

**REGULAR MEETING OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
OCTOBER 3, 2022**

1. CALL TO ORDER

Mayor Rice called the regular meeting of the City Council to order at 7:02 p.m., followed by the Pledge of Allegiance.

2. ROLL CALL

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

Staff present: City Manager Greg Lee; Public Services Director Mark Anderson; Police Chief Eric Peterson; Police Captain Andy Youngquist; Officer James Aase; City Assessor Ryan Kirby; Assistant City Engineer Ben Nelson; and City Attorney Scott Baumgartner.

Absent at roll call: Councilmember Barnett.

3. COUNCIL MINUTES

3.1 September 19, 2022, Regular Meeting.

Motion by Councilmember Skogquist, seconded by Councilmember Wesp, to approve the September 19, 2022, Regular Meeting minutes as presented.

Vote taken. All ayes; Councilmember Weaver abstained due to his absence. Motion carried.

4. OPEN FORUM

4.1 Swearing in of Officer James Aase and Police Activity Update.

Police Chief Eric Peterson issued the oath of office to police officer James Aase. He shared his background and said he was pleased to welcome him back to the department. A round of applause was offered by those in attendance.

Councilmember Skogquist thanked Officer Aase and asked why he chose Anoka. Officer Aase Anoka said he missed the community support when he was employed at Anoka before and appreciated the City's leadership.

Chief Peterson shared that Officer Sorteberg and K-9 Bravo received an award for the 2021 national patrol case of the year at the U.S. Police K-9 National Trials. He shared more about the award and shared his pride for this accomplishment. He

shared about Anti-Crime Commission Crime Prevention Team award and his pride for the Commission's work then highlighted the upcoming fundraising breakfast on October 25 at Green Haven Golf Course and encouraged the community to attend.

Councilmember Wesp spoke about work with Anoka County Attorney Palumbo on securing a \$15,000 grant for K-9 Bravo and how the Anti-Crime Commission received another \$20,000 grant for another K-9 then shared comments about their work and upcoming winter clothing drive and thanked Officers Sorteberg and Bravo for their work.

Mayor Rice said Anoka is known to have a kind and professional Police Department and that officers from other communities want to be here because of the support they are provided.

Chief Peterson explained about the Cook Out with Cops event as another way to engage the community through food and conversation.

Councilmember Skogquist spoke about how these events work to build positive relationships and is just as important for the officers who many times have to deal with negative incidents.

4.2 Proclamation; 100th Anniversary of Anoka Masonic Lodge.

Mayor Rice said the Anoka Masonic Lodge #30 will be celebrating their 100th anniversary with an open house on October 16.

Mayor Rice read the proclamation into the record.

John Freeburg, Past Master of the Anoka Masonic Lodge, said they have supported Anoka for 125 years and highlighted how the Lodge voluntarily pays property taxes even though they are a non-profit organization then presented the City with a history of the Lodge and thanked them for the proclamation.

4.3 Highway 10 Anoka Construction Update.

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

Councilmember Skogquist inquired about the 4th Avenue bridge schedule. Mr. Nelson said the 4th Avenue bridge and the pedestrian bridge should be open at the end of November.

OTHER INFORMATION UNDER OPEN FORUM

Vicky Violet, Anoka Lion, shared the many events as part of the Lions tent during Anoka Halloween and noted money raised helped fund activities such as a new K-9 officer through the Anti-Crime Commission, ACBC Food Shelf, Anoka High School, and others.

Councilmember Weaver thanked the Lions for taking over the tent activities for Anoka Halloween then shared a story about the youth fishing event and its impact on youth.

Ed Evans, 1186 Benton Street, agreed the youth fishing event is a wonderful event then spoke about a Councilmember's adjudication against City employees that resulted in them not being able to attend commission meetings then spoke about how the Councilmember researched the City Charter and brought forward language regarding seasonal employees not being able to serve on boards or commissions and the potential for discrimination. He spoke about the impact of this action and encouraged the Council to send proposed language to the Charter Commission that states no family member can be appointed to a Commission.

Larry Peterson, Anoka, thanked Mayor Rice for his service then commented how the last few meetings have included much bickering between Councilmembers. He expressed frustration with the lack of Council response to his phone calls and how they allow the public to bring up political campaigns during open forum.

Borgie Bonthuis, 712 River Lane, referred to the camera in City Hall that recorded the lobby during the League of Women Voters candidate forum and requested its release as she said the footage would show there was no use of force or threats to enter the building as was stated.

Mayor Rice supported the request and allowed the footage to be shown.

5. PUBLIC HEARING(S)

- 5.1. Assessment for Services Against Property with Delinquent Accounts.
RES/Adopting Assessment for Services Against Property with Delinquent Accounts.

RESOLUTION

City Assessor Ryan Kirby shared a background report stating Anoka City ordinances and Statute allow for the certification of unpaid service billings which may include costs associated with weed and diseased tree removal, false alarms, delinquent utility accounts, and other miscellaneous services to the public including removal of public health hazards from private property. City of Anoka utility accounts that are delinquent as of August 1 and remain unpaid as of September 1, 2022 will be collected utilizing special assessments. An administrative fee (\$35.00) plus interest (4%) will be charged. Property owners

have been notified via regular mail. Upon application, Council may defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older, or retired by virtue of a permanent or total disability, for whom it would be a hardship to make the payments. He noted as of today the City had 61 properties that had delinquent charges and after November 15 will be placed on property taxes where interest will occur.

Councilmember Weaver said the number of properties originally assessed was 141 and is now 61 then commented on the high number of properties assessed during 2020 and 2021 which showed there were many difficult times for property owners during the pandemic.

Councilmember Wesp asked if the Anoka County Housing and Redevelopment's delinquency had been addressed. Mr. Kirby said he was unsure if paid but would confirm.

Councilmember Skogquist reminded property owners that assessments can be paid prior to November 15 in order to avoid inclusion on property taxes and interest.

Mayor Rice opened the public hearing at 8:03 p.m.

Mr. Evans asked for the total amount of unpaid assessments. Mayor Rice responded the total amount was \$48,800.

Shirley Norgren, 2520 Wingfield Avenue, shared about her citations and staff's concern with her rear yard while her front yard has a hole from the street reconstruction project after being torn up three times. She said she had to water her lawn to restore the sod and asked for balance with these assessments. She said she has been unemployed since May and felt she should not have to pay for fines for the rear yard when the City is not concern about impacts to her front yard.

Mayor Rice outlined how property maintenance inspectors respond to a concern raised and the process for delayed payment. Ms. Norgren said she was not concerned about the payment but about the principle then expressed frustration about the loud water trucks in the area.

Mr. Nelson said staff was aware of recent gas line improvements but believed they were repaired right away. He said this was the first that staff was made aware of these concerns and will see if the yard impacts were part of MnDOT's project or the City's project then work to address.

Hannah Miller, 636 Johnson Street, shared about parking issue at her home that resulted in citations as her truck does not fit in the driveway or garage and that the previous owners parked next to garage but that she was not able to. She said she

is working to repair grass on the side yard and would like the Council to consider removing the proposed assessment.

Councilmember Skogquist asked if there is a variance or permit available to allow for these unique circumstances as the lot does not provide adequate parking.

Senior City Planner Clark Palmer said staff has been working with the property owner and the physical limitations to the property and said there is adequate space for a parking pad but the driveway needs to be widened. He agreed this is a difficult situation then spoke about Class V as an option and the Council's emphasis on requiring hard surfaces for all driveways.

Mayor Rice spoke about the need to create some type of hard surface in order to avoid more. Ms. Miller said she was issued two fines and asked if they must be paid now and what happens if she cannot establish Class V before year-end. Community Development Director Doug Borglund said staff will work to put a plan in place in order to gain compliance.

Mayor Rice said the City can be patient and work to find a solution and would postpone the fines until a parkable surface is created.

Being no further comments Mayor Rice closed the public hearing at 8:22 p.m.

NOTE: By motion from Councilmember Wesp, which was seconded by Councilmember Weaver, and by a unanimous vote of the Council, agenda item 9.1 was moved up on the agenda and acted upon at this point.

Motion by Councilmember Wesp seconded by Councilmember Skogquist, to adopt a resolution certifying the 2022 assessment for services against property with delinquent accounts with direction to address action plans at 2520 Wingfield Avenue and 636 Johnson Street by November 15 and if not accomplished then included on the assessment roll.

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

6. CONSENT AGENDA

Motion by Councilmember Weaver seconded by Councilmember Skogquist, to approve Consent Agenda Items 6.1 through 6.5 as presented.

Councilmember Weaver said the Gray Street garden area is exceptional then thanked Lion President Vicki Violet for the many upcoming tent events for Anoka Halloween.

Councilmember Skogquist asked for clarification on Item 6.4 as this was a creative idea and appreciated the work. Mr. Nelson said the project resulted from neighborhood input

as part of the street renewal project and cul-de-sac, adding the garden area will be memorialized to ensure maintenance by the neighborhood occurs and if not will be removed and restored at the neighborhood's cost. He added there will be boulders included to assist with traffic control.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 U.S. Highway 10/169 Improvement Project; Approve Change Order Number 28.
- 6.4 2022 Street Renewal Project – Gray Street Reconstruction; Authorize to Execute a Memorandum of Understanding for a Garden Area.
- 6.5 Issuance of Temporary On-Sale Intoxicating Liquor License for Anoka Lions Club, Anoka Tent Events October 22-30, 2022.

Vote taken. All ayes. Motion carried.

7. REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

- 7.1 Planning Items.
 - 7.1.A. RES/Conditional Use Permit for Apartment Dwelling; 202 East Main Street.

RESOLUTION

Mr. Palmer shared a background report stating Dan and Julie Smith are seeking approval of a Conditional Use Permit (CUP) for the property located at 202 E. Main St. for the establishment of an apartment dwelling above the first level of the historic building. This application is part of a larger plan to restore the building back to its former historic character, including a full exterior and interior renovation. The Planning Commission reviewed the application and held a public hearing on August 2, 2022, and no members of the public spoke. The Planning Commission voted to recommend approval of the CUP. Staff and the City Attorney are recommending one condition of approval as reflected in the resolution which is a condition that the applicant enter into an encroachment agreement with the City due to the fact that certain building elements are proposed to encroach over the sidewalk including two balconies and a bay window.

Councilmember Weaver said he was excited to see the project take place.

Motion by Councilmember Weaver seconded by Councilmember Skogquist, to adopt a resolution approving a conditional use permit, 202 East Main Street.

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

8. PETITIONS, REQUESTS AND COMMUNICATION

None.

9. ORDINANCES AND RESOLUTIONS

- 9.1. RES/Adopting Assessment for Services Against Property with Delinquent Accounts.

ACTED UPON AFTER PUBLIC HEARING

- 9.2. RES/2022 Street Renewal Project – Swede Town Phase II; Adopt a Revised Assessment Roll.

RESOLUTION

Mr. Nelson shared a background report with Council stating on January 18, 2022, City Council held the assessment hearing and adopted a resolution approving the assessment roll for the 2022 Street Renewal Project - Swede Town Phase II which included the Gray Street Reconstruction portion of said project. Common with street renewal projects, staff may have to make an assumption for the locations of existing service connections. During the development of the project, existing curb stops for the water services are surveyed and the sanitary sewer lines are televised. This information, along with the old construction plans and service tie cards are used to best determine the location of the existing services. During construction, these services are verified and installed if part of the project. In the case a service is not found and replaced, this service will be removed from the assessment roll. Typically, these parcels are located on a corner lot or are double fronted by two roads. Also, based on the Street Reconstruction Assessment Policy, to keep the fairness and equity to property owners when a service on the project has been replaced within the past 10 years the following will be applied to the service unit assessment. He outlined three properties located within the project limits that were included in the assessment roll that should be reduced due to this policy, including 2115 5th Avenue, 2207 5th Avenue, and 525 Jackson Street and requested that Council adopt the revised assessment roll.

Councilmember Wesp asked if all requests had been confirmed. Mr. Nelson said they will wait to confirm all requests have been completed then revise the assessment roll for adoption and posting on November 15.

Motion by Councilmember Wesp seconded by Councilmember Weaver, to adopt a resolution 2022 Street Renewal Project - Swede Town Phase II; Adopt A Revised Assessment Roll.

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

9.3. RES/Encroachment Agreement; 202 East Main Street.

RESOLUTION

Mr. Borglund shared a background report with Council stating 202 East Main, LLC property owners Dan and Julie Smith, 202 East Main Street, are planning on renovating/restoring their building consistent with its original historic character. They would like to restore certain historical elements of the exterior and add a few new building elements that reflect the past. The interior will also be completely remodeled including establishing a dwelling unit on the second level. Once completed, the owners plan to lease the first floor and basement for commercial use, and use the second level dwelling as a personal residence. The existing building was constructed at a zero-lot line, meaning its placement is not setback from the property line. Certain existing and proposed improvements will encroach over the property line and within the City's public right-of-way (ROW) along 2nd Avenue and East Main Street. The purpose of the encroachment agreement is to indemnify and hold harmless the City for damages to, repairs of, and liability associated with private improvements within the City's public right-of-way. He said the City is willing to agree to the encroachment of the existing improvements and that since the City Council last discussed this issue at the August 22, 2022 work session meeting, Staff and the City Attorney have met with the property owners and reached consensus regarding the language within the proposed encroachment agreement that is acceptable to both parties.

Councilmember Skogquist asked if balcony was reduced and that historical elements included for liability. Mr. Borglund said the balcony had been reduced to five feet and the encroachments and potential of negligence have been addressed by staff and the City Attorney.

Motion by Councilmember Skogquist seconded by Councilmember Wesp, to adopt a resolution for the Encroachment Easement Agreement; 202 East Main Street.

Councilmember Weaver said this is an exciting project that will look great.

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

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

None.

12. UPDATES AND REPORTS

12.1 Tentative Agenda(s).

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

12.2 Staff and Council Input.

Mr. Lee spoke about the policy to add items to an upcoming Council agenda and suggested when two members wish to have an item added that they include a statement explaining the item and reasons for the item that would be included on the agenda.

Councilmember Weaver inquired about his suggestion for a riverboat restaurant or pontoon saloon and pedal pubs and asked if they are allowed and if not to include this on an upcoming worksession.

Mr. Lee spoke about potential property transactions and that staff will be scheduling closed sessions soon for Council to consider as allowed by Statute.

ADJOURNMENT

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

Vote taken. All ayes. Motion carried.

Time of adjournment: 8:55 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk