

**REGULAR MEETING OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
CITY COUNCIL CHAMBERS  
JUNE 20, 2023**

**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 Scott, Skogquist, and Weaver.

Staff present: City Manager Greg Lee; Public Services Director Mark Anderson; Police Captain Andy Youngquist; Assistant Finance Director Liz Douglas; Finance Director Brenda Springer; Senior City Planner Clark Palmer; and Electric Utility Director Del Vancura.

Absent at roll call: Councilmember Wesp.

**3. COUNCIL MINUTES**

- 3.1 May 22, 2023, Worksession.  
June 5, 2023, Executive Session.  
June 5, 2023, Regular Meeting.

Councilmember Skogquist noted a correction was needed on Page 10 of the May 22 worksession from drop bridge to drop forage building.

Motion by Councilmember Skogquist, seconded by Councilmember Scott, to approve the May 22, 2023, Worksession, the June 5, 2023, Executive Session, and the June 5, 2023, Regular Meeting minutes as corrected.

Vote taken. All ayes. Motion carried.

**4. OPEN FORUM**

- 4.1 Presentation ABDO 2022 Annual Audit.

Finance Director Brenda Springer stated the 2022 financial statements were completed and have been reviewed by the City's auditors at ABDO. She said this was the first year working with ABDO and stated the audit went very well.

Bonnie Schwieger, ABDO, provided a brief presentation for Council stating in summary the net position of the City of Anoka increased by \$4,820,409 in 2022.

The primary elements for the increase in net position are investment to capital assets through infrastructure projects finished in 2022, and the 2022 bond issue. The net position of the City is currently \$181,301,468. The largest portion of net position 88.5% is Capital assets net of debt (land, buildings, infrastructure and equipment). A small portion, about 3.9% of the City's net position, is subject to external restrictions on how they may be used, (debt and tax increment). The remaining balance of \$13,909,688 may be used to meet the City's ongoing obligations to citizens and creditors. Total unrestricted net position increased by \$4,820,409 or 2.9% while net investments in capital assets increased by \$7,789,838 or 5.4% due to continued capital outlay to city infrastructure. The City used a combination of grants, bonding, and available funds for investment in capital assets. Governmental type activities account for almost 58.4% of the City of Anoka's net position. For the year ending December 31, 2022, there is an increase in net position for governmental activities of \$908,684. Total general revenues for governmental activities amounted to \$12,661,643; transfers in were \$1,225,000, gain on disposal of capital assets was \$245,173. Total expenses were \$44,378,002. At the end of the fiscal year 2022, the City of Anoka's governmental funds reported combined ending fund balances of \$2,318,238, a decrease of \$766,659. The decrease is primarily the result of spending on 2022 street capital projects. She noted there were no issues with the audit and was pleased to present a clean opinion of the City's financial statement.

Councilmember Skogquist thanked Ms. Schwieger for an interesting presentation and for including graphics and indicators compared to peer groups which is helpful information to share with the residents then asked if all minimum fund balances were City policies or based on other standards. Ms. Schwieger said balances were based on internal City policies but there were some State recommendations that cities follow as well and noted all of Anoka's were within normal ranges.

#### 4.2 Police Activity Update.

Police Captain Andy Youngquist shared an update that included many special events in the City including the Safety Fair and fireworks on July 3. He recognized Sergeant Mike Whitaker who will be retiring after 30 years then spoke about backfilling his and another position then noted the CSO unit was nearly fully staffed and active in the downtown area. He shared an update on a recently found dog and how they worked to rehome and were successful.

Councilmember Weaver spoke about the recent open house at the animal containment center that included other dogs to rehome. Captain Youngquist shared how they work with many rescue groups which help in this effort.

#### 4.3 Highway 10 Anoka Construction Update.

Public Services Director Mark Anderson shared an update regarding Highway 10 construction.

**OTHER INFORMATION UNDER OPEN FORUM**

Electric Utility Director Del Vancura shared that Anoka Utility recently received a Certificate of Excellence from American Public Power for exceeding reliability over the five-year average for outages and thanked Council and staff for their work and support, adding this recognition will help in achieving grants moving forward.

Mayor Rice said the City was already proud of Anoka's electric utility but said this just increases their pride and thanked the staff for the work they do.

Councilmember Skogquist said crews address outages within hours and provides a wonderful quality of service at a great rate and thanked them for their work.

**5. PUBLIC HEARING(S)**

None.

**6. CONSENT AGENDA**

Motion by Councilmember Weaver, seconded by Councilmember Scott, to approve Consent Agenda Items 6.1 through 6.9 as presented.

Councilmember Weaver highlighted the Jam by the Dam and Food Truck Festival events and encouraged the community to attend.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 U.S. Highway 10/169 Improvement Project; Approve Change Orders Numbers 50, 51, and 52.
- 6.4 Issuance of a Temporary On-Sale Liquor License; MN Food Truck Association; Anoka's Food Truck Festival August 19, 2023.
- 6.5 Issuance of a Tree Care/Arborist License; The Davey Tree Expert Company.
- 6.6 Issuance of a Tree Care/Arborist License; AJS Tree Service.
- 6.7 Issuance of an On-Sale Liquor License; 10K Brewing LLC, Jam by the Dam, August 6, 2023.

- 6.8 Request to Waive Area Use Fee for 5<sup>th</sup> Annual HopeFest.
- 6.9 Waiving Facility Charges for Designated Organizations; Anoka Veteran Center and First Baptist Church.

Vote taken. All ayes. Motion carried.

## 7. **REPORTS OF OFFICERS, BOARDS AND COMMISSIONS**

### 7.1 Planning Items:

7.1.A. RES/Final Plat; Silverstar Addition, 601/637 West Main Street.

#### **RESOLUTION**

Senior City Planner Clark Palmer shared a background report stating Dan Nelson/Midwest Fidelity Partners, LLC has submitted an application for a final plat for the property located at 601/637 West Main Street. The property to be replatted currently consists of four parcels, 1.57 acres in size, originally platted as part of the Revised Auditors Subdivision No. 66 plat. The new plat creates three lots described as follows: Lot 1, Block 1; Lot 1A, Block 1; Lot 2, Block 1; Silverstar Addition. The Planning Commission reviewed the preliminary plat at its regular meetings on April 4, 2023, and May 2, 2023. The City Council approved the preliminary plat on June 5, 2023. No modifications from the preliminary plat to the final plat are recommended or required.

Motion by Councilmember Skogquist, seconded by Councilmember Scott, to adopt a resolution for approval of final plat at 601/637 West Main Street (Silverstar Addition).

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

7.1.B. RES/Variance for Setback; 3504 Rum River Drive.

#### **RESOLUTION**

Mr. Palmer shared a background report stating Keith and Laura Kessler are the property owners of 3504 Rum River Drive and were seeking to expand their existing three-season porch and deck located at the rear of the home which faces the Rum River. The existing home, built in 1992, is setback from the Rum River 57.28 feet. The current required setback from the Ordinary High Water Level (OHWL) of the river is 100 feet. The existing structure is considered legal nonconforming. The new porch and deck will be expanded outward from the home by two feet and also widened along the rear of the home. The new proposed setback from river is 53.76 feet, 3.52 feet closer than the existing setback.

Although the proposed setback is only being reduced by 3.52 feet, a variance from the current minimum setback is required to expand a legal nonconforming structure so the applicant is requesting a front yard (riparian) setback variance of 46.24 feet from the current minimum setback of 100 feet from the OHWL of the Rum River.

Councilmember Skogquist asked when the 100-foot setback came into place. Mr. Palmer said it likely was after 1992 as the setback used to be 75 feet then noted there were approximately 50% of river lots that had non-conforming setbacks, many likely due to the number of revisions to City code creating greater setbacks but makes it hard to make reasonable improvements to properties.

Councilmember Skogquist noted the property was in the Wild and Scenic Area and asked if the DNR was okay with the proposal. Mr. Palmer said the 100-foot setback is found in R-1 zoning and that no DNR review is required but added they had no concerns with this request.

Councilmember Weaver complimented the applicants on their beautiful property.

Councilmember Scott said this porch will make a great addition to the existing property.

Mr. Palmer confirmed staff will ensure elevations are sufficient above the river and that the 100-year flood map and amendments are on record.

Motion by Councilmember Weaver, seconded by Councilmember Scott, to adopt a resolution approving a setback variance for 3504 Rum River Drive.

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

7.1.C. RES/Conditional Use Permit Amendment and Site Plan Review; 215 W. Main Street (Franklin Elementary).

## **RESOLUTION**

Mr. Palmer shared a background report stating on behalf of the Anoka-Hennepin School District, Mike Kraft Architects is requesting approval of a site plan review and conditional use permit amendment for a proposed expansion of Franklin Elementary School located at 215 W. Main. Street. The Anoka-Hennepin School District is repurposing the school as a special education facility. The applicant is proposing to add two new building additions and expand the existing parking lot adjacent to Branch Avenue. Other improvements include landscaping, stormwater management facilities and recreational equipment. The property is zoned Main Street Mixed Use, West Main Street Subdistrict. Prior to the issuance of building permits, approval of a site plan review is required. Schools and public buildings

are allowed in the zoning district with approval of a conditional use permit (CUP). The property currently has a CUP, so rather than issuing a new CUP, an amendment is required. The building additions are designed to match the existing building through the use of complementary brick. The east addition will include a new main entryway, administrative offices, and classrooms. The west addition will include a new ADA accessible entry/exit, interior ramp and classroom. The surface parking lot off of Branch Avenue will reconfigured and expanded to the north, which will add parking spaces and create a circular drop off/pick up drive aisle along the building. The current parking lot has 57 spaces which will be expanded to 96 spaces. The parking lot will be landscaped with shrubs. The district also has plans to construct an auxiliary parking lot of approximately 30 spaces on their property across Branch Avenue from the school. The new parking lots will be screened with landscaping. Plans also include the relocation of the existing playground from the east side of the property to the northwest portion of the property adjacent to Wingfield Avenue.

Councilmember Weaver inquired about the existing playground and the possibility of it remaining as there is no greenspace in this area. Mr. Palmer said the school district has agreed to retain the playground and whether it will include new or reused equipment it will be moved to a new location. He said the district knows the importance of this playground remaining as a public use and while the student body will no longer utilize the playground, they recognize its important as a public use for it to remain.

Councilmember Weaver said it was sad the building will no longer be used as an elementary school as it will change the neighborhood overall as this was a great location to raise a family,

Mike Kraft, Mike Kraft Architects, spoke about the importance of the playground and how the district will retain it in its new location as well as the new location, adding the portion adjacent to the school will remain untouched so there will be two play locations in essence.

Councilmember Skogquist said he appreciated the school's work to complement existing structures when adding to buildings and noted there had been concerns with parking and circulation at this site and how this will help address those concerns then spoke about the need to address the grass areas in all Anoka's schools and suggested adding a condition to ensure irrigation is part of this project. Mr. Kraft said irrigation came up at Planning Commission too and confirmed irrigation will be included.

Councilmember Scott said it is great to have this commitment from the district to maintain this playground space for the community.

Motion by Councilmember Weaver, seconded by Councilmember Skogquist, to adopt a resolution for approval of a conditional use permit amendment and site

plan review based on conditions that the playground area is maintained and improved and the area is irrigated.

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

Councilmember Weaver thanked the school board for acknowledging this important area.

## 8. PETITIONS, REQUESTS AND COMMUNICATION

None.

## 9. ORDINANCES AND RESOLUTIONS

### 9.1 RES/Sign Height Agreement; 637 W. Main Street (Silverstar Car Wash).

#### **RESOLUTION**

Mr. Palmer shared a background report stating Dan Nelson/Midwest Fidelity Partners, LLC received approval of their site plan review and conditional use permit application at the regular meeting of the City Council on June 5, 2023. A condition of that approval was the applicant shall enter into a sign height agreement with the City of Anoka for the proposed freestanding pylon/pole sign. He outlined the draft agreement that limits the height of the sign to no more than 35 feet and specifies that the sign will not include an electronic message center (EMC) sign. Within the agreement, for Exhibit A, staff will update and insert the site plan and sign exhibit, adding the current exhibit shows a 50-foot tall sign including an EMC. The exhibit will be updated to show a 35-foot tall sign with no EMC. Again, that will be inserted into the agreement as Exhibit A.

Mayor Rice said he was pleased the applicant agreed to this height restriction as it was a significant compromise they did not have to do and thanked them for this action.

Motion by Councilmember Skogquist, seconded by Councilmember Scott, to adopt a resolution for approval of a sign height agreement 637 West Main Street Silverstar Car Wash.

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

### 9.2 ORD/Interim Ordinance to Protect the Planning Process While Conducting Studies to Consider Amendment to Chapter 78, Article V, Division 5, Transit Oriented Development District (TOD). (2<sup>nd</sup> Reading)

Community Development Director Doug Borglund shared a background report stating Council held first reading on June 5, 2023 and directed staff to move forward with second reading. He noted no changes to the proposed ordinance were brought forward. He said based on the City's administrative process Councilmembers have requested Staff to bring forward an interim ordinance that could be establish temporarily amending Chapter 78 of the City Code of the City of Anoka to establish a moratorium. If the City Council has concerns regarding the impact of the current mix of uses allowed in the TOD-E Transit Orientated Development-Employee Emphasis and TOD-R Transit Orientated Development Residential Emphasis Zoning Districts a moratorium would be appropriate to allow time to review certain uses. The City could evaluate the impact of allowing the development, construction, expansion, occupancy, or use of buildings related to light industrial manufacturing, fabrication, processing, assembling, storing testing, or similar industrial uses and facilities in relationship to existing and/or future allowed residential use in the TOD-E Transit Orientated Development-Employee Emphasis and TOD-R Transit Orientated Development Residential Emphasis Zoning Districts. Pursuant to Minnesota Statutes § 462.355, Subd. 4, the City is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the City while the City or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of official controls including ordinances regulating physical development of the City.

Mayor Rice said this is an important ordinance as we saw changes beginning to occur in this area we were not prepared for.

Motion by Councilmember Scott, seconded by Councilmember Skogquist, to hold second reading and adopt an interim ordinance to protect the planning process while conducting studies to consider an amendment to Chapter 78, Article V, Division 5. Transit Oriented Development District (TOD).

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

Motion by Councilmember Scott, seconded by Councilmember Skogquist, adopt a resolution for summary publication for an interim ordinance to protect the planning process while conducting studies to consider an amendment to Chapter 78, Article V, Division 5. Transit Oriented Development District (TOD).

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

9.3 ORD/Playground Lease for Anoka Community Mission; 2612 4<sup>th</sup> Avenue.  
(1<sup>st</sup> Reading)



Mr. Borglund shared a background report stating the City is purchasing the property known as 2612 4th Avenue as approved by City Council. Historically, the current owner of 2612 4th Avenue has leased a portion of the subject property to the Anoka Community Mission for playground use associated with its daycare operation. The City is working with the Anoka Community Mission to allow the Mission to maintain its existing playground facility. The City's intention is to remove the structure on the property and allow through a new lease the playground to remain in place. The Anoka Community Mission and its Executive Board and Director have reviewed the proposed lease and find the lease acceptable. The Anoka Community Mission has signed a release of the existing lease. The current property owner or seller of 2612 4th Avenue will sign the release of the existing lease prior or at the real closing of 2614 4th Avenue. The new playground lease will be executed between the Anoka Community Mission and the City of Anoka after closing on the subject real estate known as 2612 4th Avenue at the end of July 2023.

Councilmember Weaver said he supported the lease but that a bigger discussion was needed as this entire area would be changing and the ingress/egress was coming through Anoka-owned property that needs to be addressed. Mr. Borglund said staff has reviewed the Comprehensive and Master Plans for this area with The Mission and know there will be a larger discussion once closing of 2612 4<sup>th</sup> Avenue occurs.

Councilmember Scott said he wants to see success of The Mission and future area but agreed the ingress/egress needs to be addressed.

Mayor Rice said what we think will happen in this area likely won't occur but it's the right thing to purchase the property, clean up the area, and make the site more suitable for investment. He agreed the site needs to be memorialized and that we should look at granting access while we work towards a workable solution for this site.

Mr. Palmer noted the site used to abut Pierce Street but was realigned and resulted in the City taking away their access.

Councilmember Weaver confirmed this site was part of the TOD zoning and that this property should be included as part of the interim ordinance planning process.

Motion by Councilmember Skogquist, seconded by Councilmember Weaver, to hold first reading of an ordinance authorizing the conveyance of a real property by lease to Anoka Community Mission.

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

**10. UNFINISHED BUSINESS**

None.

**11. NEW BUSINESS**

11.1 Consideration of Appointment to Utility Advisory Board.

Mr. Lee shared a background report stating the City currently has one vacancy on the Utility Advisory Board. This a partial term vacancy that will expire December 31, 2024. City staff has been publishing notice of our vacancies, per our City policy, and received one application from David McCarren.

Councilmember Skogquist said Mr. McCarren's background will be a great fit and that this appointment will make this Board full.

Motion by Councilmember Skogquist, seconded by Councilmember Scott, to appoint David McCarren to the Utility Advisory Board for a term to expire December 31, 2024.

Vote taken. All ayes. Motion carried.

**12. UPDATES AND REPORTS**

12.1 Distribution of 1<sup>st</sup> Half Round Up for Change Program Funds.

Assistant Finance Director Liz Douglas shared an update on the Round Up for Change program regarding collections and disbursement of revenues. The program, which was adopted November 21, 2011, Policy # 2011-03, has been in place starting 2012. Funds collected are for donations that improve the lives of families, children and seniors in our community. Each new customer is introduced to the program when they sign up for service, and make the decision to enroll or not at that time. The new customer booklet also gives more information, as well as the AMU website and social media. Customer participation in Round Up has increased 1.5% since December 2022 and 3.83% compared to a year ago – all due to diligent introduction from staff. Revenue total through May 31 is \$15,957 and there is \$18,772 available for disbursement.

Councilmember Weaver recalled how the program was started because donations to these organizations should not come from the general fund and that this concept was working. He thanked everyone for their participation and thanked staff for their work to make this successful.

Mayor Rice said these funds do much good for the programs they are benefiting.

Motion by Councilmember Weaver, seconded by Councilmember Scott, to accept distribution of 1<sup>st</sup> Half Round Up for Change Program Funds.

Vote taken. All ayes. Motion carried.

12.2 Update; Emergency Street Repairs Program.

Mr. Anderson shared that pursuant to Council discussion at the March 27, 2023, worksession, Council provided unanimous consent to develop an Emergency Street Maintenance Program to address the acceleration/increase in deterioration in road surfaces from the current freeze thawing over the winter and spring months and committed \$1.25 million towards repairing roads that were not budgeted in 2023. As part of the Emergency Street Maintenance Program, Council directed staff to perform bituminous patching, spray patching, mill and overlays, and other required road repair work. Mr. Anderson reviewed the current contractors and streets being worked on as part of the emergency street repair program, then displayed before and after photos, adding he was proud of this project and thanked the Council.

Mayor Rice confirmed when Harrison is redone there will be a base coat and then the contractor will return with a wear coat.

Councilmember Weaver suggested leftover funds be used for an emergency river repair program. Mr. Anderson said there will be approximately \$70,000 left over then commented how people access the Rum River through docks to come to the City which results in silt into the channel. He spoke about dredging that occurred in the 1940s then again in 2008 and how staff was reviewing the data and will provide a recommendation to address the sand at a future worksession.

Councilmember Weaver shared more about the impact of this sand and how the channel was level then spoke about the importance of finding out where the sand came from to address so Anoka does not have to bear the cost of this repair.

Mayor Rice said the reason the sand was deposited below the dam is due to the Mississippi River current and if we do nothing high water will move of the sand out.

Mr. Lee spoke about the need to address this and how elevation of the dam could slow the flow coming off the Rum River and actually never flush out because of the new dam conditions.

12.3 Tentative Agenda(s).

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

12.4 Staff and Council Input.

Mr. Lee said there will be a regular meeting on June 26 to consider a purchase agreement followed by the regularly scheduled worksession.

**ADJOURNMENT**

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

Vote taken. All ayes. Motion carried.

Time of adjournment: 8:41 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk