

**REGULAR MEETING OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
JANUARY 18, 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.

ROLL CALL

Present at roll call: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver, and Wesp (attending remotely).

Staff present: City Manager Greg Lee; Director of Public Services Mark Anderson; Utility Director Greg Geiger; Engineering Technician Ben Nelson; Police Captain Andy Youngquist; and City Assessor Scott Varner.

Absent at roll call: None.

3. COUNCIL MINUTES

- 3.1 October 25, 2021, Worksession, November 8, 2021, Executive Session and Special Meetings, November 15, 2021, Regular Meeting, November 22, 2021, Worksession, December 6, 2021, Executive Session and Regular Meetings, December 13, 2021, Worksession, and January 3, 2022, Regular Meeting.

Councilmember Skogquist said changes were needed to the December 6 regular meeting minutes on Page 15, Paragraph 6, to clarify appointments to the Human Rights Commission for the full terms; January 4 regular meeting minutes on Page 7, Paragraph 5, clarifying fencing as a privacy fence; and on Page 12, Paragraph 3, adding the name Skogquist to the MMPA update.

Councilmember Wesp stated a correction was needed to the motion regarding the appoint to Fire Protection Council from Councilmember Skogquist to Councilmember Weaver or Wesp.

Motion by Councilmember Barnett, seconded by Councilmember Wesp, to approve the October 25, 2021, Worksession, November 8, 2021, Executive Session and Special Meetings, November 15, 2021, Regular Meeting, November 22, 2021, Worksession, December 6, 2021, Executive Session and Regular Meetings, December 13, 2021, Worksession, and January 3, 2022, Regular Meeting minutes as corrected.

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

4. OPEN FORUM

4.1 Police Activity Update.

Police Chief Captain Andy Youngquist shared how the recent cold weather had increased the number of motor vehicle crashes, mostly due to black ice, then shared video of recent crashes in the City and encouraged the public to slow down and drive safely.

OTHER INFORMATION UNDER OPEN FORUM

None.

5. PUBLIC HEARING(S)

5.1 2022 Street Renewal Project – Swede Town Phase II, Public Improvement Hearing. **RES/2022 Street Renewal Project – Swede Town Phase II; Order Project and Authorize the Preparation of Plans and Specifications.**

RESOLUTION

Engineering Technician Ben Nelson shared a background report stating on December 7, 2021, an informational neighborhood meeting was held at Green Haven Golf Course and Event Center for the project to further educate property owners on the City's street renewal program (SRP) and solicit input from the neighborhood. He said overall the residents were in favor of the project. He outlined the streets proposed to be included in the 2022 SRP Project - Swede Town Phase II and said the proposed project will involve the total reconstruction of the streets, including the replacement of the concrete curb and gutters and the bituminous pavement. In addition, the existing sidewalks, street lights, driveways, and driveway aprons will be replaced within the right-of-way. Within City rights-of-way, the sanitary sewer will be replaced with new 8" or larger PVC mains; and the watermain will be replaced with new 6" or larger ductile iron watermain. All sewer and water service laterals of the benefiting properties fronting on the above streets will also be replaced from the main to the property line. He shared the proposed project in detail and schedule for a total cost of \$2,047,000 then spoke about the proposed assessments of \$4,030 residential street unit assessment and a \$22 per lineal foot assessment. Mr. Nelson said these rates were set by City Council in 2021 for each single-family residential property zoned or used as R-1 and R-2 then noted for all other properties, including but not limited to, four or more-unit residential properties along with commercial/industrial properties will be double these amounts.

Councilmember Weaver confirmed elimination of the proposed sidewalk between Golf and Harrison Streets will occur as part of this project.

Mayor Rice opened the public hearing at 7:17 p.m.

Being no comments Mayor Rice closed the public hearing at 7:18 p.m.

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

Councilmember Skogquist commented about the poor condition of streets in this project area and said he would be supporting the project then asked about street vacation that occurred years ago near the school and inquired about the current infrastructure. Mr. Nelson said he would follow up and respond regarding the infrastructure.

Councilmember Barnett asked about current assessment rates compared to 2021 and 2020. Mr. Nelson estimated rates were \$8,340 in 2021 and \$7,900 in 2020, adding rates increase approximately \$300-\$400 annually.

Motion by Councilmember Skogquist seconded by Councilmember Barnett to adopt a resolution authorizing the 2022 Street Renewal Project - Swede Town Phase II; Order Project and Authorize the Preparation of Plans and Specifications.

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

5.2 2022 Street Renewal Project – Swede Town Phase II, Assessment Hearing.
RES/2022 Street Renewal Project – Swede Town Phase II; Adopt Assessment
Roll.

RESOLUTION

Mr. Nelson shared a background report stating on December 20, 2021 City Council adopted a resolution approving the feasibility report and setting the public improvement hearing for the 2022 Street Renewal Project (SRP) Swede Town Phase II Area. The assessment roll and the property frontage maps for the proposed project were shared. The assessment roll includes a list of all property owners with their individual proposed assessment amounts, including the portion of Gray Street between Branch Avenue and Ferry Street (TH-169). For single-family residential property zoned or used R-1 and R-2, City Council has set the street unit assessment at \$4,030 and a \$22.00 per lineal foot assessment for 2022. Four or more-unit residential buildings along with commercial/industrial properties have an assessment rate of double this amount. In addition to the street assessment, there is also an assessment proposed to each property for the new

water and sanitary sewer services that are being installed. The assessment for the sanitary sewer service is \$1,340 and the water service is \$1,460 per service. A non-residential property and a four or more-unit residential property are the same for sewer services; however, it is twice the residential rate (\$2,920) for the water services. Full utility assessments are only levied if the utility service is actually replaced and older than 10 years of age. He said the total assessment for a typical 80-foot wide lot would be \$8,590 and that to date no objections had been received against the proposed assessment.

Mayor Rice opened the public hearing at 7:25 p.m.

Mary Jo Gubbin, 17260 Roanoke Street NW, Andover, asked how the valuation increase would be reflected on the next property tax statement for her property at 538 Van Buren Street. City Assessor Scott Varner responded that he reviews the value of all properties that are part of the street renewal project and adjusts the values to reflect the new improvements.

Mayor Rice responded how the project benefit would increase the property value of the home and noted it is not always the value of just one property but compared to all other properties within Anoka.

Being no further comments Mayor Rice closed the public hearing at 7:29 p.m.

NOTE: By motion from Councilmember Weaver, which was seconded by Councilmember Skogquist, and by a unanimous vote of the Council, agenda item 9.2 was moved up on the agenda and acted upon at this point.

Councilmember Barnett asked if proposed projects were published ahead of time to allow property owners to begin budgeting for proposed assessments. Mr. Nelson said proposed projects are shared on *CityView* but would include them on the City's website as well.

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

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

6. CONSENT AGENDA

Mr. Nelson noted the stipulation agreement outlined in Item 6.4 has been signed by the property owner.

Motion by Councilmember Skogquist seconded by Councilmember Barnett, to approve Consent Agenda 6.1 through 6.6 as presented.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 U.S. Highway 10/169 Improvement Project; Approve Change Orders Number 3 and Number 4.
- 6.4 U.S. Highway 10/169 Improvement Project; Approve Stipulation of Settlement Agreement for Parcel 21.
- 6.5 Recommended Approval of an LG220 Gambling Permit; Church of St. Stephen for a Raffle on February 26, 2022.
- 6.6 Recommended Approval of a Temporary On-Sale Liquor License for Church of St. Stephen for a Mardi Gras Event on February 26, 2022.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Skogquist, Weaver 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 RES/2022 Street Renewal Project – Swede Town Phase II; Order Project and Authorize the Preparation of Plans and Specifications.

ACTED UPON AFTER THE PUBLIC HEARING

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

ACTED UPON AFTER THE PUBLIC HEARING

- 9.3 RES/2022 Street Surface Improvement Project; Order Project and Authorize Preparation of Plans and Specifications.

RESOLUTION

Mr. Nelson shared a background report stating on December 7, 2021, an informational meeting was held at Green Haven Golf Course and Event Center for

the project to further educate the property owners on our street surface improvement program and to solicit input from the neighborhood. Overall, the residents were in favor of the project and pleased to learn there are no assessments being proposed. The proposed Street Surface Improvement Project for 2022 is proposed to be approximately 2.3 miles of resurfacing. The streets were selected due to the following reasons: deterioration of bituminous surface based on the pavement condition, available funding, project staging, and utility age. These streets are generally in the neighborhood of the Brom and Dunham Oaks Addition and Slab Town. This project will involve the reconstruction of the street surface, including the bituminous pavement, minor replacement of the concrete curb and gutters, sidewalk, gate valve repairs and storm sewer reconstruction only as necessary. As part of the sidewalk work, the pedestrian ramps will be reconstructed to meet current ADA requirements. He outlined the park improvements at George Enloe Park and Rudy Johnson Park that will be completed with this project and said these improvements are the resurfacing of the westerly parking lot at George Enloe Park and the construction of a new parking lot at Rudy Johnson Park. Mr. Nelson said this project is proposing a new infrastructure change, which includes constructing rain gardens in the Brom and Dunham Oaks Addition due to being in an older area of town. The rain gardens were identified as water quality improvements by the Anoka Conservation District for this area of town. Currently, the neighborhood has an absence of modern-day storm sewer and stormwater Best Management Practices (treatment structures, storm ponds, infiltration basins, etc.). He said the estimated project cost of the Street Surface Improvement Project is \$2,407,000, which includes 5% for construction contingency and 10% for engineering, legal, administrative, and fiscal cost then shared the proposed schedule.

Councilmember Skogquist asked if some of the streets in Dunham Oaks area would be dead ended as part of the Highway 10 construction project and the McKinley signal activated. Mr. Nelson said Dunham and McCann will be closed due to the Highway 10 project and a temporary signal activated then carried through as part of Highway 47 improvement project. He said work would include extending the turn lane as part of the County project which would be a benefit to the area but has not yet been confirmed.

Councilmember Skogquist said he appreciated both Front Avenue and Martin Street being added as their conditions are poor as well.

Motion by Councilmember Barnett seconded by Councilmember Weaver, to adopt a resolution approving the 2022 Street Surface Improvement Project; Order Project and Authorize the Preparation of Plans and Specifications.

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

- 9.4 RES/Highway 10 Rum River Bridge and Corridor Project; Approve Limited Use Permit with the State of Minnesota Department of Transportation for a Non-Motorized Recreational Trail in the Right-of-Way of Trunk Highway 10 at 4th Avenue.

RESOLUTION

Mr. Nelson shared a background report stating on May 7, 2020 the Minnesota Department of Transportation (MnDOT) approved Geometric Layout for the Highway 10 Rum River Bridge and Corridor Project. On November 16, 2020, City Council adopted a resolution approving municipal consent and the layout with MnDOT for the project and that beginning in the spring of 2022 MnDOT will be reconstructing Highway 10 from 1,100 feet west of the Trunk Highway 47/169 Ferry Street interchange to just east of 7th Avenue. The project will include replacing the Highway 10 bridge over the Rum River, transforming the Ferry Street interchange into a single point diamond interchange and the addition of auxiliary lanes between Ferry Street and 7th Avenue. Total estimated project cost is \$64 million. The State of Minnesota Department of Transportation is requiring the City of Anoka to execute a Limited Use Permit (LUP) for these trail ways that is to be constructed on/within MnDOT's right-of-way. Mr. Nelson said based on City approved layout for the project, trail ways will accommodate pedestrians at the Fourth Avenue overpass and that it is recommended that the City executes the LUP permit to construct these portions of the trail way with the Highway 10 Rum River Bridge and Corridor Project.

Councilmember Skogquist noted former HRA Commissioner Pat Walker will be very pleased to know the railroad bridge will finally be addressed.

Councilmember Weaver said the railroad bridge has been in need of maintenance for a long time and that delays included how to encapsulate the bridge's lead paint and how he had hoped it could become a covered bridge at some point but was not possible. He said it will be interesting to see how MnDOT removes this bridge. Mr. Nelson noted Highway 10 will have to be closed for a weekend to accomplish the task and would keep the Council and public updated on the project.

Motion by Councilmember Skogquist seconded by Mayor Rice, to adopt a resolution for the Highway 10 Rum River Bridge and Corridor Project; Approve Limited Use Permit with the State of Minnesota Department of Transportation for a Non-Motorized Recreational Trail in the Right-of-Way of Trunk Highway 10 at Fourth Avenue.

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

- 9.5 RES/Highway 10 Rum River Bridge and Corridor Project; Approve Limited Use Permit with the State of Minnesota Department of Transportation for a Non-Motorized Snowmobile Trail in the Right-of-Way of Trunk Highway 10 at Maple Avenue.

RESOLUTION

Mr. Nelson shared a background report stating as part of the Highway 10 Rum River Bridge and Corridor Project the State is requiring the City to execute a Limited Use Permit (LUP) for these trail ways that is to be constructed on/within MnDOT's right-of-way. He said the Sno-Ghosts are an Anoka County Minnesota snowmobile club that is part of the Minnesota United Snowmobilers Association organized in 1972 and includes a group of volunteers that groom, design, mark and maintain the snowmobile trails. Club members utilize this trail connection to from Maple Avenue to the Rum River during the winter season. Mr. Nelson said based on the State approved layout for the project, trail ways will accommodate snowmobiles along Maple Avenue to the Rum River. The permit has been reviewed and there are no specific objections by the City's attorney and it is recommended that the City executes and enters into the LUP permit for the Highway 10 Rum River Bridge and Corridor Project.

Councilmember Skogquist clarified this permit would not allow people to drive up Maple Avenue but park and access to river as well as the snow corral downtown and Bunker Lake Boulevard and 7th Avenue to the gas stations. Mr. Nelson responded that based on City ordinance this permit would allow driving in MnDOT's rights-of-way to access the river.

Councilmember Weaver said the Sno-Ghosts group has used this trail for a long time for recreational as well as to mark hazards on the river and by the dam which provides safer recreational opportunities and supports businesses downtown and restaurants, adding this activity is unique to Anoka.

Motion by Councilmember Weaver seconded by Councilmember Wesp, to adopt a resolution for the Highway 10 Rum River Bridge and Corridor Project; Approve Limited Use Permit with the State of Minnesota Department of Transportation for a Motorized Recreational Snowmobile Trail in the Right-of-Way of Trunk Highway 10 at Maple Avenue.

Mr. Nelson noted the additional access for snowmobiles was included as part of the construction project which resulted in the need for this permit.

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

- 9.6 RES/Highway 10 Rum River Bridge and Corridor Project; Approve Cooperative Construction Agreement with Authorization to Execute the Agreement with the State of Minnesota Department of Transportation.

RESOLUTION

Mr. Nelson shared a background report stating the City has had a long-standing partnership with the MnDOT to make necessary safety and capacity improvements to Highway 10 from 1,100 feet west of the Trunk Highway 47/169 Ferry Street interchange to just east of 7th Avenue. He said construction plans have been approved and authorized by MnDOT Metro district to proceed with letting of the project and as result it is necessary to enter into a Cooperative Construction Agreement with the Minnesota Department of Transportation. The agreement provides for payment by the City to the State of the City's share of the costs of the construction to be performed upon, along and adjacent to Highway 10 within the corporate City limits. The purpose of the agreement is generally to outline terms, obligations, and understandings for each agency during the bid, award, and construction phases of the project, in addition to detailing future maintenance understandings for the elements constructed by this project. A majority of the cooperative agreement is standard language typical of all MnDOT cooperative construction agreements. The agreement will allow the construction of all the City's watermain, sanitary sewer mains and landscaping aesthetics and provides for payment to the State of these City's cost share. He said the act of executing the agreement allows for funding by the State to the City for the State's share of project costs in accordance with funding allocated to the project. The estimated cost participation of the City's portion of the project is \$2,397,329.28 which includes 5% and 8% for City and State construction engineering. He spoke about the bridge aesthetics and inclusion of the City's logo and how they will work to address graffiti that could occur and how the City would be a partner as part of the local improvements. Mr. Nelson outlined the financial impact and funding sources and noted this amount has decreased since the original agreement due to less funding needing as more would be allocated to the State.

Councilmember Weaver complimented Mr. Nelson on the exemplary work on all these projects then spoke how raising the Rum River bridge two feet to match the height of the Pleasant Street bridge will help boats navigate the river better.

Motion by Councilmember Weaver seconded by Councilmember Skogquist, to adopt a resolution approving the Highway 10 Rum River Bridge and Corridor Project; Approve Cooperative Construction Agreement and Authorization to Execute the Agreement with the State of Minnesota Department of Transportation.

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

- 9.7 RES/Summary Publication of Ordinance-2022-1756; Amending Chapter 78, Article V, Division 3, Section 78-265(c), B-1 Highway Business Conditional Uses and Chapter 78, Article V, Division 3, Section 78-265(i) Specific Conditional Use Permit Standards.

RESOLUTION

City Manager Greg Lee shared a background report stating at the January 3, 2022 meeting, the City Council adopted an ordinance amending City Code Chapter 78 related to a proposed use (small specialized online auto sales office and showroom) in the B-1 Highway Business district and specific conditional use permit standards. Ordinances are required to be published in the City's legal newspaper and State law allows a resolution to be adopted summarizing the ordinance, which is then published in the legal newspaper instead of the entire ordinance, which saves the City costs related to publishing the entire ordinance if the ordinance is lengthy.

Motion by Councilmember Barnett seconded by Councilmember Wesp, to adopt a resolution providing for summary publication of an ordinance amending Chapter 78, Article V, Division 3, Section 78-265(c) B-1 Highway Business Conditional Uses and Chapter 78, Article V, Division 3, Section 78-265(i) Specific Conditional Use Permit Standards of the Code of the City of Anoka Minnesota.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, 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.

Councilmember Barnett spoke about the upcoming worksession topic that would update the Council on the proposed federal mandate regarding possible COVID-19 testing and vaccination requirements that would affect City staff and the Council's adopted resolution to not force staff to test or vaccinate. She commented how the Supreme Court found the proposed federal action

unconstitutional and that a majority of Councilmembers supported the resolution and said she looked forward to further discussions on this topic. Mr. Lee said the topic was intended to provide the Council any further updates on the Supreme Court's ruling.

Mr. Lee shared that staff has scheduled the annual goal session for February 15 at Green Haven then noted Anoka County would like to discuss their proposed government building expansion with the City Council at the February 28 worksession.

Mr. Nelson shared how the public can learn more about the upcoming Highway 10 Anoka construction projects through the City's website and upcoming open houses in March.

Councilmember Skogquist asked if construction status north of Pleasant Street will be shared at some point in the future and if the public would be able to provide feedback throughout the process. Mr. Nelson said the City's website will include this project as well on MnDOT's site.

ADJOURNMENT

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

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

Time of adjournment: 8:12 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk