeau and thanked him for serving the citizens of Anoka.

4.2 Police Activity Update.

Chief Peterson shared an update regarding the increase in pedestrian traffic in the downtown area and parks with the recent nice weather and shared their commitment to ensuring safety to the residents and businesses as more activity occurred. He shared about graduation of the Police Pen Pal programs for youth then spoke on COVID-19 statistics and vaccination opportunities, adding positivity rates were trending upwards.

Councilmember Skogquist asked questions regarding data sources of COVID-19 statistics with regard to schools and other sources.

Mayor Rice referred to potential concerns regarding traffic and noise associated with upcoming car shows.

**OTHER INFORMATION UNDER OPEN FORUM**

None.

**5. PUBLIC HEARING(S)**

None.

**6. CONSENT AGENDA**

Motion by Councilmember Wesp, seconded by Councilmember Weaver, to approve Consent Agenda 6.1 through 6.7.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 Issuance of a Tree Care/Arborist License; YTS Companies, LLC.
- 6.4 Issuance of a Tree Care/Arborist License; Ronal Jensen.
- 6.5 Issuance of a Massage Therapist License for Elsa Mekuria of Anoka Massage and Pain Therapy, 710 East River Road.
- 6.6 Recommended Approval of an LG220 Gambling Permit; Raffle at Church of St. Stephen's, June 5, 2021.

- 6.7 Issuance of a Temporary On-Sale Liquor License; Church of St. Stephen's, June 5, 2021.

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**

None.

**8. PETITIONS, REQUESTS AND COMMUNICATION**

None.

**9. ORDINANCES AND RESOLUTIONS**

- 9.1 ORD/Repealing Chapter 2, Article VI, Division 3; Human Rights Commission.  
(2<sup>nd</sup> Reading)

**ORDINANCE**

City Manager Greg Lee shared a background report with Council stating at the March 1, 2021, the City Council discussed the structure of the Human Rights Commission (HRC). He said throughout the conversation Councilmembers expressed concerns about the goals/objectives that the HRC has presented them at the January worksession. Multiple Councilmembers commented that they felt that the goals/objectives set forth by the HRC would best be handled by a non-profit organization and suggested the HRC form themselves into a 501C3 non-profit and not be under the guise and regulations of the City. He said after discussion a motion was made, seconded and passed to revise the structure of the HRC to an organization independent of the City of Anoka effective immediately and that first reading was held and adoption of the ordinance was before Council for consideration.

Councilmember Skogquist shared comments and his disappointment with this action that was driving a wedge in the City.

Motion by Councilmember Barnett seconded by Councilmember Wesp, to hold second reading and adopt an ordinance repealing Chapter 2, Article VI, Division 3; Human Rights Commission.

Mayor Rice said he hoped these discussions were moot as we had a body of volunteers gathered to promote equity within the City and that we would work to assist and modify their work.

Councilmember Skogquist asked that the submitted video from Mike Erickson, 2200 2<sup>nd</sup> Avenue, Unit 102, be shared for the record. Mr. Erickson shared comments against disbanding of the Human Rights Commission.

Mayor Rice shared his respect of the values and judgment of his fellow Councilmembers and said he felt this was a change of strategy for the Human Rights Commission. He said it was certain the culture would change but hoped for positivity as a result.

Eric Bobick, 327 Monroe Street, spoke about the level of discussion the Council had regarding the animal containment facility compared to the level of discussion of this topic, noting there was a 4-1 vote in July to retain the Commission. He said as a community member he would expect that a valid trial period be given and requested the Council reconsider this direction then suggested a subgroup be created for further review. He said the community asked for the Commission is part of the City and should remain.

Councilmember Barnett asked if Mr. Bobick was a current Commissioner or attended meetings and asked for reasons for why the Commission should be under the City. She shared examples of other groups not under the City's direction then shared concerns about the HRC not wanting to follow open meeting laws, being unhappy with assigned staff liaisons, meeting protocols, and other reasons.

Mr. Bobick responded he was not a member of the Commission and could not respond then noted a number of members may have been overzealous with their reactions in August and how a number of applicants may have misplaced their focus and timing in requesting more people to address the number of topics being brought forward. He said their reasons for the request was to lessen the work on staff and Council and may not have been the best focus and how the joint session and discussion focused on the age of members but was intended to be more of a way to attract youth to all City commissions. He said it was important to the community to know that the City stood behind the Code and these ideas then suggested this concept come back again in a year or hold another worksession that provided the HRC specific items for a work plan.

Councilmember Barnett asked for reasons again why under the HRC should be a City commission then clarified the petition received of signatures asking for this direction included 132 signatures from outside Minnesota and only 86 from Anoka and was not truly a collection of signatures of over 400 City residents. She commented the goals provided were highly contentious ideas and that she had not seen the HRC's proof on how their work would meet the goal of serving at the pleasure of the Council and did not include reasons against operating as a nonprofit and questioned their true motives.

Mr. Bobick said he could not respond for the HRC but if he was a member, he would note that the community asked for a City commission and said the HRC

had not had a chance to go beyond the first steps, adding the Council could remove individuals if there was a concern instead of removing the entire Commission from City Code.

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

9.2 RES/Final Approval; Conduit Bonding for Ice Arena.

Finance Director Brenda Springer 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 or 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. She outlined the viable funding pursuant to a Subordination Agreement and how the City would subordinate its right to repurchase fee simple title to real property upon which the Facilities are located at the City's election upon the occurrence of certain events. She spoke about the Quit Claim Deed granted by the City which reserved the right to repurchase the property in the event of a default under the deed and subject to restrictions. Ms. Springer said while the likelihood of the Anoka Ice Arena Association defaulting on their loan may be low, the Council should be aware of the potential impacts of signing the Subordination Agreement and that Council adopted a resolution on March 15, 2021 for preliminary approval.

Councilmembers Wesp and Weaver confirmed there were no potential conflicts of interest regarding family members serving on the AAIAA Board then confirmed final approval included the waiver of the City's administrative fee.

Motion by Councilmember Wesp seconded by Councilmember Barnett, to adopt a resolution approving the issuance and sale of a conduit Sports Facility Revenue Note, Series 2021 (Anoka Area Ice Arena Project) and authorizing the execution of documents relating thereto.

Councilmember Barnett confirmed this action would not affect the City's credit rating or bond rating and that there was no expectation the City pay these funds back.

Councilmember Wesp said other nonprofit groups have used this financing tool to expand and develop projects and that this would be a good opportunity for the project, adding there is a stipulation the City has first right of refusal to purchase. City Attorney Scott Baumgartner clarified the two quit claim deeds from 1991 added the City's right for a drainage and utility easement and that it was not uncommon to subordinate interest in exchange for a loan but clarified this was an acknowledgement by the City that if there is a default the City has would relinquish its subordination to the lender instead.

Councilmember Skogquist asked if we can put deed restrictions on the property for use such as an ice arena only and asked about other possible legal avenues if sold. Mr. Baumgartner said those restrictions were already in place as well as current zoning regulations, adding while the risk was low it should be considered, adding it would be unlikely to be able to unsecure the bank's rights to this collateral.

Community Development Director Doug Borglund responded the current zoning and uses for this parcel was R-1 and would include single family housing and parks and if an entity wanted to do something different outside the zoning it would require a rezoning and comprehensive land use amendment.

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

9.3 RES/Site Plan Review; Animal Containment and Law Enforcement Training Center; 275 Harrison Street.

City Planner Clark Palmer shared a background report stating the City of Anoka is considering construction a new law enforcement training and animal containment facility along 3rd Avenue at the Public Safety Center located at 275 Harrison St. At the January 19, 2021, regular meeting, the City Council was presented a site plan and architectural drawings for consideration. Those plans included a two-level building with animal containment on the upper level and law enforcement training on the lower level. At the meeting, the City Council discussed costs related to the project, impacts to adjacent properties including sight lines, options for shifting the building north or flipping the building's layout in a mirror image, as well as the use of the existing golf maintenance building for animal containment. Action on the item was postponed. The City Council directed staff to investigate use of the animal containment facility at the golf maintenance building as well as investigate changes to the scope of work including options for a one-level building with no animal containment, as well as related costs for all options. At the February 22, 2021, regular meeting, the City Council was presented revised plans including three options and how the Council selected a fourth hybrid option including an enhanced law enforcement training facility on the lower level and upper-level animal containment facility as originally proposed. He stated the plans have been revised to include Council direction and that staff further examined the setbacks related to the expanded shooting range and other building and landscape details.

Motion by Councilmember Skogquist seconded by Councilmember Barnett, to adopt a resolution approving a site plan review, 275 Harrison Street.

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

9.4 RES/Law Enforcement Training Center/Animal Containment; Approve Plans and Specifications, Authorize Advertisement for Bid Option IV, and Set Bid Date.

Director of Public Services Mark Anderson shared a background report stating at the March 15, 2021 City Council meeting, staff presented preliminary drawings of the new Law Enforcement Training Center/Animal Containment facility at the Public Safety Site at Third Avenue and Harrison Street. Council adopted a resolution authorizing the preparation of plans and specifications for the building portion of said project. The Plans and Specifications are now complete and feature a two-level earth berm style building which makes the building appear single story as viewed from the east. Many design elements from the existing Public Safety Center are being incorporated into the design. The structure will be constructed using pre-cast building panels with masonry accents and styling cues. The roof system is designed to mimic the roof on the adjacent Public Safety Center. The lower level will be home to the Law Enforcement Training Center and the upper level will be the Animal Containment. He outlined the building components in further detail and said the Finance Director has indicated affordable financing is readily available through multiple avenues with the new Law Enforcement Training Center/Animal Containment estimated to cost \$2,815,000, in addition to this, the Law Enforcement range equipment will be funded with a \$700,000 allowance under a separate contract. He reviewed the financial impact to residents for a home with an estimated market value of \$250,000 would be approximately an additional \$31.03/year for a 20-year bond or additional \$38.84/year for a 15-year bond.

Councilmember Weaver said he supported the training facility but not the animal containment facility and asked about the impact on higher valued homes in Anoka. He said he could not support this action when the City has a brand-new facility to accommodate a low number of animals and revenues based on fees which continue to trend downward.

Motion by Councilmember Weaver seconded by Councilmember Wesp, to adopt a resolution Law Enforcement Training Center/Animal Containment; Approve Plans & Specifications, Authorize Advertisement for Bid and Set Bid Date that included the lower level only for the law enforcement training center.

Councilmember Wesp said it would be unwise to spend money on an animal containment facility as it could be better spent elsewhere.

Councilmember Skogquist spoke about the square footage and need to replace space from space that was sold and if the City did not it would actually reduce the overall space, adding the City \$600,000 from selling the current facility and had the funding available through bonding.

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

Motion by Councilmember Skogquist seconded by Councilmember Barnett, to adopt a resolution Law Enforcement Training Center/Animal Containment; Approve Plans & Specifications, Authorize Advertisement For Bid And Set Bid Date as presented.

Mayor Rice shared an analogy with public rail transportation movement to provide transportation in the 1970s under contract which designed was going to cost a little more than \$500,000 and that compared to pricing today would be so much more and that now would be the time to replace as rates are low and funding is affordable.

Councilmember Barnett agreed, adding we removed a lot of square footage from use and left 40% less space than before and if not provided for here the space would need to be reallocated to another facility and to do so 5-6 years from now would only result in increased costs.

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

9.5 RES/2021 Swede Town Street Renewal Project; Approve Bids and Award Construction Contract.

Engineering Technician Ben Nelson shared a background report stating on February 16, 2021, City Council approved the plans and specifications, authorized the advertisement for bidding and set the bid date for the 2021 Swede Town Street Renewal Project (SRP). The streets included in the Swede Town SRP project were shared and the scope of the base bid included the full reconstruction of the many items. He said the City received a total of five bids ranging from \$1,396,766.60 to \$1,790,928.12 and that staff recommended accepting the base bid from Kuechle Underground, Inc. for an estimated total project cost of \$1,867,000. The revised cost based upon Kuechle Underground, Inc. bid is approximately a reduction of \$260,718 or 16% less than the original estimate and funding for the project is included in the 2021 budget.

Motion by Councilmember Barnett seconded by Councilmember Wesp, to adopt a resolution 2021 Swede Town Street Renewal Project; Approve Bids and Award Construction Contract.

Councilmember Weaver asked about the percentage of costs for construction. Mr. Nelson responded construction costs were 22% which included a 15% contingency.

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

9.6 RES/Voluntary Cost Share Agreement; Anoka County Economic Development.

Mr. Borglund shared a background report stating Anoka County Regional Economic Development continues to work with the City of Anoka and other Anoka County cities assisting with the attraction of new businesses and promoting economic development opportunities in general, and other economic development related issues. The County and the City, along with other community partners, entered into a Memorandum of Agreement (MOU) January 2019, to set goals, create an action plan, and implement shared objectives in promoting economic development within Anoka County. An annual budget for activities was developed, including a formula for participating municipalities to provide proportional cost sharing based upon its population. The budget for services related to website services, social media, marketing, and other supportive activities required for economic development, is currently set at \$20,000.00 for calendar year 2021. For 2021, the City agrees to contribute the sum of \$0.057 per individual resident within its City limits, as a voluntary contribution to the economic development costs described and will be the same amount as 2019 and 2020 totaling \$1,032. He said funding will come from the Community Development Department budget and recommended approval.

Councilmember Barnett thanked staff for the detailed report and value we are getting then spoke about the required cost share that would provide items such as marketing tools including a video and collaboration with larger cities where sometimes we do not get the same coverage. She said she was pleased to see Anoka highlighted for its retail, downtown area, and manufacturing and confirmed staff supported the value. Mr. Borglund said this work almost provides an extension of staff in conjunction with Anoka County and was well worth the expenditure.

Councilmember Barnett said she was also pleased to see Anoka had the most COVID-19 relief grants provided by city compared to much bigger cities which speaks to staff's work and collaboration as it was important to get as much relief to business owners as possible. She thanked Mr. Borglund for his work.

Motion by Councilmember Barnett seconded by Councilmember Weaver, to adopt a resolution approving a Voluntary Cost Share Agreement; Anoka County Economic Development.

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

9.7 RES/City of Anoka Support of All Aboard Minnesota Passenger Railroad.

Mr. Borglund shared a background report stating the City has been approached by Brian Nelson, President of All Aboard Minnesota requesting the City of Anoka support of a State of Minnesota bill that would provide a \$10M match for a \$31.8M infrastructure improvement grant that was received last year. These funds are to add new service by adding a second train between the Twin Cities,

Milwaukee, and Chicago which utilizes the current route of Amtrak's Empire Builder. As part of the City of Anoka's Transportation Orientated Development (TOD) Plan, an Amtrak Train Ticketing Station is to be located at our current Northstar Rail Station; on the north side of the tracks. While this round of funding does not include the creation of the Anoka Amtrak Station, it does get the City of Anoka a step closer in making this plan a reality. All Aboard Minnesota recognizes the City's vision and is planning for an Anoka based Amtrak station.

Councilmember Weaver said with the challenges of funding for transportation rail will always have a role in the future and that he would like to see connections to as many places as possible and that this will provide an opportunity for an amenity that can only benefit the City into the future.

Motion by Councilmember Weaver seconded by Councilmember Skogquist, to adopt a resolution of support of All Aboard MN Passenger Rail.

Councilmember Barnett said she had some concerns with the proposed resolution as the action does not really benefit Anoka at all. She shared concerns with the \$10 million investment from the State with reoccurring subsidies and said she would be voting against the resolution.

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

9.8 RES/Calling for Public Hearing on Issuance of Bonds and on Capital Improvement Plan.

Ms. Springer shared a background report stating according to Minnesota State Statutes the City of Anoka can issue bonds to finance capital expenditures under its capital improvement plan without an election provided that, among other things, prior to the issuing the bonds the City adopts the capital improvement plan after a public hearing and published a notice of its intention to issue the bonds with date and time in order to get public comments. However, issuance of CIP Bonds is also subject to reverse referendum: if a petition is signed by voters equal to at least five percent of the votes cast in the City in last municipal general election and is filed with the City Clerk within 30 days after the public hearing regarding the CIP Bonds, the CIP Bonds may not be issued unless approved by a majority of voters voting on the question of issuing the obligations. If the resolution is approved the City Council will hold a public hearing on its intention to issue general obligation capital improvement plan bonds on May 3, 2021.

Councilmember Wesp asked if we have a value to the bonds to speak to at the time of public hearing. Shelly Eldridge, Ehlers and Associates, said the CIP would include the two projects in an amount not to exceed which gives Council the flexibility to reduce the bonds as the projects come in for the parks

maintenance building and set but the second project is the animal containment facility and training center.

Councilmember Weaver confirmed there could be a maximum of \$6 million for both bond series for both projects in 2021 but most likely will be less then asked about the impact on taxpayers for all these projects and the need to be transparent.

Ms. Smith said because we already approved the ice arena conduit bonding, we can bond up to \$4 million with the \$10 million per year cap for bank-obligation funding, adding staff was estimating \$4.5 million for the park maintenance facility.

Mayor Rice commented about irony in regards to transparency of costs as recently three Councilmembers would not support letting the community decide on organized hauling or allow for the collection or providing of educational materials on the topic.

Motion by Councilmember Wesp seconded by Councilmember Barnett, to adopt a Resolution Calling Public Hearing on the Intention to Issue General Obligation Capital Improvement Plan Bonds and the Proposal to Adopt a Capital Improvement Plan for 2021 through 2025 Under Minnesota Statutes, Section 475.521.

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

9.9 RES/2021 Street Maintenance Project; Authorize Project.

Mr. Nelson shared a background report stating in 2004, a group of cities joined together to form the North Metro Regional Street Maintenance Consortium. The purpose of the group was to combine maintenance service contracts in an effort to obtain a financial benefit for maintaining city streets. The benefit of the joint powers agreement (JPA) is that it allows participating cities to share administrative costs associated with street maintenance projects as well as the possible benefit of receiving more favorable bids from a larger project. The City of Coon Rapids estimates that there is typically a savings of 10-15% to the cities that are part of this JPA agreement. Details of the current street maintenance program includes crack sealing prior to any seal coat or fog seal were shared and that at a minimum a fog seal will be applied during this time frame.

Councilmember Weaver said there were many areas where the crack fill and seal coating has failed and needs to be addressed. Mr. Nelson responded staff was working on addressing these concerns with Northwest Asphalt as failures has occurred in other cities as well and that Northwest Asphalt will not be the selected contractor for 2021.

Councilmember Skogquist shared similar concerns in other areas and the decreased life expectancy of road repairs and asked why Monroe Street was being included. Mr. Nelson said the proposed maintenance occurs five years after initial construction and should only include roads from the Christensen Hills SRP project and would remove Monroe Street from the proposed schedule.

Further discussion was held on maintenance concerns and areas in particular. Mr. Lee said he had been unaware of the concerns but that staff would follow up.

Mayor Rice suggested not considering performing maintenance until we better understand the product being used and provide direction to address concerns. Mr. Nelson explained reasons of the failure areas and that contract award would not be done until April 20 and could be postponed then suggested postponing this work until 2022 as we have 30 days to opt in or not.

Motion by Councilmember Weaver seconded by Councilmember Wesp, to reject adopting the proposed resolution to participate in the 2021 Street Maintenance Project; Authorize Project.

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

9.10 RES/Variances for Building Setback and Impervious Lot Coverage; 3721 Roseberry Place.

Mr. Palmer shared a background report stating this item appeared before the City Council at the last regular meeting of March 15 then reviewed that the property owner of 3721 Roseberry Place was seeking to expand the existing home with a new building addition (168 SF, 4-season porch) and deck (168 SF) located at the rear of the home. The proposed building addition and deck, if approved, will replace an existing at-grade patio and wooden deck at the rear of the home. He said the minimum rear-yard setback in the R-1 zoning district is 25 feet and maximum impervious lot coverage is 35% of the total lot area then outlined the requested variances in detail and the motion of Council to approve the setback variance but deny the impervious lot coverage variance. A formal decision will be rendered upon passage of a resolution. The applicant understands, if their variance application is approved in part, they may apply for a building permit for the proposed addition and deck only if additional areas of impervious lot coverage can be removed resulting in a total lot coverage not to exceed 35%. The applicant is interested in proceeding with the project, so they have revised their site plan to include additional areas of impervious surface that is planned to be removed. As part of the building permitting and inspection process, staff will ensure improvements are made in accordance with the approved site plan including the reduction of impervious lot coverage. Staff has asked the applicant to have those areas removed and ready for inspection at the time of the footing inspection for

the new building addition and deck and recommends inclusion of conditions of approval.

Councilmember Weaver confirmed the impervious surface would be reduced prior to issuance of a building permit. Mr. Palmer confirmed that inspection would occur prior to coverage of footings and that action could be taken if necessary, including civil penalties and forfeiture.

Mr. Borglund added removal prior to building permit issuance is our leverage.

Mayor Rice suggested removal of the concrete and construction of footings provided leverage too.

Motion by Councilmember Weaver seconded by Councilmember Wesp, to adopt a resolution approving a variance for building setback and denying a variance for lot coverage; 3721 Roseberry Place, including conditions as proposed by staff and that the impervious condition of more than 35% be met prior to building permit issuance.

Councilmember Skogquist shared comments about how the level of detail being required in a resolution was too much and that it could be instead addressed administratively.

Councilmember Barnett said she will be voting against the resolution as the Planning Commission felt the hardship was not demonstrated enough by the applicant due to a physical condition not created by the landowner.

Mayor Rice said the item needs to be present prior to granting of a variance and the debate follows of the plight of the landowner and that he felt the criteria was met due to the unique shape of the lot.

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

## **10. UNFINISHED BUSINESS**

None.

## **11. NEW BUSINESS**

### **11.1 Consideration of Appointment to Waste Reduction and Recycling Board; Leslie Ganser.**

Mr. Lee shared a background report stating currently the City has one vacancy on the Waste Reduction & Recycling Board with a term to expire December 31, 2022. He said the City received one application from Leslie Ganser and

requirements to serve on the WRRB were shared and that staff recommended this appointment.

Motion by Councilmember Skogquist, seconded by Councilmember Barnett, to approve appointment of Leslie Ganser to the Waste Reduction and Recycling Board to a term to expire December 31, 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 said there were no COVID-19 updates at this time.

Councilmember Skogquist asked about the report of a vaccination clinic being located in the City. Mr. Lee said he was aware that vaccinations were occurring at Haven for Heroes and that work in location vaccinations for staff was occurring but was unaware of any public vaccination site.

### **12.3 Staff and Council Input.**

## **ADJOURNMENT**

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

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

Time of adjournment: 9:41 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk