

**WORKSESSION OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
MAY 24, 2021**

1. CALL TO ORDER

Mayor Pro Tem Barnett called the worksession meeting to order at 5:03 p.m.

2. ROLL CALL

Present at roll call: Mayor Rice (arrived at 6:50 p.m.), Councilmembers Barnett, Skogquist, Weaver, and Wesp.

Staff present: City Manager Greg Lee; City Planner Clark Palmer; Public Services Director Mark Anderson; Finance Director Brenda Springer; Police Chief Eric Peterson; Police Captain Andy Youngquist; Communications and Recycling Manager Pam Bowman; Public Services Administrator Lisa LaCasse; Community Development Director Doug Borglund; Green Haven General Manager Larry Norland; City Attorney Scott Baumgartner.

Absent: None.

3. COUNCIL BUSINESS and/or DISCUSSION ITEMS

Item 3.2 was heard at this point in the agenda.

3.1 Discussion; Anoka Farmers Market.

Public Services Administrator Lisa LaCasse shared a staff report with background information stating staff met with Farmers Market organizers, Larry and Sandi Golyer, October 2020 to discuss the permitting/license process required by the City to hold the market, the pros and cons of the current location (Lyric Arts Main/5th Ave), and introduce four possible alternative locations for the Anoka Farmers Market in hopes of reinvigorating it for 2021. She outlined the proposed locations that included 2nd Ave parking stalls at Riverfront Memorial Park, City Hall River Plaza, Bridge Square Parking Lot (near Chamber office) and said after much thought and discussions with their farmers/vendors, the market organizers identified the Bridge Square parking lot (city-owned) as their preferred location. City staff contacted the property owner of Bridge Square (Jensen) and tenants such as the Chamber of Commerce/Sparky's to verify that the location could work for this weekly activity. Staff then began working on details and a marketing plan. The market organizers requested switching the day of week to Tuesdays but remaining with the operation hours of 3 – 6pm. In January, an additional location was presented to the Golyers based on a new City Council goal. That location is at 2nd & Harrison in the shared gravel lot near the grain bins/agricultural area. The

lot is co-owned by the City, Feed Mill, and 111 Harrison. After learning that this idea had been discussed with adjacent property owners, staff met with the market organizers to discuss this location. It was agreed to move the Farmers Market to that location on Tuesdays from 3-6 p.m., it was also determined that the Rockin' on the Rum concert series would be changed to Tuesday nights in the hope that people will arrive early enough to the concert to walk down to the farmers market to shop. During this meeting, the idea to convert the bins into gazebos or huts to be used as sales shelters for the market was first discussed and was well received by the Golyers. Staff is working on modifying the license application to be an annually renewable agreement, which is similar to the process utilized in neighboring cities. Anoka Grain and Feed has provided a recommendation on customer parking for the site during the Farmers Market. Property owners at The Mill Site and Anoka Grain and Feed have expressed concerns about the vision for the site if the bins are modified. Staff has worked with a structural engineer to provide a concept drawing of a grain bin converted into a gazebo or sales hut. If 2021 is deemed to be successful at this location, the next step would be to modify one or more of the bins to supplement the success of the market and this item would be included in the Capital Improvement Plan (CIP) budgeting process.

Public Services Director Mark Anderson shared an update on the structural integrity of the grain bins and how the cost would be \$100,000 to convert and while a great concept would have to be included in a future CIP.

Mr. Lee said the cost was high due to labor and steel and while some could be done by staff and was expensive compared to a new park structure for events the cost is not that high and would help preserve Anoka history.

Councilmember Weaver asked who completed the steel work and noted most of the photos shared could be accomplished fairly easily. Ms. LaCasse said the work was all done internally.

Darin Peterson, 111 Harrison Street, supported the proposed concept.

Emily Larson, The Mill Site, supported the proposed farmers market but felt a contradiction with parking for the market and events and the need for signage as well as concerns if more than six parking stalls are needed as part of the market. She said she was concerned the idea is being considered will be larger than proposed and spoke about restroom needs and a strong partnership to address issues that arise. She noted the bins could be used to hold weddings which would be in competition with their site then spoke about the need to address the drainage concerns. Ms. Larson shared concerns about being a draw for homeless individuals then suggested a lease for parking and a partnership with the farmers market to use a silo for storage and other bridal event uses.

Mr. Lee said they hoped the concept would help The Mill Site, similar to the offering City Hall space and that they were not trying to compete with The Mill Site.

Councilmember Wesp said the grain bins were a significant historical element of Anoka and should be preserved if possible and that he recognized the identified parking concerns as it was always going to be a challenge in this area.

Ms. Larson shared concerns about other competing events in the City such as the food truck event and the need for shared parking agreements with the City.

Mayor Pro Tem Barnett reiterated the importance of partnerships going forward and the need to review both the drainage and shared parking concerns and said she was not in favor of leasing City property then leasing back.

Mr. Lee said staff was proposing to move forward with the farmers market to see if the concept works then would include in the CIP for 2022. He said staff will work with surrounding property owners to address the identified concerns.

3.2 Discussion; Green Haven Golf Driving Range.

Community Development Director Doug Borglund shared a staff report with background information stating City Council has discussed and supported the idea of a golf driving range at Green Haven Golf Course and Entertainment Center. He outlined points of interest that should be discussed by the City Council including appraised value of the three parcels that could host a new driving range, conceptual driving range operations and cost, driving range location options, and leaving the existing road alignment of Garfield in place today and develop around it or relocate the route along the existing Garfield along the railroad tracks.

Green Haven General Manager Larry Norland introduced Men's Club President Chris Olson who shared thoughts about the need for a driving range at Green Haven and how it would positively impact current golfers and new golfers.

Mr. Norland estimated revenue for a driving range would be approximately \$110,000 a year with minimal expenses and would produce a good profit. He said that estimate only included direct revenue and felt a range would be a good fit for high school teams as well by allowing them to call Green Haven their home course as well as junior programs. He said having driving range would change the perception of the course and completes the needs of the course with the restaurant and other elements.

Mr. Olson spoke about how the range could be utilized through subscription models and how there were no other courses in the area that did not include a driving range.

Councilmember Skogquist asked questions regarding costs and said while he agreed the proposal would be an asset was concerned about the costs.

City Manager Greg Lee said the first step was determine if the Council was supportive of pursuing the concept, then further work would begin regarding costs and benefits.

Finance Director Brenda Springer said the financing would include bonding as profit would not be sufficient and would have to be subsidized by a levy.

Councilmember Weaver agreed with the importance of the range and would be supportive of finding a solution to have this occur as it would be very important to the youth.

Mr. Olson suggested lights be added as part of a future phase which would bring in even more revenue for nighttime use.

Councilmember Wesp spoke about the asset of Green Haven since 1938 and while he while he would like to see this occur the cost was a lot and was concerned about how long would it take to see a return.

Mr. Borglund noted two of the property owners were willing sellers and that while it may not be an immediate the process could be started to control the land to do the project in the future.

Discussion was held on the driving range location and its impacts.

Mayor Pro Tem Barnett asked questions regarding profit and how the money stays in the golf fund and not other enterprises and if the income projections were based on COVID-19 activity or an average then spoke about the aesthetics of the range being too close to the railroad tracks. Mr. Norland said the projections were based on pre-pandemic activity levels and that he anticipated no concerns with proximity of the tracks.

Ms. Springer offered the current cash balance of the enterprise fund was \$111,000. Mr. Lee property said the property was owner willing to sell over the next year and the two properties would total \$500,000.

Councilmember Skogquist said he liked the concept but was concerned about the costs and asked for further information on funding alternatives.

Mr. Norland suggested an alterative of a shorter driving range in the interim.

Council consensus was to direct staff to further review the financial projections and costs and return to the June or July worksession with further information.

3.3 Discussion; Golf Cart Ordinance/Regulations; Adding UTVs to the Ordinance.

Mr. Borglund shared a staff report with background information stating it was requested that staff bring forward a discussion item pertaining to a possible amendment Chapter “Use of Motorized Golf Carts and Utility Task Vehicles”. The adopted focus at that time was to allow golf carts with a permit. He highlighted the 2018 regulations put in place in detail then said it was being proposed to include Class 2 ATVs (UTVs) and permitting their use similar to golf carts. Currently, UTVs are allowed for use by City of Anoka operations and exempted from obtaining a permit. Cities may adopt an ordinance permitting the operation of golf carts and UTVs on City streets. This is a local decision, so if a City does not specifically permit the use of these special vehicles, they may not operate on City streets. State law was amended in 2011 to allow cities to issue permits to operate utility task vehicles on city streets. A UTV is a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds. UTVs differ from ATVs because they are heavier, have side-by-side front seats, have some sort of roof structure and can travel at higher speeds. Mr. Borglund outlined points of interest that would need to be addressed that included speed of travel on Main Street and in higher traffic volume areas such as downtown and other areas. This would mean would need UTVs to travel on East and West Main Street between Western Street area to 4th Avenue area crossing the intersection at Ferry Street. Also, UTVs would need to travel on Grant Street and 4th Avenue. Allowing UTVs to travel on roads at higher speeds than 30 mph and dropping the age from 21 to 18 for golf carts and UTVs. He outlined other requirements that should be considered should an ordinance be put into effect and noted Ramsey and Andover allow UTV/ATV use in the most rural parts of their cities. He shared 27 UTV/ATV fatalities occurred in Minnesota in 2020 with the primary cause as driver inexperience, alcohol and speed, then noted in 2020 Ramsey had 103 UTV/ATV complaints, many of which involved speeding and RV trespassing. He said Anoka had 13 similar complaints and with increased use will inevitably require more police enforcement for those who choose to ignore the ordinance’s restrictions.

Police Chief Eric Peterson commented about development of the ordinance and potential impacts surrounding safety with the golf cart ordinance and how this could change with UTVs then compared to surrounding cities and how some do allow these to be used on city streets and how Ramsey has had a fair number of complaints in their city.

Councilmember Weaver noted there were State statutes that applied to operation of UTVs as well.

Councilmember Wesp asked for clarification on right-of-way definition and where UTVs would be allowed, as he was not in favor of allowing their use on Main and Ferry Streets.

Councilmember Weaver requested a change to allow 18 years of age as well and expanding the definition of UTV to Class 2 and how incidents occurred due to alcohol and not operation. He said he was not opposed but that the City needed to be aware of potential concerns and asked if State licensing would be required as well.

Councilmember Skogquist shared concerns regarding accidents and deaths and felt this activity did not fit well within the City of Anoka.

City Attorney Scott Baumgartner cautioned about the need to highlight differences in golf carts and UTVs as that would make it more difficult to enforce and address concerns.

Councilmember Wesp asked about the issues that occurred in Andover and if they were prosecuted. Mr. Baumgartner said Andover is a little different as they have more open and rural space than Anoka.

Councilmember Skogquist stressed the need for communication as part of this process.

Council consensus was to move forward with a version of the proposed ordinance in conjunction with support from the Police Chief.

3.4 Discussion; Signs/Article VIII Signs; Section 78-511.

Mr. Borglund shared a staff report with background information stating there have been discussions regarding complaints related to election signs that are still up in the City. The State is technically responsible for enforcement of removal of election signs still up beyond the parameters set by state law. Local jurisdictions may have ordinances restricting the number and size of signs and if a jurisdiction does have such ordinances in an even year these ordinances cannot be enforced for a specified time before and after election day. In jurisdictions that have no sign ordinance, campaign signs may be posted in any size and number throughout the year. Under the law, municipalities must allow noncommercial signs of any size or number during the election season, from 46 days before the general primary until 10 days after the general election. He said there have been some complaints regarding noncommercial opinion or statement lawn signs which are different than election signs. Because these are opinion or statement signs located on private property the past practice has been not to do any enforcement. The types of signs are First Amendment right/freedom of speech issues which the City does not regulate the content of any type of sign. Mr. Borglund said the City Attorney has advised that we remain neutral on these types of signs and

enforcement and noted courts have deemed yard signs constitutionally protected. He said best practices was to avoid bans or regulating these types of signs, adding cities cannot regulate the message of any sign and must remain content-neutral.

Mr. Baumgartner cautioned that enforcement could result in a slippery slope as these signs involved freedom of speech, including protesting, and advised while the City was sympathetic to a neighbor for example, we should not regulate these types of signs. He suggested State Statute references private use actions which could be used to refer residents to as it gives property owners an avenue to address nuisances, including signs, but not have it done through a City ordinance.

Councilmember Skogquist asked questions regarding campaign signs. Mr. Baumgartner said you could include language regarding size and location but not content.

Mr. Borglund noted some ordinances were old and conflicted in areas and that staff would review for consistency.

Council consensus was to direct staff to review portions of City code for consistency but not to bring forward any further revision at this time.

3.5 Discussion; Bonding Strategy for 2021 and 2022.

Mr. Lee shared a staff report with background information stating the Park Maintenance Building was completed in the spring of 2021, and if a bid is awarded the Law Enforcement Training Center (LETC)/Animal Containment Facility (ACF) will begin in the fall of 2021. He outlined the Park Maintenance Building costs in detail and said to get the best bonding rate we need to stay under \$10,000,000 in bonding per year to get bank certified bonds. The Anoka Area Ice Arena borrowed \$4,000,000 so the maximum we would want to bond in 2021 is \$6,000,000. In 2022, on top of bonding for the remaining LETC, we have other utility capital improvement projects that would require revenue bonds and want to be sure we stay under the \$10 million per year.

Ms. Springer spoke about importance of having a good reserve with three months of expenses on hand so suggested \$7 million with the enterprise at \$2 million as well as the Highway 10 improvement project. She said the resolution was adopted by Council for \$6 million but the ordinance for bonding needed to be a 4/5 vote.

Mayor Rice explained there were three Councilmembers in favor of the proposed bonding but two were opposed to the ACF and clarified if this amount would cover both uses. Ms. Springer said staff would come back to Council to bond for the remaining \$1.5 million if we bonded \$6 million this year.

The Council discussed on how to pay for the project through bonding and what the Council would and should support of the facility. Councilmember Weaver

shared concerns with the ACF portion of the project was but in favor of the LETF for the police department, adding the ACF portion had other options, such as other locations or private industry.

Mr. Lee said in order to move forward with the LETF there needed to be Council support of 4/5 to bond for \$3 million then recommend bonding \$1 million this year and bond for the rest next year. He said the ACF was \$822,000 and tied to the LETF and if not built together the design process would have to start over.

Mayor Rice said the most we can bond is \$1 million for 2021 and this would not be just for animal containment but was part of customer service and the relationship with officers and the public, similar to police and fire services.

Mr. Lee said staff would need commitment to bond next year for the remaining amount and the question was not whether to build the ACF but how to pay for it.

Councilmember Wesp said he was very committed to the LETF but not the ACF and that by voting against demonstrated that support. He likened it to the driving range request and how he could support that over the ACF, adding it was not about the training but was about the cost.

Councilmember Weaver said he understood staff was losing square footage but added there was a fundamental difference in the uses.

Mr. Lee said staff needed to see a commitment for the \$2 million for next year otherwise we should not begin construction this year, adding rates continue to be low at this time.

Councilmember Skogquist said the ACF is really only 30% of the building and how we have to live with the decision of previous Councils and said while we could debate the question, we always stressed the importance of animal containment and that staff asked several times over the course of design whether this was an important element of the project and since it was fortunate that bonding costs were low, we should commit now to move forward.

Councilmember Wesp said he would like to see alternatives to the proposed ACF, adding the service could continue but the cost was too high.

Councilmember Skogquist said we need the space now as we have expanded over time with staff in the police department and if the ACF was not used in the future it could be used for other space. He said Council made a decision to remove space which needed to be replaced and it was important to have an upper level to this building as it will not change within 5-10 years in the future.

2:42 - audio stopped completely. *I have attached a copy of some notes taken by the City Manager regarding this last topic. If Councilmembers recall certain*

things they would like added to this missing section, please feel free to do so at your meeting this evening.

OTHER BUSINESS

None.

4. ADJOURNMENT

Mayor Rice adjourned 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

**EXECUTIVE SESSION OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
COUNCIL EXECUTIVE SESSION ROOM
MAY 24, 2021
EXECUTIVE SESSION COMMENCED AT 7:00 P.M.**

AUDIO RECORDING FAILED

A Councilmember made a motion to hold the Closed Executive Session pursuant to Minnesota Statute 13D.05, Subd 3(C) for the purpose of discussing a real estate offer relating to 06-31-24-22-0009. Motion was seconded by Councilmember Barnett. Vote taken: All Ayes. Motion passed.

Mayor Rice called the Closed Executive Session to order at 7:05 p.m.

1. ROLL CALL

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

Staff present: City Manager, Greg Lee and Community Development Director Doug Borglund.

- 3.** After discussion, motion was made and seconded to close the Executive Session. Vote taken. All Ayes. Motion passed.

Mayor Rice closed the Executive Session (time unknown due to recording failure).

Approval Attestation:

Amy T. Oehlers, ACM/City Clerk