

**REGULAR MEETING OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
MARCH 21, 2022**

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.

2. ROLL CALL

Present at roll call: Mayor Rice, Councilmembers Barnett, Skogquist (arrived at 7:14 p.m.), Wesp (participating remotely) and Weaver.

Staff present: City Manager Greg Lee; Director of Public Services Mark Anderson; Communications and Recycling Manager Pam Bowman; Police Chief Eric Peterson, Director of Community Development Doug Borglund; City Planner Clark Palmer; and City Attorney Scott Baumgartner.

Absent at roll call: None.

3. COUNCIL MINUTES

3.1 March 7, 2022, Regular Meeting.

Councilmember Barnett requested corrections to Item 9.3 referencing Recreation Manager Nickie Jenks to Communications and Recycling Manager Pam Bowman.

Motion by Councilmember Skogquist, seconded by Mayor Rice, to approve the March 7, 2022, Regular Meeting minutes as corrected.

Vote taken. All ayes. Motion carried.

4. OPEN FORUM

4.1 Police Activity Update.

Police Chief Eric Peterson shared an update regarding increased security patrols with more people being outside overnight including the homeless population as well as minor incidents related to the recent St. Patrick's Day celebration. He spoke about the increase in drag racing within the City and work that included enforcement and partnership with the Minnesota State Patrol to address targeted areas and respond to complaints. He shared a staffing update that included two new officers who will be sworn in at the next Council meeting and how all will be

trained and on their own patrol soon. Chief Peterson shared that interviews for the crime prevention technician will occur soon and the open records technician position closes soon then stated excavation work had begun on the animal containment center/law enforcement training center and should be complete sometime this fall.

Councilmember Barnett requested that focus be given to speeding along 7th Avenue as the warm weather continues.

OTHER INFORMATION UNDER OPEN FORUM

Joseph and Jesse Wielinski, Anoka, spoke how Anoka was a Bee Safe City then shared their education on beekeeping through the University of Minnesota and suggested starting a community apiary in and around Anoka for bees. They shared how an ordinance amendment could allow bees in the City which would benefit the community gardens too and could be established off the trail by the Rum River Library. They also requested the City consider increasing the number of chickens allowed from four to more.

Councilmember Weaver supported both proposals. Councilmember Barnett agreed and suggested the topics be included on an upcoming worksession that would include samples of how other cities were allowing bees for review.

City Manager Greg Lee said beekeeping has been on staff's list for the past two years and will include this on a future worksession sometime in May.

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 as presented.

Councilmember Barnett noted the date for the Anoka County joint meeting had changed. Mr. Lee confirmed the meeting had been changed to March 30 and will be held in the Council worksession room.

6.1 Approve Verified Bills.

6.2 Revising and Setting Council Calendars.

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/Amendment to Joint Powers Agreement with the Anoka-Hennepin Narcotics and Violent Crimes Task Force.

RESOLUTION

Chief Peterson shared a background report stating staff was requesting Council approve a resolution amending the Joint and Cooperative Agreement (JPA) with Anoka Hennepin Drug and Violent Crimes Task Force which would change the language of supervision to oversight. The purpose of the language amendment would better define the role and responsibilities of the Sergeant/Team Leader. A Sergeant/Team Lead assigned to the Task Force only provides oversight of subordinate members while supervision responsibilities are provided by the assigned Commander or Lieutenant. He outlined details of the revised JPA and resolution for amending the Joint and Cooperative Agreement for the Formation and Administration of the Anoka-Hennepin Narcotics and Violent Crimes Task Force.

Councilmember Skogquist asked for an overview about what the Task Force is and provides. Chief Peterson explained the Task Force has been in place since the early 1990s and targets violent and drug crimes in Anoka County by providing a group of detectives who pay special attention to these types of crimes more so than what each agency could do solely. He spoke about how staffing for the Task Force is conducted offsite and how when assigned detectives do not focus on Anoka unless directly related to the Task Force or otherwise assigned by him.

Councilmember Skogquist asked how allocations are done and how membership is determined. Chief Peterson explained how each agency donates one detective to the Task Force.

Councilmember Barnett noted how most of the budget for the Task Force comes from Anoka County and the rest from State grants then spoke about the increase in crime and if the size or coverage of the Task Force is anticipated to grow over time. Chief Peterson explained how forfeiture funds and other funding is used to offset staffing and equipment and how Anoka has received the maximum number of grants which is great, likely the best in the State. He said he did not believe an increase in staff or resources will be needed as the Task Force was well-staffed for now but added he would like to see more

member cities participate then spoke more about how they work together and gather information.

Motion by Councilmember Skogquist seconded by Councilmember Weaver, to adopt a resolution approving an amendment to the Joint and Cooperative Agreement for the formation and administration of the Anoka-Hennepin Narcotics and Violent Crimes Task Force; amending the Sergeant/Team Leader responsibilities description.

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

9.2 RES/LG214 Premise Permit; Anoka Ramsey Athletic Association (ARAA) and Senor Patron Mexican Restaurant.

RESOLUTION

Ms. Lee shared a background report stating the City has received an LG214 State application from Anoka Ramsey Athletic Association requesting that they be allowed to obtain a State-issued premise permit to operate gambling at Senor Patrons Mexican Restaurant, 440 Bunker Lake Boulevard. A premise permit allows an organization to sell pull tabs, tip boards, etc. The Minnesota Gambling Control Board is the entity that actually grants premise permits; however, the Board requires that the municipality in which the gambling takes place provide a recommendation or comment on the issuance of a premise permit. This type of license differs from some other gambling licenses, and requires a resolution of recommendation be passed by the local governing body. He said there is no financial impact related to the adoption of the resolution, however, the local area does receive donations from the premise permit holders that operate in our City. That amount varies on how much they gross in their gambling sales. This information is received by and confirmed for compliance with our City Code by the City's Finance Department. Section 14-192. Expenditures for Lawful Purposes. During any year that an eligible organization is licensed to conduct gambling events, not less than fifty percent (50%) of its lawful purpose expenditures will be for lawful purposes conducted or located within the trade area. A report of the expenditures for lawful purposes within the trade area is provided to the City each month after the date of the adoption of this requirement and additional reports may be required as determined by the City.

Councilmember Skogquist asked what information the applicant is required to submit to the State since the City does not approve the actual license. City Attorney Scott Baumgartner said the State reviews and audits each licensed organization and noted the reporting requirements are extensive and would have no concerns with the application.

Motion by Councilmember Wesp seconded by Councilmember Skogquist, to adopt a resolution recommending the issuance of a State issued LG214 Gambling License and Premise Permit for Anoka Ramsey Athletic Association at Senor Patrons 440 Bunker Lake Blvd, Anoka, Minnesota.

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

9.3 ORD/Amending Chapter 10, Amusements and Entertainment Article V, Special Events.
(2nd Reading)

ORDINANCE

RES/Adopting Summary Resolution for an Ordinance Amending Chapter 10, Amusements and Entertainment Article V, Special Events.

RESOLUTION

Communications and Recycling Manager Pam Bowman shared a background report stating the City Council, at its regular meeting on March 7, 2022, reviewed and discussed the proposed amendments to Chapter 10, Article V, Special Events. Council requested language be added to the ordinance regarding any changes noted in revenue sharing percentage from one year to the next from any event organizer be brought back to a Council meeting and placed under the Consent Agenda. Council approved first reading contingent on that revision, plus any additional changes recommended by the City Attorney. She said the City Attorney has completed a final review and added the requested language along with a few minor changes. All revisions will align with the new Special Event Permit Policy approved by City Council on March 7, 2022. This discussion began at the November 22, 2021 City Council worksession when staff presented its recommendation to update the Special Events Ordinance as part of a plan to better streamline the Special Event permit application process for both the applicant and staff, in addition to redefining associated fees to help recover city costs (Administration, Public Services, etc.). The City Council gave direction for staff to proceed with the revisions. At the December 6, 2021 Council meeting, Councilmembers questioned the 80% revenue sharing requirement within the ordinance. This was then discussed at the February 28, 2022 Worksession where it was determined to include a requirement of the “for-profit” entities to give back to a local non-profit and requiring the applicant to choose the percentage of revenue in which they wish to donate to a local non-profit and provide an estimated amount of its net profit on the new permit application. She outlined the proposed changes in detail and said the updates to the ordinance along with a new policy, new permit application, and updated fees will help staff to better process, manage and recover costs related to the many special events that draw thousands of people to Anoka. Ms. Bowman suggested adding language regarding “subsequent events” after the term “non-profit” for ease in managing that future events would be reconsidered, otherwise they would be included under the Consent Agenda.

Mr. Baumgartner suggested substitute language that stated changes to a future or subsequent permit application that changes its percentage of donation amount be included.

Motion by Councilmember Weaver seconded by Councilmember Barnett, to hold second reading and adopt an ordinance Amending Chapter 10, Amusements and Entertainment Article V, Special Events, Sections 10-121 through 10-132 and 10-134 of the Code of the City of Anoka Minnesota as amended.

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

Motion by Councilmember Weaver seconded by Councilmember Wesp, to adopt a resolution approving a summary publication for an ordinance Amending Chapter 10, Amusements and Entertainment Article V, Special Events, Sections 10-121 through 10-132 and 10-134 of the Code of the City of Anoka Minnesota.

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

9.4 RES/Woodbury House Closing Documents.

RESOLUTION

Community Development Director Doug Borglund shared a background report stating the City Council has approved and entered into a Purchase Agreement with TLK Enterprises LLC (Tim and Liz Koch) regarding property known as the Woodbury House. The Purchase Agreement was executed in April of 2019. The City has also approved a Contract-for-Deed with TLK Enterprises LLC and it has been executed by the City only. The Woodbury House will continue to be the home of the Mad Hatter Restaurant and Tea Room owned by Tim and Liz Koch. The Kochs currently lease the Woodbury House from the City of Anoka. The closing on the subject property is tentatively scheduled for March 31, 2022. He outlined the proposed closing documents being brought forward for City Council approval which included authorization that the City Attorney make and accept adjustments and/or revisions to the proposed documents as needed, up to and including the date of closing, unless said adjustments and/or revisions materially alters the intent of the document and authorize the Mayor and City Clerk to execute all necessary documents to proceed with the closing on the development property.

Councilmember Weaver said this has been a long but important process and that it was good that this property move to private ownership as the Kochs will continue to be wonderful caretakers of this property.

Motion by Councilmember Weaver seconded by Councilmember Skogquist, to adopt a resolution approving Woodbury House closing documents as presented.

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

9.5 ORD/Woodbury House Parking Lease.

(1st Reading)

Mr. Borglund shared a background report stating TLK Enterprises LLC is purchasing the property known as the Woodbury House located at 1632 South Ferry Street. Historically, the City of Anoka has allowed the Mad Hatter Restaurant and Tea Room located in the Woodbury House to utilize parking stalls and the trash enclosure for its operations. Because the Woodbury House property is being sold to TLK Enterprises LLC and they have requested the ability to continue to use 13 parking stalls and the dumpster enclosure in the Carpenters Hall parking lot owned by the City of Anoka to accommodate employee parking and overflow parking, staff is suggesting that the City enter into a Parking Lease Agreement with TLK Enterprises, LLC in the amount of \$316.00.

Councilmember Weaver commented the fee was not very much compared to the size of the yards.

Councilmember Skogquist said he was pleased to see this in writing and agreed with the amount, stating the public did not know where property lines end or begin and that this proposal made sense.

Councilmember Barnett confirmed the 13 stalls would be clearly signed. Director of Public Works Anderson said signage could be adjust as needed.

Motion by Councilmember Weaver seconded by Councilmember Wesp, to hold first reading of an ordinance authorizing the conveyance of a real property by lease to TLK Enterprises, LLC.

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

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

11.1 Discussion Regarding Employees Serving on City Boards/Commissions.

Mr. Lee stated conflicting language had been discovered between the City Charter and the Employee Personnel Manual relating to Employees serving on City boards/commissions. He outlined Charter language of Section 2.02 Boards and Commissions which said there shall be no separate administrative boards or commissions, except for those, which might be required by, or have heretofore been established or may hereafter be established, pursuant to State Statutes or pursuant to Chapter 8, Section 8.04 hereof. The Council shall itself be and perform the duties and exercise powers of all administrative boards and commissions. The Council may; however, establish boards or commissions to

advise them with respect to any municipal function or activity, to investigate any subject of interest to the City, or to perform quasi-judicial functions; no member of the Council and no employees of the City shall be a member of any board or commission so established except as an ex officio member. He then outlined language in the Personnel Policy Manual that stated employees will have the opportunity to be considered for openings on City advisory boards and "ad hoc" committees with certain parameters. Mr. Lee said the Council could consider making a recommendation to the Charter Commission that the Charter be revised to allow employees to serve on a City board/commission and then hold a Special Charter Commission meeting in April to discuss any recommendation the Council may have. If this is the desire of the Council, staff suggests that the revisions only allow for Temporary Seasonal Employees to serve on a board/commission that would allow seasonal workers to serve on boards or commissions. He noted that if this is the direction the Council desires to go, the Personnel Policy Manual language would still prohibit employees serving on a board or commission which have their Supervisor or Department Director as the staff liaison to said board or commission.

Councilmember Skogquist asked who creates and amends the Personnel Policy Manual. Mr. Lee said the City Manager is responsible for this manual and the last revision was done in 2013, adding this language has been in place for approximately 15 years.

Councilmember Weaver said he was in favor of the Charter Commission suggesting language that would allow seasonal employees to serve on boards and commissions. He spoke about the difficulty in hiring seasonal help with mowing and the golf course and being short staffed this winter at ice rinks which will continue to get worse with the addition of another rink at Lincoln School. He said these positions provide great opportunities for seniors to serve and the hybrid option of allowing part-time staff to serve on boards and commissions would work well.

Councilmember Barnett said this is a good opportunity to review and do what makes sense and supported allowing part-time employees to serve but would have concerns with full-time employees. She added she would not be in support of a person serving on a board or commission that would create a conflict with that staff liaison and would support the Charter Commission meeting to further review.

Mayor Rice referred to the challenge of finding staff as well as boards/commission members and allowing for part-time employees to serve would be a favorable for both.

Councilmember Skogquist said he was undecided then referred to the current two individuals that this would affect and noted while they were very engaged in the community and had no issue with them continuing to serve in both capacities it

could be different at some point in the future. He said he supported the Charter Commission reviewing the language to see what they determined and said while he felt this could confuse roles he looked forward to the discussion.

Motion by Councilmember Weaver, seconded by Councilmember Barnett to direct Charter Commission to review and make a recommendation for a hybrid option that would allow part-time employees to serve on boards/commissions as outlined.

Councilmember Wesp asked when the Charter Commission would meet. Mr. Lee said the Commission would meet in April and that likely this would be before Council in May for consideration.

Vote taken. All ayes. Motion carried.

12. UPDATES AND REPORTS

12.1 Legislative Updates.

Mr. Lee said this agenda item would allow for the opportunity to discuss any bills of significance or direction from the Council during the legislative session. He said one bill introduced in the Senate would either remove the NorthStar Commuter Rail or change the service from train to bus and that staff would continue to monitor its progress.

Mr. Borglund updated the Council on proposed zoning bills that would impact local control, including homeless encampments.

Councilmember Weaver suggested adopting a resolution of support of the NorthStar Commuter Rail. Councilmember Skogquist agreed, saying this was a significant investment and while he understood ridership was down it was important to continue to operate NorthStar.

Councilmember Weaver said the NorthStar could assist commuters over the next two years during the Highway 10 construction and should be actively marketed, especially as downtown businesses start to bring people back to work in Minneapolis as well as the increase in concerts and events.

Councilmember Barnett suggested this be included on a worksession but to use data as part of any resolution of support as well as finances and impacts to residents. Mr. Lee said the item could be scheduled for the March 28 worksession.

Councilmember Skogquist said he understood the request but noted development went in because of the train as it was important to have the facilities investment in the area.

Councilmember Weaver noted the North Metro Mayors Association has made the NorthStar rail a top priority as well.

Mayor Rice agreed on the need for facts regarding NorthStar before any decision is made that includes accurate costs on operation and revenue today as well as three years ago.

Mr. Anderson shared staff's intent to promote NorthStar as an alternative to the Highway 10 construction project which will begin March 28.

12.2 Tentative Agenda(s).

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

Councilmember Barnett inquired about the schedule for the topics of manufacturers cohort and Council serving as Charter Commission members. Mr. Lee said both these topics would be on the April worksession agenda.

12.3 Staff and Council Input.

Councilmember Barnett asked that staff review the email request regarding the need for lights along the Rum River Trail and Bunker Lake Boulevard that included the need and costs. Mr. Lee said this item had been included in the Capital Improvement Plan at one point in time but had been postponed.

ADJOURNMENT

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

Vote taken. All ayes. Motion carried.

Time of adjournment: 8:23 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk