

**REGULAR MEETING OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
CITY COUNCIL CHAMBERS  
MAY 2, 2022**

**1. CALL TO ORDER**

Mayor Rice called the regular meeting of the City Council to order at 7:01 p.m., followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present at roll call: Mayor Rice, Councilmembers Barnett, Skogquist (7:38 p.m.) and Wesp.

Staff present: City Manager Greg Lee; Director of Public Services Mark Anderson; Police Chief Eric Peterson, Assistant City Engineer Ben Nelson; Director of Community Development Doug Borglund; Recreation Manager Nickie Jenks; and City Attorney Scott Baumgartner.

Absent at roll call: Councilmember Weaver.

**3. COUNCIL MINUTES**

- 3.1 January 24, 2022, Worksession.  
February 28, 2022, Worksession.  
March 28, 2022, Worksession.  
April 4, 2022, Special Worksession.  
April 18, 2022, Closed Executive Session and Regular Meeting.

Motion by Councilmember Wesp, seconded by Councilmember Barnett, to approve the January 24, 2022, Worksession, February 28, 2022, Worksession, March 28, 2022, Worksession, April 4, 2022, Special Worksession, and April 18, 2022, Closed Executive Session and Regular Meeting minutes as presented.

Councilmember Barnett encouraged the presentation of minutes occur in a timely manner where possible.

Vote taken. All ayes. Motion carried.

**4. OPEN FORUM**

- 4.1 Spring/Summer Upcoming City Events Update.

Recreation Manager Nickie Jenks summarized upcoming events throughout the City that included a community tree planting, Spring Fling, Wilderness Wednesdays, aquatic center opening May 28, Spring into Summer concert on June 21, Rockin' on the Rum concert series, Sunday concerts in the park, and other events.

Councilmember Wesp mentioned the Memorial Day service on May 30 with the American Legion at Riverfront Memorial Park and encouraged the public to attend the various music offerings at the park.

Councilmember Barnett thanked staff for these events and noted Anoka was unique in offering unlimited seating and free concerts for all then asked more about Wilderness Wednesdays. Ms. Jenks explained the event was geared toward youth and focused on learning more about wildlife.

#### 4.2 Police Activity Update.

Police Chief Eric Peterson shared an update on police activity that included the responsible alcohol serving class, the Police Explorer Post program awards ceremony by Northern Star Council that would recognize Anoka's 30-year membership award, then shared details about the shooting that occurred on April 23 and the department's response to identify a suspect.

Councilmember Wesp inquired about consequences for establishments if customers were overserved or compliance checks failed. Chief Peterson explained the civil and criminal penalties involved in the event of a compliance failure.

Councilmember Barnett asked if there were any concerns for the general public since no arrests had been made regarding the recent shooting incident. Chief Peterson said they believed the event was targeted towards certain individuals and that no danger was present to the greater community.

Mayor Rice spoke about the benefits to the police explorer program and encouraged people to get involved if they are considering a career in law enforcement.

#### 4.5 Highway 10 Anoka Construction Update.

Assistant City Engineer Ben Nelson shared an update on construction status that included the project's hotline contact information then reviewed current and upcoming closures, temporary signals, and further communications regarding the project updates.

Councilmember Barnett asked if the MTC bus route will be able to operate on the shoulder on all roads or would be subject to the same delays. Mr. Nelson said

these routes would be subject to the same routes as well as school buses but noted traffic has decreased a bit over time.

**OTHER INFORMATION UNDER OPEN FORUM**

None.

**5. PUBLIC HEARING(S)**

None.

**6. CONSENT AGENDA**

Councilmember Barnett inquired about Change Order # 5 in Item 6.5 and the cost for the buried concrete at \$7,000 and if the City can go back to Wright Tire for adjustments and other items such as removal of pumped items. Mr. Nelson explained this was currently the City's property and how the MPCA duty officer onsite was requiring drainage before the City can use to control contamination due to the fluid inside the existing tanks.

Mayor Rice noted those were likely hydraulic fluid and water which were expected, similar to fuel tanks.

City Attorney Scott Baumgartner explained certain items have to be disclosed during negotiations but noted this item would not have been known until construction began.

Motion by Councilmember Barnett seconded by Councilmember Wesp, to approve Consent Agenda 6.1 through 6.5 as presented.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 Issuance of a Temporary On-Sale Intoxicating Liquor License for 10K Brewing and Federal Ammunition 100<sup>th</sup> Anniversary Event, June 18, 2022.
- 6.4 Issuance of a Massage Therapist License for Paige Pickard of Anoka Family Wellness, 3507 Round Lake Boulevard NW, Suite 300.
- 6.5 U.S. Highway 10/169 Improvement Project; Approve Change Orders Number 5, 8, 11, 13, 14, and 15.

Vote taken. All ayes. Motion carried.

**7. REPORTS OF OFFICERS, BOARDS AND COMMISSIONS**

- 7.1 Planning Commission Items.

None.

## 8. PETITIONS, REQUESTS AND COMMUNICATION

None.

## 9. ORDINANCES AND RESOLUTIONS

- 9.1 RES/2022 Street Surface Improvement Project – Approve Joint Powers Agreement with Anoka County Highway Department for the CSAH 30 (Pleasant Street) Turn Lane Improvements.

### RESOLUTION

Mr. Nelson shared a background report stating in December of 2021, the Anoka County Highway Department initiated the preliminary design of the west bound turn lane extension of Pleasant Street (CSAH 30) at Trunk Highway (TH 47), Ferry Street to accommodate the increase traffic from the Highway 10 Anoka construction. The right turn lane will be extended in length between TH 47 and the Rum River Bridge on Pleasant Street to increase the stacking capacity for this movement to northbound TH 47 (Ferry St) and will also benefit the local traffic in the future. In January of 2022, staff meet with Anoka County to discuss this improvement and how to move forward with completing the work in the early spring, 2022. Due to the City's street resurfacing project of Front Avenue (Martin St to Pleasant St) and Martin Street (Ferry St to Front Ave), City staff offered to include this turn lane extension of Pleasant Street into the 2022 Street Surface Improvement Project. Anoka County staff was delighted about this offer and agreed to the City making these improvements to the county road. Pursuant to Minnesota State Statute § 471.59 Joint Exercise of Powers; two or more governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any power common to the contracting parties or any similar powers. To memorialize the commitments of the County and City, a Joint Powers Agreement will provide the frame work for the obligations, and understandings for this work to be completed between the two agencies. Should Council wish to make such improvements and receive payment from Anoka County; the next step is for City Council to approve and enter into the Joint Powers Agreement with the County to provide payment by the County to the City for the County's share of cost associated to the construction of the CSAH 30 (Pleasant Street) right turn lane extension. The agreement has been reviewed and there are no specific objections by the City's attorney. It is recommended that the Mayor, City Manager, and City Attorney be authorized as the designated authorizing agents to execute the agreement. Furthermore, the City Manager maintains execution authority to execute any amendments to the agreement. The act of executing the agreement allows for payment by the County to the City for the County's share of project costs in accordance with the project. The approximate amount of funds the City will receive from the County is \$32,644 and these funds will be transferred Street Renewal Fund. The City will submit to the County for review, final quantities and approval within one year of the project substantially completed.

Mayor Rice asked if this road would be made wider and if the curb would be removed as part of the project. Mr. Nelson explained where the curb would be removed and restriping done on the bridge.

Motion by Councilmember Wesp seconded by Councilmember Barnett, to adopt a resolution 2022 Street Surface Improvement Project; Approve Joint Powers Agreement with Anoka County Highway Department for the CSAH 30 (Pleasant Street) Turn Lane Improvements.

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

9.2 RES/2022 Street Renewal Project – Gray Street Reconstruction; Approve Cooperative Construction Agreement with Authorization to Execute the Agreement with the State of Minnesota Department of Transportation.

**RESOLUTION**

Mr. Nelson shared a background report stating on February 7, 2022 the State of Minnesota, Department of Transportation (MnDOT) approved the construction plans for the Gray Street Reconstruction portion of the 2022 Street Renewal Project – Swede Town Phase II. City Council adopted a resolution approving the bids and awarded a construction contract to Kuechle Underground, Inc. for the Gray Street Reconstruction project portion of the 2022 Street Renewal Project – Swede Town Phase II. On April 22, 2022, concurrence from the MnDOT was provided for the low bid received authorizing the City to award the project. As part of the State’s project, the right-of-way was obtained and Gray Street was designed to be cul-de-sac west of the intersection of TH-169 (Ferry Street). During the final design in 2021, this road reconstruction was removed from the State’s project and became locally led by the City of Anoka. As a result of the City leading these improvements, it is necessary to enter into a Cooperative Construction Agreement with MnDOT. The agreement provides for payment by the State to the City of the State’s share of the costs of the construction to be performed upon, along and adjacent to Gray Street. The approximate amount of funds the City will receive from the State is estimated to be \$60,000 and these funds will be transferred to the Street Renewal Fund. Mr. Nelson noted we can’t award the project until signed but MnDOT behind and allowed us to award before proceeding and will address internally.

Mayor Rice said the improvement to the neighborhood overall would be good and noted the City can attach this project to the Highway 10 improvement and further benefit many overall.

Motion by Councilmember Wesp seconded by Councilmember Barnett, to adopt a resolution approving the 2022 Street Renewal Project – Gray Street Reconstruction; Approve Cooperative Construction Agreement and Authorization to Execute the Agreement with the State of Minnesota Department of Transportation.

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

Councilmember Skogquist arrived at 7:38 p.m.

- 9.3 RES/County State Aid Highway 7 (7<sup>th</sup> Avenue) and 143<sup>rd</sup> Avenue Intersection Improvement Project; Approve Joint Powers Agreement with Anoka County Highway Department and the City of Andover.

## **RESOLUTION**

Mr. Nelson shared a background report stating in 2011, WSB & Associates, Inc. prepared a draft Local Access Traffic Analysis for the area at County State Aid Highway, CSAH 7 (7th Avenue) and County State Aid Highway, CSAH 116 (Bunker Lake Boulevard) in the City of Andover and the City of Anoka. The purpose of this analysis was to document the existing and future traffic operations analysis of potential access for land surrounding the intersection of CSAH 7 and CSAH 116. The conclusion of the report warranted a traffic signal based on the Minnesota Manual of Uniform Traffic Control Devices at the future intersection of CSAH 7 and 43rd Avenue (referenced as 143rd Avenue below). During the year of 2011, the Anoka Planning Commission discussed the land use for the land north of CSAH 116. Mr. Nelson summarized the work session meetings in detail and said at the June 27, 2011 City Council work session meeting, staff discussed the future access to the undeveloped sites along CSAH 7 and CSAH 116. He outlined the City's expectations of various design elements including lane configuration, center medians, lighting, trail ways, traffic signal installation, cost sharing, street naming, and other miscellaneous items. In March of 2015, the City of Anoka began the preliminary 30% design of the proposed signalized intersection at CSAH 7 and 143rd Avenue (pervious referenced as 43rd Avenue) for the future commercial development in the north-west quadrant of CSAH 7 and CSAH 116 in the limits of Anoka. The City of Andover supported this proposed project. In May of 2019, City staff met with City of Andover to discuss these improvements and how the Cities where to move forward with the final design and construction of this intersection. It was mutually agreed between the Cities that whichever City initiates the proposed signal improvements at 143rd Avenue intersection, the cost will be paid by that City. After the design of the project is accepted by both Cities, the City initiating the project will cover the cost of the construction and will invoice the other City for 95% of the payment. Due to the City of Andover's development, Andover Crossings occurring before the City of Anoka, Andover agreed and committed to take the lead in the project. On February 18, 2020, City Council held the second reading and adopted an ordinance for the Purchase Agreement on the sale of the City's of 7th Avenue and Bunker Lake Boulevard site located in the northwest quadrant of the intersection. As part of this agreement, the buyer agreed to pay a monetary amount towards the construction of 143rd Avenue intersection and traffic signal serving the site. In October of 2021, the City of Andover appointed Hakanson Anderson Associates to prepare the 100% construction plans for the new signalized intersection at CSAH 7 and 143rd Avenue, site surveying, project specifications and reports, construction staking, and construction observation. These improvements will be

completed by Andover's private developer, Quest Development, Inc. The developer received private bids this past March and Latour Construction Inc. out of Maple Lake, MN is the general contractor for this private project that will be constructing public improvements. The bid was an increase of approximately 6.5% to the engineering estimate with the biggest increase to county portion of the project. The City of Anoka agreed to split the professional services for the project and made payment to the City of Andover in the amount of \$23,705 this past February. At the April 18, 2022 Anoka County Transportation Committee meeting, the board made a motion to recommend approval of this JPA. At the April 26, 2022 Anoka County Board meeting, the board approved the Transportation Committee report which included the JPA agreement. This project will include the reconstruction of CSAH 7 to a four-lane section with concrete medians; a new signalized intersection at 143rd Avenue and CSAH 7, concrete curb & gutter, traffic signal, storm sewer, storm sewer ponding, and a bituminous trail within the city limits of Anoka. Additional improvements will be improved along CSAH 116 within the city limits of Andover. Council shall be aware, this traffic signal in does not meet the county's signal spacing standards for full access, therefore the full cost of the signal is the responsibility of Anoka and Andover. The construction cost the City will be responsible for is \$702,878.60. The total project cost, including 8% for construction engineering for the City is \$759,108.89. These funds will be borrowed from the Anoka Municipal Utility (AMU) department and will be transferred back to AMU when the Development Agreement for the site located in the northwest quadrant of 7th Avenue and Bunker Lake Boulevard is approved.

Councilmember Barnett spoke about ownership of the parcel and who would cover the full amount or a portion and complimented Mr. Borglund for being forward-thinking to include this project as part of the development and not the City. Mr. Borglund said the obligation of Ryan Companies would be the intersection improvements and other costs, adding the trail would be required as part of the project.

Councilmember Skogquist spoke about the 43<sup>rd</sup> Street improvements and suggested Avenue be used instead of Street for consistency then commented about the dollar amounts for half of the signal which was a lot and how he did not want to front the funding for very long.

Mayor Rice spoke about the number of loans against the electric utility assets which was a great funding source to use instead of an external loan or bonding but noted the City pays interest on the loan which was good for all. He added it was important to pay the loans back for future infrastructure costs.

Motion by Councilmember Barnett seconded by Councilmember Skogquist, to adopt a resolution approving County State Aid Highway 7 (7th Avenue) and 143rd Avenue Intersection Improvement Project; Approve Joint Powers Agreement with Anoka County Highway Department and the City of Andover.

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

9.4 ORD/Authorizing the Sale of General Obligation Improvement Bonds, Series 2022B in an Amount Not to Exceed \$6,000,000  
(2<sup>nd</sup> Reading)

**ORDINANCE**

City Manager Greg Lee shared a background report stating on April 18, 2022, the City had first reading of this ordinance with no changes. He said on February 7, 2022, City Council adopted a resolution to accept bid and award bid to expand Anoka Water Treatment Plant 6 & 8 and award a construction contract to Municipal Builders Inc (MBI), of Nowthen MN, in the amount of \$5,130,000, (including the bid alternate of \$10,000). Base Bid for new Golf Maintenance Facility \$5,120,000 Bid Alternate 1 (electric controlled valves) \$10,000 Sub Total \$5,130,000 City Provided Materials & Equipment \$ 600,000 Professional Services (Architect, Inspections) \$ 240,000 Total: \$5,970,000. Mr. Lee said on February 22, Council passed a resolution to reimburse itself using the proceeds of tax-exempt obligation bonds issued by the City and staff was requesting Council adopt this ordinance authorizing the sale of \$6,000,000 in General Obligation Water Revenue Bonds, Series 2022B to finance the expansion of the Anoka Water Treatment Plant 6 & 8 project.

Councilmember Skogquist asked if the City can use utility funds and if that was the plan going forward or instead use water rates. Mr. Lee explained the intent was to use increased water rates as they were a direct function of water usage and the fairest way.

Mayor Rice added clean water was the most important element that government does.

Motion by Councilmember Skogquist seconded by Councilmember Barnett, to hold second reading and adopt an ordinance authorizing the sale of general obligation water revenue bonds in an amount not to exceed \$6,000,000 and adopt a resolution providing for the sale of \$6,000,000 General Obligation Capital Improvement Plan Bonds, Series 2022B.

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

9.5 RES/Electric Inspector Consultant Contract.

**RESOLUTION**

Community Development Director Doug Borglund shared a background report stating in 2011, the City of Anoka contracted with Ted Hagfors, Inc. for Electrical Inspection Services. Mr. Hagfors is ready to retire and the City must replace Mr. Hagfors. Staff has been in discussions with Andrew Sloth of Sloth Inspection, Inc regarding electrical inspection services. Mr. Sloth currently serves communities around Anoka providing electrical inspections including Andover, Brooklyn Park, Osseo, Ramsey, and East Bethel. Mr. Sloth is recommended by City of Anoka Building Official Troy Winterfield

and a positive recommendation from City of Anoka, Anoka Electric Utility Department. Sloth Inspections is an approved inspector by the Minnesota Department of Labor and Industry.

Councilmember Barnett confirmed 80% of fees get passed on to Anoka residents and that the City covers the remaining costs and asked if the rates were different than others. She said while she understands the recommendation she asked if this is how consultants were typically hired. Mr. Borglund explained permit fees were included in the City's fee schedule and that not many were in this field and noted the individual was conveniently working in the area and had a good reputation and recommendations. He said he believed this would be a positive fit and noted the State operations had shut down and that this was a more flexible alternative.

Councilmember Skogquist asked about handling internally or externally and why we did this instead. Mr. Borglund said the current building official was educated in electrical but the work was more than specialized and it was best to contract this work instead.

Motion by Councilmember Wesp seconded by Councilmember Skogquist, to adopt a resolution approving the electric inspector consultant contract.

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

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

**RESOLUTION**

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 \$20,750.00 for calendar year 2022. For 2022, the City agreed to contribute the sum of \$0.057 per individual resident within its city limits, as a voluntary contribution to the economic development costs described above.

Motion by Councilmember Skogquist seconded by Councilmember Barnett, to adopt a resolution approving a voluntary cost share agreement; Anoka County Economic Development.

Councilmember Barnett commented about the cost-sharing agreement and the need to review and that she supported staff to ensure value-added and tangible results continued.

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

**10. UNFINISHED BUSINESS**

None.

**11. NEW BUSINESS**

None.

**12. UPDATES AND REPORTS**

12.1 Update/Reminder; Highway 47 (Ferry Street) and BNSF Railroad Crossing Open House Reminder, May 25, 2022, Anoka Hennepin Education Service Center.

Mr. Nelson shared the Minnesota Department of Transportation (MnDOT) would be hosting the Highway 47 (Ferry St) and BNSF Railroad Crossing Project Open House on May 25, 2022. The meeting will be held at the Anoka Hennepin Education Service Center located at 2727 Ferry Street (Door #7). The State has worked in partnership with Anoka County and City of Anoka in the planning of this project for both, the community and region. At the open house, the public will meet project representatives, view alignment alternatives options, and other informational materials. The public is welcome to attend this open house any time during the event.

12.2 Legislative Updates.

Mr. Lee said this agenda item allows for the opportunity to discuss any bills of significance or direction from the Council during the legislative session and said there was nothing further to report.

12.3 Tentative Agenda(s).

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

12.4 Staff and Council Input.

Councilmember Barnett shared comments about the City's neutrality ordinance and a recent court case in Boston then updated the direction from the justices and read summaries from that case that spoke about the goal to remain neutral,

Councilmember Skogquist thanked Councilmember Barnett for the update and discussion and noted he supported most of the City's ordinance but that some parts were overreaching but added the debate had occurred and that he was willing to move on.

Councilmember Barnett agreed and said she was happy to have further conversations as innovation and technology changes occurred as that would result in likely having to reconsider this ordinance.

Mr. Baumgartner spoke about trying to keep up with technology which was difficult regarding public nuisance ordinances and said the City was waiting for the State to step in which while likely difficult would be good to be somewhat proactive.

Councilmember Barnett noted the ordinance did not include residents in their homes but others placing restrictions outside of their homes.

#### **ADJOURNMENT**

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

Vote taken. All ayes. Motion carried.

Time of adjournment: 8:18 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk