

**REGULAR MEETING OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
SEPTEMBER 5, 2023**

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 Scott, Skogquist, Weaver, and Wesp.

City Manager Greg Lee; Community Development Director Doug Borglund; Assistant City Engineer Ben Nelson; City Attorney Scott Baumgartner; Assistant City Manager Amy Oehlers; Police Captain Andy Youngquist; Public Works Director Mark Anderson; Utility Director Del Vancura.

Absent at roll call: None.

3. COUNCIL MINUTES

3.1 August 21, 2023 Regular Meeting.

Councilmember Skogquist noted Representative Zack Stephenson's name was misspelled under Item 9.1

Motion by Councilmember Skogquist, seconded by Councilmember Scott, to approve the minutes of the August 21, 2023 Regular Meeting as corrected.

Vote taken. All ayes. Motion carried.

4. OPEN FORUM

4.1 Proclamation; Constitution Week, September 17-23, 2023.

Mayor Rice read the Proclamation for Constitution Week into the record proclaiming September 17-23, 2023, as Constitution Week in Anoka.

Barb Thurston, Anoka Chapter of the Daughters of the Revolution, shared the background and work of their organization that was celebrating 40 years in Anoka that included providing scholarships and educating new citizens then shared facts about the Constitution through an annual quiz on Constitution facts.

4.1 Police Activity Update.

Police Captain Andy Youngquist said no serious incidents occurred due to the recent warm weather then invited youth to their upcoming Explorer education program to learn about law enforcement careers. He shared about other upcoming events including Coats for Cops and encouraged the public to take extra caution in school zones now that school was in session. He shared an update on the removal of school resource officers (SROs) due to the recent law change but noted juvenile investigators were working to continue to support schools and that no incidents occurred at the recent football game. He said the department was following developments as a result of the new law and believed concerns may be addressed soon through a possible special session.

Councilmember Wesp suggested the City send a letter in support of a special session so legislators can clarify the law regarding SROs in schools.

4.2 Highway 10 Anoka Construction Update.

Assistant City Engineer Ben Nelson shared an update regarding Highway 10 construction.

OTHER INFORMATION UNDER OPEN FORUM

None.

5. PUBLIC HEARING(S)

5.1 RES/Resolution in Support of Minnesota Investment Fund (MIF) Forgivable and Payable Loan Application; Hoffman Enclosures, Inc., /nVent Electric plc.

RESOLUTION

Community Development Director Doug Borglund shared a background report stating the Minnesota Investment Fund (MIF) program provides financial assistance to help businesses add and retain high-quality jobs on a statewide basis with a focus on industrial, manufacturing, and technology-related industries. Local governments formally apply to the State on behalf of an eligible business, with the funds essentially being pass-through dollars from Minnesota Department of Employment and Economic Development (DEED) to a business, with the City acting as the fiscal agent for the transaction. As a result of Hoffman's new job creation efforts and planned overall investment in the project in the City of Anoka, MN DEED has preliminarily offered assistance, in the form of a forgivable and repayable loans, with the City executing grant and loan contracts to facilitate funding of \$1,300,000 in direct assistance from the Minnesota Investment Fund (MIF) in the form of a fully forgivable loan with prevailing wage. The Forgivable MIF Loan would be subject to the company meeting its job creation and investment goals. If the goals are not met, a portion of the MIF proceeds would be clawed back plus interest on a pro rate basis. The loan will be

forgiven upon satisfaction by the borrower if all job creation and investment goals are met. He shared \$1,000,000 in direct assistance from the Minnesota Investment Fund (MIF) in the form of a Repayable loan with prevailing wage and paid back over the life of the loan. Local units of government may be eligible to capture 40% of loan repayments to create and/or expand a local RLF/Revolving Loan Fund up to \$100,000. In order to move forward with pursuing the MIF Funds, the City will work to complete their portion of the MIF application, hold the public hearing, then adopt a resolution in support of the project. He shared Hoffman develops and manufactures electrical/circuitry enclosures and climate/temperature management solutions for electronics and have been in business for over 75 years in Minnesota. With rapid growth in the industry, led in some part by the need for data storage and data centers, Hoffman intends to increase their capacity for production in Minnesota. With this project they intend to convert 100,000 square feet of warehouse space into manufacturing and related research and development functions. The expansion planned by Hoffman in the City is focused on Hoffman's electrical/circuitry cooling products. Much of the City's existing space for manufacturing users has become older and requires investment and upgrades to compete in today's local and regional economy. The Job Creation Fund (JCF) Program provides job creation awards and capital investment rebates to designated businesses that retain or create high-paying, full-time permanent jobs and invest in real property improvements. As a result of Hoffman's new job creation efforts and planned overall investment in the project in the City of Anoka, the business is pursuing Job Creation Fund assistance, which requires City involvement. DEED will evaluate the application and notify the Local Government and business of approval or denial. If approved, DEED will formally designate the business as a JCF business via an award letter and determine a job creation and/or capital investment rebate amount. Awards and/or rebates of \$500,000 or more require DEED to hold a public hearing prior to formally designating the business as a JCF business, and for DEED and the business to enter into a Business Subsidy Agreement. Awards and/or rebates of \$200,000 or more require that construction adhere to prevailing wage rules. In order to move forward with pursuing the JCF Funds, the City will work to complete their portion of the JCF Application and pass a resolution in support of the project. The Estimated State's Financial award in Job Creation Funds is \$1,200,000.00.

Mayor Rice opened the public hearing at 7:29 p.m.

Being no comments Mayor Rice closed the public hearing at 7:30 p.m.

Councilmember Wesp spoke about the creation of Hoffman Enclosures and McClean Midwest then shared further history of the company that provided jobs for 1,200 employees. He said the City was proud of all companies in Anoka and was excited to see Hoffman expand and continue their contributions in Anoka.

NOTE: By motion from Councilmember Weaver, which was seconded by Councilmember Scott, 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 Weaver, to adopt a resolution regarding the support of a Job Creation Fund application in connection with Hoffman Enclosures, Inc.

Councilmember Skogquist thanked Hoffman for providing many great jobs, including many who live in the City, then asked about funding for conservation improvement programs and the potential changes to electric use.

Tom Hamilton, nVent Hoffman, shared about their conservation work that including replacing lighting with LED across the manufacturing area, water reclamation work for irrigation, a compressed air project to reconfigure and replace distribution that would save leakage across the network. He spoke about the additional utility demand for this expansion and production that will result in some loss of utility usage but result in conservation, adding they will have no large increase in demand for water and hoped to reduce their use footprint as their largest location in North America.

Mayor Rice said the City was pleased to see the efficient use of electricity as a provider of the utility.

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

RES/Resolution Regarding the Support of a Minnesota Job Creation Fund (JCF) Application in Connection with Hoffman Enclosures, Inc., /nVent Electric plc.

RESOLUTION

Motion by Councilmember Skogquist, seconded by Councilmember Scott, to adopt a resolution regarding the support of a Job Creation Fund application in connection with Hoffman Enclosures, Inc.

Mayor Rice thanked Hoffman for locating in Anoka and their continued investment in the City.

Upon a roll call vote: Mayor Rice, Councilmembers Scott, 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 6.8 as presented.

Councilmember Weaver asked for more information on Items 6.4 and 6.5. City Manager Greg Lee explained Alexandra House was requesting no alcohol be allowed as part of their special event including River Plaza up to Riverfront Park.

Assistant City Manager Amy Oehlers shared the proposed social district licenses which included 10K Brewing, Ambi Wine Bar, Ibza West, 201 Tavern, MaGillyCuddy's, Wheelhouse, and Casa Rio. She added Billy's and Serums were not participating in the district at this time but could join in the future upon Council approval.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 Consideration of Setting Public Hearing for Assessment for Services.
- 6.4 Request to Reduce Social District Boundaries for Hope Fest on September 30.
- 6.5 Approval of Social District Licenses.
- 6.6 Recommended Approval of an LG220 Gambling Permit; Anoka Rotary.
- 6.7 Temporary On-Sale Liquor License; St. Stephen's Catholic Church, Pumpkin Fest October 28, 2023.
- 6.8 U.S. Highway 10/169 Improvement Project; Approve Change Orders Number 64.

Vote taken. All ayes. Motion carried.

7. REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

7.1 Planning Items:

None.

8. PETITIONS, REQUESTS AND COMMUNICATION

8.1 Certification of Petition Sufficiency; Related to Organized Solid Waste Collection.

Ms. Oehlers shared a background report stating on August 18, 2023 the City received a petition to amend the City Charter as it relates to the collection of solid waste in the City of Anoka. She shared the petition language that stated unless first approved by a majority of voters in a state general election, the City shall not replace the competitive market in solid waste collection with a system in which solid waste services are provided by government-chosen collectors or in government-designed districts. The adoption of this Charter amendment shall

supersede any ordinances, ordinance amendments, or Charter amendments related to solid waste adopted by the City Council after January 1, 2023. The City was following the process of amending the charter by Petition according to MS §410.12 Subd. 1a, Subd 2, Subd 3 and Subd 4 and Minnesota Rules Chapter 8205.1010 through 8205.1050 and direction of the MN Secretary of State Elections Division. Charter amendments require that the petition be signed by registered voters in the City of Anoka equal to 5% of the total persons voting in the last Municipal General Election which was 348 signers then noted the petition was submitted with 609 signatures. After staff conducted the verification of signatures, 88 were deemed invalid due to things such as inactive registration, wrong birthdate, or wrong address, and that 521 signatures were validated. She then shared an update on the process for organized solid waste that included forming a committee for contract negotiation and noted no formal action was needed, stating the question would be on the November 2024 ballot.

Councilmember Wesp inquired about the continued work on single hauler initiative and if that was based on Statute and if the question was placed on the ballot is was likely haulers would not participate in the process. Ms. Oehlers said the work was based on Council direction to develop an organized collection system and that staff had not heard yet from haulers regarding participating in the negotiation process.

Councilmember Weaver noted the responsibility for work on single hauler could change if directed so by Council.

9. ORDINANCES AND RESOLUTIONS

- 9.1 RES/Resolution in Support of a Minnesota Investment Fund (MIF) Forgivable and Payable Loan Application; Hoffman Enclosures, Inc., /nVent Electric plc.

ACTED UPON AFTER PUBLIC HEARING

RES/Resolution Regarding the Support of a Minnesota Job Creation Fund (JCF) Application in Connection with Hoffman Enclosures, Inc., /nVent Electric plc.

ACTED UPON AFTER PUBLIC HEARING

- 9.2 ORD/Zoning Text Amendment; Chapter 78, Sections 78-518(c) and 78-519(a)(2); Sign Heights Along Highway 10.
(2nd Reading)

ORDINANCE

Mr. Borglund shared a background report stating this was second reading of a proposed ordinance that, if approved, will amend City Code Sections 78-518 (B-1 Highway Business District) and 78-519 (B-2 Shopping Center Business District).

There have been no changes since the first reading. The proposed text amendment proposes to limit the height of freestanding pole/pylon signs for parcels that abut U.S. Hwy. 10 to no more than 35 feet above the average grade of the abutting highway. The Planning Commission reviewed the proposed amendment and held a public hearing at their regular meeting on August 1, 2023. There were no public comments and the Planning Commission recommended approval.

Motion by Councilmember Skogquist, seconded by Councilmember Weaver, to hold second reading and adopt an ordinance amending Chapter 78, Sections 78-518(c) and 78-519(a)(2), of the Code of the City of Anoka Minnesota.

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

RES/Summary Publication for Ordinance for Zoning Text Amendment; Chapter 78, Sections 78-518(c) and 78-519(a)(2); Sign Heights Along Highway 10.

RESOLUTION

Motion by Councilmember Skogquist, seconded by Councilmember Weaver, to adopt a resolution for summary publication of ordinance amending Chapter 78, Sections 78-518(c) and 78-519(a)(2), of the Code of the City of Anoka Minnesota.

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

9.3 RES/Authorizing Use of Alternative Beverage Containers During City Sponsored Events.

RESOLUTION

Mr. Borglund stated the Anoka Lions Club has been issued Temporary Liquor Licenses for the Farmer's Market/Concert Series held on September 6, 13, 20 and 27, noting the dates fall within the City's Social District event time parameter. Anoka Lions Club sells their alcohol products directly from the manufacturer's containers, which would not be allowed in the Social District. Staff has met with Vicki Violet of the Anoka Lions Club who has agreed that they will sell the alcoholic beverages in the Social District cups designed by the City during their events in the Social District area. Staff was presenting a resolution that will exempt Anoka Lions Club from the requirements of City Code Chpt 10, Article V, Section 10-128, (6) b. and c. so that they can comply with the regulations in the Social District relating to the use of Social District Plastic Cups.

Councilmember Wesp confirmed the Lions would have their own cup as well. Mr. Borglund said that was eventually the plan but there was no time to create

those prior to these events and that the cups used will be identified by the social district logo and police informed if there's a need to address any concerns.

Councilmember Skogquist asked if Council approval will be needed anytime a special event is presented by someone not in the district. Mr. Borglund staff will be reviewing the process for next year but felt this was the easiest way to address this year as the City launches this pilot program.

City Attorney Scott Baumgartner explained the difficulties in balancing City code against the requirements of the social district and that the Lions Club had applied for the licenses before the social district was approved but that the action would allow authorization by Council for the exception and that staff will review processes prior to next year.

Councilmember Weaver said he sees future conflicts as part of the annual food truck festival and supported the ability to address and suggested administrative approval of these exceptions. Mr. Baumgartner suggested possibly creating a special event cup for use during events such as the food truck festival.

Mayor Rice confirmed any cup would need to include the social district logo, including special events. Mr. Baumgartner said the logo was required as part of the new law.

Councilmember Weaver suggested suspending the district as part of the food truck event similar to earlier action for Hope Fest or the possibility of a wrist band for larger events. Mr. Baumgartner said staff would be hesitant to that as part of the reporting required by the new law and said staff will likely suggest using a special event cup instead. He added staff will be reviewing many aspects of the district after this pilot program concludes and identify ways to address these and any other concerns that arise.

Mr. Lee noted one of the requirements was a brick and mortar facility and how the Lions would be operating in Riverfront Park without a building and could be used as a special event for sales in the area to serve patrons of the summer concert series as an additional requirement.

Mayor Rice asked if the social district cups were recycled. Mr. Lee confirmed there will be separate containers for cups to be recycled.

Motion by Councilmember Skogquist, seconded by Councilmember Scott, to adopt a resolution authorizing use of alternative beverage containers during City sponsored event.

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

9.4 RES/Amendment to Existing Building Inspection Services Consultant Contract.

RESOLUTION

Mr. Borglund stated the City is in process of taking over Plumbing Plan Review from the State of Minnesota's Department of Labor and Industry. The proposed amendment is to Exhibit A of the existing Building Inspection Services contract to include the following language: Plumbing Plan Review Services. The Contractor is authorized and responsible to act in the capacity of "administrative authority" as defined in the Minnesota State Plumbing Code 4714.0203 for plumbing plan review for commercial construction and remodel work as found in Minnesota Rules 1300.0215, Subp. 6 and Minnesota Statute 326B.43, Subp. 2. The Contractor is authorized to bill the jurisdiction 75% of plumbing plan review fees. Staff has sent the proposed contract amendment to the City Attorney for review.

Motion by Councilmember Wesp, seconded by Councilmember Skogquist, to adopt a resolution approving amendment to building inspection services consultant contract.

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

10. UNFINISHED BUSINESS

Councilmember Wesp said he would like to make a motion to suspend the organized hauling committee work as a result of the submitted charter amendment petition. Mr. Baumgartner said the motion was likely not appropriate as the topic was more of an update and suggested adding the item to a future meeting.

Councilmember Wesp proposed the item could be added to the October 2 meeting. Councilmember Weaver concurred but said since the topic was discussed earlier on the agenda felt it could be discussed yet tonight.

Mayor Rice spoke about the Council policy that was changed from a member of the prevailing side to add an item to an agenda to two or more Councilmembers and as we look at a decision being made if the petition prevails and the result of the ballot is organized it is not really who will be making the decision.

Councilmember Weaver said the petition was clear and when we invite the haulers to negotiate, they will likely include legal counsel and knowing there will be a ballot question the haulers may feel forced to do something we no longer need to and the need to be responsible and avoid possible litigation.

11. NEW BUSINESS

11.1 Appointment to Waste Reduction and Recycling Board.

Mr. Lee stated currently the City has one vacancy on the Waste Reduction and Recycling Board. This a partial term vacancy that will have an expiration date of 12/31/2024. City staff has been publishing notice of our vacancies, per our City policy. Staff has also contacted the past applicants in the last 12 months that had applied to the WRRB and were not appointed, to notify them of this opening. The City received two applications for the vacancy from Brenda Belland and Veronica Jone and requested Council make the appointment.

Councilmember Weaver said it was very difficult to select one new member as both would serve well and suggested increasing the membership of the Board to appoint both.

Councilmember Skogquist agreed as both were great candidates and complimented the entire Board for their hard work and supported amending the Board expanding its membership.

Mayor Rice suggested appointing one and encourage the other to participate with the intent to explore how to expand the Board.

Councilmember Weaver suggested postponing the item for staff research on how to expand the Board. Mr. Baumgartner confirmed Board composition was outlined under ordinance and would require two readings.

Motion by Councilmember Skogquist, seconded by Councilmember Weaver, to postpone appointment to the Waste Reduction and Recycling Board for a term to expire December 31, 2024, to October 2, 2023, and include amending the ordinance to amend the composition of the Board from seven to nine members.

Vote taken. All ayes. Motion carried.

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. Borglund shared about the ribbon cutting event at Riverfront Memorial Park for the new Anoka Social District.

Councilmember Weaver requested an update on the river maintenance permit, sand testing and work schedule. Mr. Nelson shared the permit amendment was submitted and would be returned next week with bids advertised and received by

September 26. He said testing results should be received next week for submission to the MPCA with work to begin by October 9.

Councilmember Weaver suggested the fire department water cannon be used for the September 13 event. Mr. Nelson shared Representative Stephenson, Champlin City Council, and others will be present at the Rum River dam event.

Councilmembers Skogquist and Scott requested discussion of the outdoor ice rinks be added to the September 25 worksession.

ADJOURNMENT

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

Vote taken. All ayes. Motion carried.

Time of adjournment: 8:33 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk