

**REGULAR MEETING OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
CITY COUNCIL CHAMBERS  
JUNE 21, 2021**

**1. CALL TO ORDER**

Mayor Rice called the regular meeting of the City Council to order at 7:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL**

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

Staff present: City Manager Greg Lee; Finance Director Brenda Springer; City Planner Clark Palmer; Police Chief Eric Peterson; Community Development Director Doug Borglund; Public Services Director Mark Anderson; Engineering Technician Ben Nelson; and City Attorney Scott Baumgartner.

Absent at roll call: Councilmember Weaver.

**3. COUNCIL MINUTES**

- 3.1 June 7, 2021, Executive Session.  
June 7, 2021, Regular Meeting.  
June 7, 2021, Worksession.

Councilmember Skogquist noted a correction was needed on Page 6 of the June 7, 2021, Regular meeting on Page 6, Paragraph 8, that the motion passed 4-1.

Councilmember Barnett shared a correction on Page 9 of the June 7, 2021, Regular meeting that Councilmember Weaver had suggested the friendly amendment.

Motion by Councilmember Barnett, seconded by Councilmember Wesp, to waive the reading and approve the June 7, 2021, Executive Session, June 7, 2021, Regular Meeting, and June 7, 2021, Worksession as corrected.

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

**4. OPEN FORUM**

- 4.1 Police Activity Update.

Police Chief Eric Peterson spoke about the additional available staff who can assist with security as they were no longer needed at the high school and how they were focusing on where people were present such as the downtown area and with activities such as violating the City's no camping ordinance and golf carts on City trails. He shared the department would be hosting a house of worship training for active shooters in places of worship and stressed the importance of having a trusted relationship with the community then shared the upcoming Cookout with the Cops event and thanked the Anti-Crime Commission for their support. Chief Peterson said Officer Sorteberg and K-9 Bravo recently attended regional trials in St. Cloud and that Bravo took third place in regions in suspect search and received the regional case of the quarter recognition then shared an update on a recent incident that involved juveniles vandalizing property in a cemetery.

### **OTHER INFORMATION UNDER OPEN FORUM**

Ed Evans, 1186 Benton Street, spoke about the need to require wheelchairs have flags while on City streets as this was a safety concern then shared a Parking Advisory Board update on how the MMPA wanted to install electric vehicle charging stations within the City. He said the stations would cost the City money and that locations would need to be determined then shared concerns about potential fires from these stations. He shared how Elk River has had these stations for some time, including some city vehicles as well, and stressed that the City not become liable for charges.

City Manager Greg Lee said the Parking Advisory Board had researched four potential sites for these proposed stations and said the topic could be included on the July 26 worksession for discussion.

Councilmember Skogquist explained this was a pilot project to help determine locations and that information would be coming forward on how to charge and other costs and that the MMPA was working to address questions. He said cities were being asked to be part of the pilot by making facilities available that were near existing transformers and that the success would occur in more commercial areas where the units can charge for a set period of time.

Councilmember Barnett said that cost of installation, locations in other cities, and usage figures should be available for the upcoming worksession discussion.

### **5. PUBLIC HEARING(S)**

None.

### **6. CONSENT AGENDA**

Motion by Councilmember Wesp, seconded by Councilmember Barnett, to approve Consent Agenda 6.1 through 6.2.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, 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/Issuance of General Obligation Capital Improvement Bonds Not to Exceed \$10,000,000.  
*(1<sup>st</sup> Reading)*

Finance Director Brenda Springer shared a background report stating under Minnesota Statute 475.521 the City is authorized to prepare a Capital Improvement Plan and carry out plans for financing certain capital improvements. The City may issue GO bonds pursuant to the statute to finance the cost of the Capital Improvements. The city is required to hold a public hearing, which was held on May 3, 2021, and approved the five-year capital improvement plan. The City has determined that it is in the best interest to give preliminary approval to issuance the sale of CIP Bonds not to exceed \$10,000,000 to finance the capital improvements set forth in the plan.

Motion by Councilmember seconded by Councilmember Barnett, to hold first reading of an ordinance authorizing the sale of general obligation capital improvement plan bonds in an amount not to exceed \$10,000,000.

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

- 9.2 RES/Providing for the Sale of \$6,000,000 General Obligation Capital Improvement Bonds, Series 2021A.

Ms. Springer shared a background report stating the City Council has determined that it is necessary to issue the City's \$6,000,000 General Obligation Capital Improvement Plan Bonds, Series 2021A to finance the projects authorized in the 2021-2025 Capital Improvement Plan for the issuance of General Obligation COP bonds. The City has retained Ehlers & Associates as its independent municipal

advisor for the bonds and that at the August 16, 2021, meeting the City Council would consider proposals and award the sale of the bonds.

Councilmember Skogquist inquired about the timing for this action and if this schedule would cause any delay in the project. Ms. Smith explained Ehlers had proposed the schedule which includes ordinance publication and if there is no July 6 meeting it would delay the process a little longer.

Motion by Councilmember Barnett seconded by Councilmember Skogquist, to adopt a resolution providing for the sale of \$6,000,000 General Obligation Capital Improvement Plan Bonds, Series 2021A.

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

9.3 RES/Law Enforcement Training Center/Animal Containment; Accept Bid and Award Contract.

Director of Public Services Mark Anderson shared a background report stating at the April 5, 2021, City Council Meeting, Council approved the plans and specifications for the Law Enforcement Training Center/Animal Containment (LETC/AC). Council authorized the advertisement for bidding and set the bid date. On May 6, 2021, at 2pm, 11 bids were received, opened and read aloud. The bids were close in their Base Bid totals, the two lowest bidders were within \$45,000. This indicates the plans and specifications were well prepared and understood by the bidders. The Architects Estimate for the Base Bid was \$2,640,000. The low bidder is Rochon Company and their base bid was \$2,878,000 (9% over the Architects estimate). The Bidding Documents included a Bid Alternate to install a pre-finished-metal, hip roof, similar to that of the adjacent Public Safety Center. This Bid Alternate was + \$108,000. It is recommended the City accept the Bid Alternate for a total Project Cost of \$2,986,000. He said the Range Equipment has been included in this project as an allowance in the amount of \$700,000 and will bid at a later date under a separate contract.

Motion by Councilmember Barnett seconded by Councilmember Skogquist, to adopt a resolution for the law enforcement training center/animal containment facility; accept bid and award contract to Rochon Company in the amount of \$2,878,000, including bid alternate A.

Councilmember Wesp stated he was in favor of providing the best training for the police department but was not in favor of the proposed animal containment facility and therefore would not support the motion.

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

9.4 RES/Variance for Garage Setback.

City Planner Clark Palmer shared a background report stating the property owners of 515 Park Street are seeking to replace their existing one-car garage with a new two-car garage. The new garage will be placed on the foundation of the existing garage but be expanded 6 feet to the north and 6 feet to the east away from Levee Ave. The new garage will maintain an 8/12 pitch to match the existing garage and roof pitch of the home. The exterior of the new garage will be finished in SmartSide lap siding painted to match the house. For this proposal, a variance is needed because the existing one-car garage is considered legal nonconforming for two reasons; first, the existing garage is setback 6.25 feet from the front lot line abutting Levee Avenue. Since the subject property is a corner lot with two front lot lines, one along Park St. and one along Levee Ave., a minimum 25-foot setback from each front lot line is required. Secondly, R-1 single-family lots and uses are required a minimum of 440 SF of enclosed off-street parking; the existing garage is only 308 SF which is 132 SF smaller than is required today. Since the existing garage is legal nonconforming, it is allowed to be repaired/replaced but it cannot be expanded without a variance from the 25-foot minimum setback. Reportedly, the garage is in need of repair and the applicant has considered whether or not it makes sense to fix up a nonconforming garage of 308 SF. As an alternative, the applicant is seeking to construct a conforming size garage in relatively the same location. The applicant is asking for a front-yard setback variance of 18.75 feet from the minimum 25-foot front-yard setback along the west property line.

Councilmember Skogquist asked what a typical setback was in an alley and if another variance was recently granted and the concern to not have a driveway in the setback area. He said it makes sense if the variance was not infringing any more on the right-of-way and results in a better situation overall. Mr. Palmer responded a through lot would allow for a 10-foot reduction from the typical 25 feet in an alley.

Motion by Councilmember Skogquist seconded by Councilmember Wesp, to adopt a resolution approving a variance for garage setback; 515 Park Street.

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

9.5 RES/Variance for Sign Area; 900 Bob Ehlen Drive.

Mr. Palmer shared a background report stating Vista Outdoor / Federal Cartridge located at 900 Bob Ehlen Drive is requesting a sign area variance. The request pertains to plans to install a silo-topper sign at the top of one of four bulk storage silos on site. In September 2020, the Anoka City Council approved a sign area variance of 940 SF related to the applicant's plans to decorate one of four bulk storage silos as signage in excess of the maximum square feet allowed. The silo

was subsequently decorated to look like a shotgun shell with the company's name and symbol. The silo-topper sign, if approved, will be mounted on top of the decorated storage silo. The silo-topper sign is to commemorate Federal Premium's 100-year anniversary and the applicant says the sign will be permanent and illuminated. For this variance request, the applicable regulation says "No single business sign surface area shall exceed 200 square feet in area." Although the silo-topper sign is only 124 SF and could be considered permitted as a standalone sign, since the silo-topper sign will be an expansion of signage on the silo, staff finds that a variance from the maximum signage is appropriate. The current silo is decorated as a sign in the amount of 1,140 SF. 200 SF of the sign is permitted, the remaining 940 SF was approved by variance in September 2020. The proposed silo topper sign is 124 SF. Therefore, the requested variance is: 1. A sign area variance of 124 SF above the current maximum allowed of 1,140 SF.

Councilmember Wesp asked about a recent sign variance request for 225 feet along Highway 10 which is also lit and referred to set criteria. He said while this one will be higher it is set back farther and since the City already allowed a variance for the shotgun shell signage this would be similar and appropriate for a long-standing business.

Councilmember Barnett asked if the lumens could be adjustable if lighting becomes a concern. Mr. Palmer said staff would check but noted that Federal Cartridge would be a good neighbor if concerns arose and suggested including that as a condition of approval. He said he did not see any direct impact as the sign would not be close to the property line and would be filtered.

Motion by Councilmember Wesp seconded by Councilmember Barnett, to adopt a resolution approving a variance for sign area, 900 Bob Ehlen Drive, with the additional condition of illumination controls.

Councilmember Skogquist thanked staff reviewing impacts on neighboring properties in Coon Rapids as it showed good will.

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

9.6 ORD/Planned Unit Development Amendment, Volunteers of America Phase 3; Northwest Corner of Grant Street/5<sup>th</sup> Avenue.  
(1<sup>st</sup> Reading)

Community Development Director shared a background report stating Volunteers of America (VOA) is requesting approval of a Planned Unit Development Amendment (PUD), Conditional Use Permit, and Site Plan Review to construct Phase 3 of the senior care campus consisting of 80 senior independent living residential units. The project is located southeast of the existing facility at the corner of Grant Street and 5th Avenue. The proposed development site is owned

by the City of Anoka with an option agreement with VOA. The building is planned to be constructed to blend and match the existing campus in place. VOA will have a full-time property manager (M-F), part time maintenance/custodian staff, and a part time service coordinator. The proposed development plan with 80 units results in a proposed density of 32 units/acre. Density may be increased above 11 units per acre with a PUD approval. For PUDs, the various zoning regulations and requirements (e.g. use, building setback, height, etc.) which may apply to the original zoning district may be considered as guidelines only and may be departed from in the approval of a planned unit development. He outlined the items that varied from the underlying zoning in detail and said the Planning Commission reviewed the Conditional Use, Site Plan and Planned Unit Development Amendment and held a public hearing at its June 1, 2021 regular meeting and recommended approval of the Planned Unit Development Amendment as presented with conditions of approval.

Councilmember Barnett asked when construction would begin and when was the option for phase four. John Klevenchur, VOA, said they intended to begin construction in October and had included winter conditions in their bidding then noted there was no timing indications yet on phase four.

Councilmember Skogquist clarified the process for approval that included the ordinance for rezoning, site plan, and conditional use permit. Mr. Borglund explained the action this evening would be to hold first reading to rezone to PUD only.

Mayor Rice asked about the proposed facades and percentages of materials as he would like to see at least 20-25% coverage then spoke about variances and parking and if the building was shifted as it would be good to provide permanent parking on the west side of the building and should be addressed sooner rather than later.

Motion by Councilmember Skogquist seconded by Councilmember Barnett, to hold first reading of an ordinance to rezone the subject property through a Planned Unit Development Amendment – Volunteers of America Phase 3.

Dr. Evans inquired about park dedication fees for the project. Ms. Springer responded the City would receive \$203,440 in park dedication fees that would be placed in a dedicated fund for parks.

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

9.7 RES/Second Amendment to Purchase Agreement; Ryan Companies US Inc.

Mr. Borglund shared a background report stating on February 18, 2020 the City approved a purchase agreement with Ryan Companies for the sale of a 14-acre

parcel at the northwest corner of & 7th Avenue and Bunker Lake Boulevard. Due to COVID-19, the state of retail, and the City's desire to obtain a grocery retailer on the 14-acre site at 7<sup>th</sup> Avenue and Bunker Lake Boulevard, on July 6, 2020 the City Council approved the First Amendment that included additional time is being requested by the buyer that would extend the time period to July 2021. Section 11 addresses access and inspection of the site which may include architectural, design, soil, environmental studies and assessments. Ryan Companies is requesting a Second Amendment that includes additional time is being requested by the buyer.

Patrick Daly, Ryan Companies, said they remained committed to the City's goals to have a neighborhood district anchored by a grocer and have been focused on retail development and monitoring the current grocery market but noted it is changing after the pandemic due to increased online shopping and will take some patience. He said they continue to remain committed to the vision and finish what they started.

Councilmember Barnett asked reasons for the two-year extension. Mr. Daly said the extension was based on the effective date of the contract and that they were requesting another 12 months from the first amendment.

Councilmember Skogquist asked about the proposed signal cost. Mr. Lee estimated the signal cost to be \$300,000 including turn lanes and that the cost would be split between Anoka and Andover.

Motion by Councilmember Skogquist seconded by Councilmember Wesp, to adopt a resolution adopting the first amendment to the purchase agreement; Ryan Companies US, Inc.

Councilmember Wesp recognized the dramatic change on how consumers shop due to the pandemic and said Ryan was a very good firm and that we have to be patient. He said he was comfortable with the amendment as he believed things will change but added both parties need to hold each other accountable and if Ryan Companies thinks this concept is not going to work on this site, they need to inform the City.

Mayor Rice if an opportunity for grocers is not the right fit there will be something else for this site. Mr. Daly said there are many compelling features of this site that would be good for a grocer but said while there are possible alternatives such as light manufacturing, senior living, and multi-family they continue to arrive at a retail use for this site. He said they were currently working with a couple prospects to get a better sense of their proposals and hoped to present options in the near future.

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



9.8 RES/Summary Publication of Ordinance Related to Targeted Residential Picketing.

**RESOLUTION**

Mr. Lee shared a background report stating at the June 7, 2021 meeting, the Council adopted an ordinance establishing a new section in the City Code related to targeted residential picketing. He said ordinances are required to be published in the legal newspaper but State law allows for a resolution to be adopted summarizing the ordinance, which is then published instead. He said this alternative can save a substantial amount of money for cities in cases where the ordinance is quite lengthy then added the requirement of publication is antiquated and should be changed and that staff would encourage approaching legislators towards this effort through the League of Minnesota Cities.

Motion by Mayor Rice seconded by Councilmember Barnett, to adopt a resolution providing for a summary publication, amending Chapter 46, offenses, Article IV, offenses involving public peace and order, establishing Section 46-67, targeted residential picketing.

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

**10. UNFINISHED BUSINESS**

None.

**11. NEW BUSINESS**

11.1 Recommendation on Appointment to Charter Commission.

Mr. Lee shared a background report stating currently the City has one partial term vacancy on the Charter Commission with a term to expire March 1, 2022. He said the City received two applications from Joseph Garrick and Chad Wetzel. He explained appointments to the Charter Commission are done by the 10th Judicial District Court and that Council action would be to make a recommendation on this appointment.

Councilmember Skogquist said it is good to see multiple people applying for this vacancy and said while both were great individuals suggested Mr. Garrick be appointed because he applied last time there was a vacancy.

Motion by Councilmember Skogquist, to recommend appointment of Joseph Garrick for a term to expire March 1, 2022. Motion failed for lack of a second.

Motion by Councilmember Wesp, seconded by Councilmember Barnett, to recommend appointment of Chad Wetzel to the Charter Commission for a term to expire March 1, 2022.

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

## 12. UPDATES AND REPORTS

### 12.2 First Quarter Financial Report.

Ms. Springer shared the City's first quarter financial report stating revenue was down \$8.3 million due to bond sales for street projects and expenses were up \$4.6 million due to parks. She shared general fund comparisons and percent allocation by type and said the debt service fund was up \$214,000 while the building fund was down \$3.9 for park maintenance building and others. She reviewed enterprise funds which all showed positive operating income then shared graphs depicting security of investments and other information. Ms. Springer stated Anoka continues to demonstrate responsible financial management.

Dr. Evans asked how much Anoka would be receiving from the federal government regarding offset losses from electrical due to COVID-19. Ms. Springer responded the City would be receiving \$1.9 million in two payments which could be used until 2025 to offset loss revenue, adding staff was still obtaining information on distribution and tracking of funds received.

Dr. Evans spoke about the amount Anoka will be charged by CenterPoint to operate Faribault and Shakopee power utilities and the possibility of surcharges to Anoka.

### 12.2 Tentative Agenda(s).

The Council reviewed the tentative agendas of the upcoming Council meetings and the possibility of canceling the July 6 regular meeting.

Motion by Councilmember Wesp, seconded by Councilmember Barnett, to cancel the July 6 regular Council meeting.

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

### 12.3 Staff and Council Input.

Mr. Anderson shared an update on lawn sprinkling during the current dry season and reminded residents of the watering ban from 10AM-7PM and odd/even

addresses and stated staff was working to ensure sufficient water, adding this is the most water pumped in 21 years.

Councilmember Wesp asked if the drought continues how would water conservation be addressed. Mr. Anderson said staff is monitoring the situation closely and watching neighboring cities on their actions and expected the possibility of a more restrictive watering ban such as watering on weekends only. He said he did not recall having to push the water system this hard but was meeting with the City's consultant SEH Inc. for input on ways to address.

Councilmember Barnett shared the City's annual farmers market would be held June 22 – October 26 at 2<sup>nd</sup> Avenue and Harrison Street.

### **ADJOURNMENT**

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

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

Time of adjournment: 9:15 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk