

**WORKSESSION OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL WORKSESSION ROOM
MAY 23, 2022**

1. CALL TO ORDER

Mayor Rice called the worksession meeting to order at 5:00 p.m.

2. ROLL CALL

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

Staff present: City Manager Greg Lee; Community Development Director Doug Borglund; Assistant City Engineer Ben Nelson; Senior City Planner Clark Palmer; Public Services Administrator Lisa LaCasse; Public Services Director Mark Anderson; Public Services Jon Holmes; Green Haven Golf Course Director Larry Norland; Assistant City Manager Amy Oehlers; Finance Director Brenda Springer; Utility Director Greg Geiger; City Attorney Scott Baumgartner; Communications Manager Pam Bowman.

Absent: Councilmember Barnett.

3. COUNCIL BUSINESS and/or DISCUSSION ITEMS

3.1 Discussion; City's Historic Elements: Windego Amphitheater, 1830 Ferry Street.

Public Services Administrator Lisa LaCasse shared a staff report with background information stating the amphitheater was designed by the firm of Purcell and Elmslie Architects and constructed in 1914. The open-air theater includes cast-in place seats/stairs built into the side of a hill along the Rum River. There are 18 rows of seats providing an estimated capacity of 1,600 people at the time. An orchestra pit is at the base of the seating. The Rum River provides the backdrop for the grass performance area. She shared that in approximately 1928, the amphitheater fell into disuse with the occasional casual gathering then spoke to the timeline of events for the amphitheater study, restoration and reconstruction efforts and the Windego amphitheater condition review that included the City conducting a structural assessment of the amphitheater as part of the Riverwalk Task Force process (Kimley-Horn in 2017). Windego Park Society hired LHB in 2018 to complete a structural assessment of the amphitheater. As a result of these reports, the amphitheater was deemed to be in extremely poor condition and not safe for public use and had been fenced off. The Park and Recreation Advisory Board and Heritage Preservation Commission have both discussed the amphitheater at recent meetings and the Park and Recreation Advisory Board made a recommendation to stabilize and/or bury part or all of the amphitheater, modify or cover up the top several rows to allow for an overlook / plaza area and

expanded sidewalk on Ferry Street, demolish the north section D (and C if necessary to stabilize ground and remaining structure) and landscape the area with terraced garden/plantings, no future use as an amphitheater, passive park area, maintain National Register of historic places status, and include interpretive signage as tribute. The Heritage Preservation Commission made a recommendation to stabilize and/or bury part of the amphitheater, modify or cover up the top several rows to allow for an overlook / plaza area and expanded sidewalk on Ferry Street, bury the north sections D and C to stabilize – construct a new venue in likeness but reduced scale of original amphitheater closer to river, have portions of A and B remain as a ruins, maintain the National Register of Historic Places status, and include interpretive signage as a tribute. Ms. LaCasse said in March 2022 staff submitted an application for the MN DNR Local Trail Connections Grant Program for a \$250,000 grant. If successful, this grant would trigger the first phase of construction of the trails/open spaces. If the grant is successful, construction can occur with/or without a determination on the amphitheater. Grant application status is currently unknown as well as cost. On behalf of the Park and Recreation Advisory Board, staff has requested that the Council make a determination on how best to address the current condition and future use of the amphitheater as it relates to the trail and open space plan for the West Rum River Trail Corridor.

Councilmember Skogquist disclosed that he was part of the Windego Society for the amphitheater but had no financial or legal obligations and asked if he could participate in this discussion. City Attorney Scott Baumgartner said Councilmember Skogquist did not have a legal conflict of interest and had no concerns with him participating in the discussion.

Barb Thurston, Vice Chair of the Heritage Preservation Commission (HPC), spoke about the possibility of a boardwalk as part of the project which was difficult because of Highway 169 and the stabilization. She spoke about varying Options D or C and not relocating portions to keep the amphitheater's integrity and maintain it as a national registry property then spoke about creating a mini amphitheater off to the north side of 50 seats for children to use and for weddings and other events.

Joe Anderle, Park Board Member, said these were all great ideas but the City does not have a budget for them and asked if anyone has done a study on the costs. He said Windego had conducted one study but did not conclude much and said any changes made would remove the historic significance and creating a path for walkers would be too close to Highway 169. He said the remaining amphitheater is closed with no change and was estimated to cost \$7 million to rehab. He said the structure has been deteriorating for 12 years and has not affected Highway 169 so there is no reason to not move forward and asked the Council for direction. He said the site can be memorialized but that it was time to move forward.

Former Mayor Bjorn Skogquist said the issue goes back to insufficient maintenance over time and that Windego had a lease for the site for one year to try to address but the discussions became political and the City changed its mind but that was in the past. He said the northern sections were in poor condition and that we do not need any more small performance spaces in Anoka. He suggested bonding or identifying other funds like in the past when projects were needed and said there are historic areas throughout the state that do this and it could be done here. He likened the theater to the dam in Anoka which we let people access and that we do not need to justify that the site is deteriorating and the costs are speculative. Mr. Skogquist said Legacy funds could be used which come from taxpayers and request trail and stabilization money that would create a trail to allow the public to access the area.

Mayor Rice said to restore the theater is not feasible but it is valuable to the City as a historic site and how to make this safe without removal is the question. He said it was imperative to keep the vegetation out as it only continues to deteriorate the site further.

Commissioner Anderle stated crack repair will not help because water will still deteriorate the site and the costs to fix are too high and the site not safe. He said we could create a plaza with signage on top similar to Aikin Park and incorporate picnic tables to show what the site was but then not be concerned about safety any longer. He said we could fill the top section and move the sidewalk off Highway 169 as the site is past reconditioning and while a historic ruin someone will get hurt. He said the Board needs direction as the site has outlived its usefulness.

Mr. Skogquist spoke about the fence in place since the 1970s and said he was not aware of any injuries that have occurred and that the City has done what it needs to do to make the site as safe as possible.

Councilmember Skogquist said the City has been derelict in the maintenance of the site and that the theater is an asset to the area and the most historic site in Anoka. He said demolishing it would be a poor choice as this was unique and that we should at least control the vegetation and when a trail is constructed, we can do something later, similar to the Woodbury House, adding the historic registry helps the work continue with the rest of this project.

Frank Mannella, 502 River Lane, suggested patching could be done fairly easily to stop the vegetation and would not cost that much money.

Councilmember Wesp said Mr. Skogquist and his group had an opportunity to do something but did not and while the theater has been part of Anoka his entire life it is not practical to retain and agreed with the Park Board.

Councilmember Weaver said the project became too political and was concerned about stabilization and the highway as it was acting as a retaining wall and to spend money on the plaza and trails may be a waste and not a good investment.

Mr. Skogquist said he and his group have put a lot of time into this project and encouraged the Council to share with him what has been missed during this process.

Mayor Rice said he will not agree to demolition the site because of its history as it should be represented in some way but was concerned about collapse and noted other properties have been restored.

Councilmember Skogquist disagreed, stating this was no difference than other projects that have been done and that the purpose of the trail was to get pedestrians off the highway. He suggested working with SHIPO and keep the vegetation out and as people visit the site more will occur.

Ed Evans, 1186 Benton Street, said the City should spend anymore money on the Stonehouse as this site is past and there are other music venues in the City that have parking, access, and are not dangerous.

Ms. LaCasse said there has not been any invasive testing, soil borings or vibration study and that the firm would be willing to work to ensure any changes do not impact the historic registry then suggested staff do some maintenance to keep the site from getting worse and apply for study grants.

Mayor Rice said the historic registry is more important than preservation and that he would prefer to maintain the structure first.

Mr. Skogquist said the Historical Society could advise the City and suggested opening a line of communication as they could help identify grants to assist.

Councilmember Weaver asked about the differences between a registered site and registered structure. Councilmember Skogquist said the structure was registered and agreed with doing stabilization work and not restoration work.

Councilmember Wesp stated more studies would be impractical and that we should move forward because people already had their opportunity to address the issues.

Mr. Skogquist said the State will likely provide input either way and it is important the City does something the residents would like to see occur. He suggested starting with the State to see if it can be stabilized as something still needs to be done.

City Manager Greg Lee summarized Council's consensus to clean up the site and its vegetation as far north as safely possible, try to stabilize Section B through SHIPO, keep the integrity of the registry, seek grants if available, conduct soil borings and look at patching/sealing if possible, with registry. He added the original concrete was flawed in 1914 as it contained no air particles to allow voids which makes the structure susceptible to freeze/thaw cycles which can never be truly addressed. He confirmed the Council wanted to leave the upper area alone at this time and work to retain the fencing to ensure the public does not have access to the area.

A member of the audience commented if the concrete was flawed from the beginning and is destined to crumble, it should be demolished now.

Mr. Mannella said demolition would cost a lot of money as well.

Mayor Rice said it is the City's responsibility to protect sites at times because they are historic.

3.2 Discussion; Mission, Vision, Goals and Duties of the Human Rights Commission.

Assistant City Manager Amy Oehlers shared a staff report with background information stating at their meeting on March 30, 2022, the Human Rights Commission (HRC) met and reviewed and discussed their Mission, Vision, Goals, their Bylaws, their Brochure and the City Code section on the Human Rights Commission. She gave a brief summary of the members new mission/vision statement, goals and responsibilities and said they were requesting the changes be included in City Code. She discussed their proposed meeting schedule and how the HRC felt these revisions would be more descriptive on what/how the HRC should perform in their capacity because as a commission they did not have the knowledge, education, expertise or ability to investigate claims and that there already exists State and Federal agencies who are experts in performing investigations related to Human Rights issues and that the HRC should act as a resource and conduit between citizens and these established agencies. Ms. Oehlers said as part of this discussion the Council may wish to revisit their position on the ordinance adopted in March 2021 Repealing Chapter 2, Article VI, Division 3, Human Rights Commission, which essentially decommissioned the Human Rights Commission as a City Commission and encouraged the members of the HRC to formulate into their own separate entity, outside of the guise of the City.

HRC Commissioners Leslie and Chholing Taha shared backgrounds then spoke on their vision and mission of the HRC. They spoke how the Commission should be built on restraints of the community and should build people up and help resolve problems. They said there already are many resources available and shared their proposed goals to help, as suffering touches everyone, then shared comments about coming together and how to help people have a better life and to use the HRC as a resource commission and help people with questions.

Mayor Rice said he would like to see language included about an encouraging an educational and peace element as well.

Ms. Taha suggested including fostering open discussions and recognizing the past but not staying in the past and move forward. She said it is important to honor through remembrance then build from those so things do not happen.

Mr. Taha suggested including educational elements such as the bill of rights as most were not new ideas and there were already laws in place and should instead focus on education to assist residents. He noted it is not the HRC's role to control people's behavior.

City Attorney Scott Baumgartner cautioned about language in Section 3 regarding topics such as ADA compliance and suggested those topics be referred to building officials who have the knowledge to review accessibility issues such as ramp heights.

Councilmember Skogquist asked about the upcoming ballot question. Mr. Baumgartner explained the process with the petitioners and how the HRC was currently in place but that with this potential code amendment may provide a different look of the HRC and possibly provide the Council an opportunity to reconsider. He said the petition only states whether there should there be an HRC and if the Council determines they like this new direction and the HRC should remain under the City Council, then the question could possibly be removed from the ballot.

Sponsor of the Petition, Mike Erickson noted these proposed code changes are not from the petitioners and are not what the sponsors represented to the public when gathering signatures. He said while he liked the goals he did not agree with full replacement of the mission and tasks because racism and discrimination exist and that it should be addressed by the HRC. He suggested they do proactive community work and learn more about what is occurring in the community.

Mr. Baumgartner said if the question remains on the ballot there is a risk that the voters do not want an HRC so this would be the time to discuss the future of a City Human Rights Commission, prior to the election.

Councilmember Weaver said the Tahas have done a wonderful job and supported the proposed amendments.

Councilmember Skogquist noted the Charter amendments have to be a unanimous vote. Mr. Baumgartner agreed but said this is an ordinance, requiring a majority vote of the City Council.

Sponsor of the Petition Mike Erickson said he was concerned about the petition that was shared, and that now the City Code is being changed and that it could possibly mislead voters.

Discussion was held on the process and timeframe if Council adopted an ordinance repealing the previous ordinance, whether or not the question would have to go to the ballot.

Mr. Baumgartner said if amenable the petitioners could meet with the HRC and see what the common ground was and see if a compromise could be made.

Consensus was to bring the proposed ordinance amendments forward and encourage the petitioners meet with the HRC and present their changes and concerns for a potential compromise.

3.3 Discussion; River Lane Easement.

Community Development Director Doug Borglund shared a staff report with background information stating in November 2017, a resident had brought forward concerns regarding the ability to utilize an existing 30-foot public walkway easement that is located between existing single-family residential parcels known as 442 River Lane and 502 River Lane at the end of 5th Avenue. The existing 30-foot walkway easement was put in place in 1979 at the time of platting the subdivision known as Sandra Terrace, allowing public access to the Mississippi River between 442 River Lane and 502 River Lane. The current property owner of 502 River Lane during the time-period of 2007-2008 constructed a retaining wall and stairway with a majority of the private improvement located in the existing drainage, utility, and walkway easement area. After the November Anoka City Council work session meeting, the City received a petition to vacate the existing walkway easement from the owners of property adjacent to the existing easement that is directly impacted on December 26, 2017. He said the public easement was still in place and the private quit claim deeds have been signed deeding back the easement but one property (401 River Lane) is willing to sign the quit claim deed and one property owner and the City have not been able to connect or have knowledge if they are willing to sign the quit claim deed.

Mr. Mannella shared background on work done in his yard and how the easement in place allows people to access the river from his yard and that his neighbor had concerns about placing retaining walls within the easement. He said the structure never prevented access to the river and that he was frustrated waiting for something to occur and either City has to get the deeds back or vacate the public easement so he can move forward, adding he does not want to remove both accesses but just one.

Ben Kuehn, Anoka, what's going to happen to the work and the stairs if this is vacated. Mr. Mannella said if the structure stays on the deeded access he will work with the neighbors to have a better walkway but he cannot do anything until this is settled. He said the stairs could be a concern for public access to everyone as he does not want the liability and believe there is work needed on the storm sewer.

Councilmember Skogquist confirmed Mr. Mannella has not heard from the neighbors regarding the deed and if the physical easement is the same as the public access suggested removing the physical easement as it did not matter how the public accessed the river. He said if not resolved the Council could consider vacating the public easement as a final solution.

Mayor Rice questioned who will have access through the deeded access.

Mr. Baumgartner explained reasons why the stairs would have to be relocated and how the property has two easements covering the same land and how Council can control the public easement and the difficulties if the neighbors will not complete the quit claim deed.

Mr. Lee suggested continuing to work to get the residents to meet and complete the process.

3.4 Discussion; Green Haven Golf Course Redesign Concept.

Mr. Borglund shared a staff report with background information stating the Council has been discussing property acquisition and development of a driving range at Green Haven Golf Course. The Greens of Anoka Redevelopment Plan, which was adopted in 2012 encourages the City to continue long-term commitment to Green Haven golf course. Ongoing investment in the course to improve the overall aesthetics and enhance the play-ability of the course should be considered, to keep the course competitive and respond to changes in the golf marketplace. The Greens of Anoka Redevelopment Plan provides directive regarding investment in a driving range and redesign of the course to maximize its potential. Most significantly, the addition of a driving range and redesign of the course could lead to increased foot traffic and revenues from both an operations stand point and the ability to continue to attract larger events and outings, new activities, and further complementing the renovations that have been made to the clubhouse/restaurant/banquet facilities as well as planned renovations. These have all been objectives of the City Council. The City Council last discussed this item at its January 2022 regular work session. Since that time, what has been investigated is a partial redesign of the course and a full redesign of the course. The financial plan that has been developed is based on the full redesign concept of the course. If the City Council is not willing to pursue a partial or full redesign of the golf course. The City Council could consider individual improvements variety to enhance Green Haven golf course facilities and services.

Greenhaven Golf Manager Larry Norland shared comments and suggested it may be best to demolish the course and recreate as it could include more valuable housing through a full golf course redesign and be ultimately less expensive and on par with being the best municipal in the Twin Cities.

Councilmember Wesp said he was in favor of the Highland Park redesign and shared history of reconfiguring with new housing and Highland Park and creating a new opportunity in Anoka, adding a driving range is needed as the course cannot accommodate any more rounds.

Finance Director Brenda Smith shared proposed golf course financing that totaled \$13,330,000 which included relocation of Garfield Road and not using abatement bonds as directed by Council. She suggested financing be done through upcoming land sales, internal loan from WAC/SAC, electric, fund balance, and ARPA funds.

Councilmember Weaver asked how we can generate more revenue through different activities such as golf simulators and a range which would result in more business for the restaurant. He said the range could generate \$250,000 annually and that since the original course was built in 1930s with WPA funds and using ARPA funds would be appropriate.

Councilmember Skogquist shared concerns about borrowing from the various funds and that ARPA funds should be used for other core functions as the golf course is not a core function or his priority.

A member of the audience agreed with the concept but said when he moved to Anoka 40 years ago there was a lot going on downtown and that now he is embarrassed by the downtown area and that funds should be used to care of downtown businesses first, such as garbage pickup.

Councilmember Wesp said we need a plan as this is the right thing to do and sometimes bold steps result in great things and that this plan will make Anoka different and competitive with cities like Andover.

Mayor Rice said he could endorse this but it will be difficult to support and lead people wrong and hoped the housing around the golf course would lead to new taxes. He said this plan looks like we are losing housing and wanted to know what the projections and valuations would be first before he could support.

Ms. Smith noted this was only an architectural rendering and that a final plan could accommodate much more housing than shown.

Councilmember Wesp said he would support further consideration of this proposal and if found not appropriate could stop but that this was the right time to consider this with the Highway 10 construction.

A member of the audience asked if the driving range would be similar to Top Golf and since the property has already been purchased would that money be wasted. He noted Highway 10 will be better in two years and a new golf course and housing opportunities would attract more people to Anoka.

Mr. Norland explained the south part of the range would be heated stalls on one level but could be expanded in the future.

Councilmember Weaver said Rum River Shores provided move-up housing and brought new energy and people invested in Anoka and that this is an opportunity to benefit the community as well.

Councilmember Wesp compared this to the dock project 25 years ago and how some thought it would only benefit people who live on the river which is not the case as many from outside Anoka use them.

Mr. Norland said Green Haven was already one of the busiest courses in the state and the only way to increase that is to change the course and with the great access that Highway 10 will provide Green Haven has the potential to be as successful as Braemar in Edina.

Councilmember Weaver shared about the importance of locating the driving range near the clubhouse.

Councilmember Skogquist said \$8 million would be better spent in the City's park system and benefit everyone in Anoka and that he could not support this proposal while we still have problems with staffing and other basic needs.

Mr. Evans suggested bonding for half and using revenue bonds for the remaining paid for by the golf course.

Electric Utility Director Greg Geiger spoke about the difficulty in guaranteeing materials and other concerns if the electric fund is used and said while this is a great City the timing is poor as Highway 10 work will continue into Ramsey and involve more infrastructure needs and funds.

Mayor Rice said he would only support this proposal through bonding as the community should pay for at least a portion of it.

Mr. Norland suggested a bifurcated rate system if bonded to reward the residents for their investment and that the process would include studies to ensure we are

targeting the right market of users, adding people of all income levels play at Green Haven and that we want to ensure that remains.

A member of the audience cautioned against changing the character and image of Green Haven by making it too difficult to play.

Mayor Rice spoke about the possibility of a driving range on the north side and moving road and placing housing alongside the course and how a redesign could work.

Councilmember Weaver asked if Garfield was an MSA road. Ms. Springer said it was and that they could possibly get funding for Garfield and include that in the SRF fund to save \$1.4 million.

3.5 Discussion; Beekeeper Apiary and Poultry and Fowl Permitted.

Senior City Planner Clark Palmer shared a staff report with background information stating at the March 21, 2022, regular meeting of the City Council Joseph and Jessica Wielinski appeared under open forum to advocate for a community beekeeping program. The City Council directed staff to prepare for a work session discussion concerning beekeeping. Staff believes a good place to start is to consider adopting a beekeeping ordinance for private property similar to ordinances passed by other nearby communities, particularly because purchasing beekeeping supplies and equipment is as easy as going down to your local Home Depot. The Council also directed staff to prepare for a discussion on the number of poultry/fowl permitted under the City's current ordinance. Mr. Palmer further shared about the proposed ordinance and research done on both topics and said the City has a current ordinance regulating the harboring of poultry/fowl but that it is allowed on private property limited to no more than four, with roosters not allowed. He outlined requirements and setbacks and asked Council to provide staff direction on preparing a beekeeping and poultry/fowl ordinance.

Councilmember Wesp asked about potential allergies. Mr. Wielinski said that potential could be included as part of the notice then suggested a community apiary instead as an alternative as homes typically do not have enough resources for bees and a central location would be best and provide a sense of community. He said he was not aware of any nearby cities with community apiaries but that what would be required was access and suggested the field by the Rum River Library.

Mr. Baumgartner asked about the potential for stealing honey in a community location similar to community gardens and potential liability concerns and suggested licensing so the number did become too large and detrimental. He spoke about potential code enforcement concerns as this could be deemed an attractive nuisance and suggested the property be leased for this use instead so the liability was not on the City and to ensure sufficient water and other needs were met.

Mr. Palmer spoke about ways the City could instead share that we were bee-friendly. Mr. Wielinski asked if considered a nuisance to some declaring Anoka was bee-friendly would provide notification to the public.

Ms. LaCasse shared concerns regarding the potential for injury in the nature preserve and if this could become a staff resource concern. Mr. Wielinski said the area could be marked as active bees then said the rules could be similar to those for the community garden and that people would maintain their own hives. He spoke about the importance of educating residents and creating a community event to help the community grow.

A member of the audience suggested the ordinance restrict apiaries to backyards only for liability concerns.

Councilmember Skogquist generally supported the concept and suggested researching other communities and the resulting concerns to see how this could work in Anoka.

Mr. Borglund said staff was currently addressing neighborhood chicken coop concerns over maintenance, smell, feces, and noise.

Council consensus was to support the proposed poultry/fowl amendments and continue consideration after research on beekeeping.

4. UPDATES/REPORTS/COUNCIL SUGGESTIONS FOR TENTATIVE FUTURE AGENDA ITEMS

Councilmember Skogquist said he attended a recent Anoka County meeting regarding discussion on the proposed jail and parking ramp and heard concerns about communication with the City and the increased parking ramp height. He said the Board Chair shared that City staff was directed not to discuss this topic with County staff and that this perception should be corrected as soon as possible as it was untrue.

Mr. Lee noted the County had not researched any other sites and that City staff was moving forward with a proposed zoning amendment restricting locations of jails.

Mayor Rice suggested confronting these issues quickly and when Anoka County staff was invited to a meeting and no response is received that this be shared publicly that the City is trying to communicate. He suggested preparing a mailer with taxpayer impact information should this go forward,

Councilmember Skogquist suggested a possible demolition moratorium as another tool to prevent demolition of the current site as it would allow the City more time to address.

5. ADJOURNMENT

Motion by Councilmember Wesp, seconded by Councilmember Weaver to adjourn the Worksession at 9:14 p.m. Motion carried.

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

Approval Attestation:

Amy T. Oehlers, City Clerk