

Closed Executive Session Meeting Minutes 03-02-2020

**EXECUTIVE SESSION OF THE ANOKA CITY
COUNCIL ANOKA CITY HALL
COUNCIL CHAMBERS
MARCH 2, 2020
EXECUTIVE SESSION COMMENCED AT 6:30 P.M.**

1. CALL TO ORDER

Mayor Rice called the Executive Session to order at 6:30 p.m.

2. ROLL CALL

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

Staff present: City Manager Greg Lee and City Attorney Scott Baumgartner.
Consultant present, Attorney with LeVander, Gillen & Miller, P.A.

- 3.** Meeting closed pursuant to Minnesota Statute § 13D.05, Subd (c), for Attorney-Client discussion on litigation risks and strategy for Green Haven Parkway Phase II.
- 4.** After discussion, the closed executive session adjourned at approximately 7:05 p.m.

Approval Attestation:

Amy T. Oehlers, ACM/City Clerk

Regular Council Meeting Minutes 03-02-2020

**REGULAR MEETING OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
MARCH 2, 2020**

1. CALL TO ORDER

Mayor Rice called the meeting to order at 7:13 p.m., followed by the Pledge of Allegiance.

2. ROLL CALL

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

Staff present: City Manager Greg Lee; Police Chief Eric Peterson; Housing Manager Darin Berger; Recreation Manager Nickie Jenks; Engineering Technician Ben Nelson; Public Services Director Mark Anderson, and City Attorney Scott Baumgartner.

Absent at roll call: None.

Mayor Rice recessed the regular meeting at 6:30 p.m. to enter into a closed session pursuant to Minnesota Statute 13D.03, for the purpose of holding an executive session to discuss Minnesota Statute 13D.05, subd (c) for attorney-client discussion on litigation risks and strategy for Green Haven Parkway Phase II.

Mayor Rice reconvened the regular meeting at 7:00 p.m.

3. COUNCIL MINUTES

- 3.1 Minutes of the January 27, 2020, Worksession.
February 10, 2020, Goals Session.
February 18, 2020, Closed Executive Session.
February 18, 2020, Regular Meeting.

Councilmember Skogquist said corrections were needed on the February 18, 2020, Regular Meeting stating the time convened was 7:00 p.m. and Page 2, Paragraph 4: "Councilmember Skogquist asked about trends and ~~decreasing~~ increasing the number of narcotics cases."

- 3.2 Motion by Councilmember Skogquist, seconded by Councilmember Barnett, to waive the reading and approve the January 27, 2020, Worksession, February 10, 2020, Goals Session, February 18, 2020, Closed Executive Session, and February 18, 2020, Regular Meeting minutes as corrected.

Vote taken. All ayes. Motion carried.

4. OPEN FORUM

4.1 Police Activity Update.

Police Chief Eric Peterson shared that with the improved weather they expect more people outside and that as a result will increase uniformed officers outside as well. He said they have not seen people camping of note but will respond appropriately if they do, then reminded the public about the plan in place to aid in the event a pandemic from Coronavirus impacts us locally. He reviewed the Center for Disease Control's (CDC) daily updates and referred to similar steps taken in 2009 around the H1-N1 virus. He said Anoka County has supplies and the State has subject matter experts as well as test kits for early detection. Chief Peterson said the virus was detected in Washington but not for weeks and that with ever changing information if spread what does this truly mean for us. He said he believed there was little immediate risk locally but said it was important to note Coronavirus was likely to develop into a pandemic and the risk assessment would be updated as necessary by the CDC but in the meantime the public should employ best practices to prevent the spread of germs through good handwashing and help spread the word through public notification, adding they were hoping for the best but preparing for the worst.

Councilmember Skogquist asked more about the plans in place for an emergency and more about the chain of command. Chief Peterson said within the City they utilize the incident command system with a Council-declared emergency which opens up resources and funding for any type of emergency. He explained how the team included himself, Finance, City Manager, Planning, and Logistics all in one room making decisions collectively to meet the needs of whatever emergency was present. He shared an example of how the Public Works Director could help procure a forklift in the event of an emergency and explained how the team would be kept up to date through his recommendations.

Mayor Rice asked about the incubation period being longer or if people were sick and did not know. Chief Peterson said the information does not exactly say but that most affected were elderly or for others already sick and would spread and while they were unsure as to what degree it could be similar to the common flu. He explained how the CDC was working with companies to make test kits that would be available to millions within weeks.

Mayor Rice asked if we have a seasonal advantage as it gets warmer. Chief Peterson said he has heard discussions around temperature changes and hope it would hold true but was unsure.

OTHER INFORMATION UNDER OPEN FORUM

Curt Vaughn, 2714 6th Avenue, said he was a new resident in Anoka and surprised about the development around his home including Kwik Trip. He also referred to a junk car situation in the empty warehouse across the street from his home with activity during all hours of the night with lights and noise. He referred to the fire at the Becker auto recycling location and shared concerns about what could happen here.

Councilmember Freeburg confirmed the location was the former Hoffman site. City Manager Greg Lee said staff was aware of the situation and understood the company did towing work but it was clear other activities other than towing was going on, including car prep for demolition. He said staff was working on a cease and desist letter as that activity was not allowed in the zoning district. Mr. Lee said the neighborhood was notified last May about the proposed Kwik Trip but said it may have been prior to Mr. Vaughn moving in.

Mr. Vaughn said the construction surprised his neighbors too then added the towing lot was clearing as of today.

Councilmember Wesp asked about the process for a noncompliant business and what rights the City has to stop this activity. City Attorney Scott Baumgartner explained the process would be more like an injunction through a Council resolution and that failure to comply could result in a court process.

Councilmember Wesp said staff will do what they legally can do to address this situation.

Councilmember Barnett asked about the timing of any injunction. Mr. Baumgartner said he liked to demonstrate to the judge that an opportunity to comply was given and reasonable but once filed the injunction usually takes precedence over others and can then be moved quickly, adding any civil process could be concurrent with any criminal process.

Councilmember Freeburg asked if the site was rented or purchased from Hoffman. Mayor Rice said he believed the site was purchased.

Councilmember Skogquist said he would like to explore more communication avenue on larger projects to areas more than the required 350 feet radius such as including signage on the proposed site.

Mr. Vaughn said he was pleased with that idea.

5. PUBLIC HEARING(S)

None.

6. CONSENT AGENDA

Motion by Councilmember Barnett, seconded by Councilmember Wesp, to approve Consent Agenda 6.1 through 6.3.

6.1 Approve Verified Bills.

6.2 Revising and Setting Council Calendars.

6.3 Recommended Approval of an LG240B Bingo Permit; Anoka Knights of Columbus April 4, 2020, at Church of St. Stephen.

Vote taken. All ayes. Motion carried.

7. REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

7.1. Planning Items

None.

8. PETITIONS, REQUESTS AND COMMUNICATION

None.

9. ORDINANCES AND RESOLUTIONS

9.1 RES/Accepting Bids for Demolition of Properties at 2914 Euclid Avenue, 2825 Fair oak Avenue, 762 Jerome Street and 2912 Verndale Avenue.
(2nd Reading)

ORDINANCE

Housing Manager Darin Berger shared a background report stating the City has continued acquiring properties in the Highland Park neighborhood. Most recently, 2914 Euclid Ave, 2825 Fair oak Ave, 762 Jerome St & 2912 Verndale Avenue. Details of the demolition included:

- Demolition, removal and disposal of all buildings, materials, foundations, driveways (clean saw cut at sidewalk) and other hard surfaces and other materials, as required, and leveling and finishing of the site. This may also include disconnecting water and sewer.
- The contractor shall also load, transport, and place backfill and grass seed on the site to replace footings, basement area, and slab foundation, as necessary.

- A slope of 3:1 or flatter should be used where possible.
- Disturbed areas should be covered with 4 inches of topsoil prior to seeding.
- All disturbed areas should be seeded and covered with erosion control blanket (MnDOT 3885 Category 4 Erosion Control Blanket). Anchor the blanket in a trench at the top of the slope.
- Place erosion control logs (MnDOT 3897.2.D – Wood Chip) between the excavation and public roadways, where needed.

Mr. Berger shared the contractors' bids from Fehn Companies, Inc., Reshetar Systems, and Sauter & Sons, Inc. with the winning bid of \$58,000.00.

Councilmember Freeburg confirmed the removal included the basement and foundation.

Councilmember Barnett asked about the range of bids and if the firms tour the site before bidding. Mr. Berger said the highest bid came from Fehn Companies who was the only firm to tour but noted the high costs included mobilizing equipment.

Councilmember Barnett asked about the general notice clause and if the City would be providing the fill or if the contractor would as there was discrepancy in the language. Mr. Berger clarified the error in the contract and that the City would be providing the fill from a previous project site.

Councilmember Barnett asked about additional demolition properties yet to do in Highland Park. Mr. Berger shared a map of upcoming demolition projects with four sites being filled and those the City is interested in purchasing that totaled 27 homes acquired and 30 properties City-owned.

Councilmember Barnett said seemed the deconstruction process was being repeated and suggested waiting to combine the actions and make the process more cost efficient. She suggested Habitat for Humanity be included to break down homes as a less expensive process. Mr. Berger said the properties were attractive nuisances that at times required police intervention and that it was best to demolish them more quickly.

Motion by Councilmember Freeburg, seconded by Councilmember Skogquist, to adopt a resolution accepting bid for demolition of properties at 2914 Euclid Avenue, 2825 Fair Oak Avenue, 762 Jerome Street and 2912 Verndale Avenue from Sauter and Sons for \$58,000.

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

- 9.2 ORD/Amending 2020 Master Fee Schedule; Aquatic Center Seasonal Pass Fee.
(2nd Reading)

ORDINANCE

Recreation Manager Nickie Jenks shared a background report stating on December 16, 2019, City Council approved the Aquatic Center seasonal pass fee to continue as an individual pricing structure for residents and non-residents. This pricing structure was set up for the first individual of a household to pay \$45 for their season pass, the second \$35, and the third individual or more would pay \$30 for each season pass. The rate for seniors (62+) was \$25 per pass. With the implementation of the new recreation management software system, CivicRec, standard settings are built in to it for pricing structures based on industry norms. The software's season pass or membership pricing structure is different from the current pricing structure and cannot be adapted to handle the current per person pricing. CivicRec provides membership sales (or season pass sales) in three categories as Individual, Dual, and Family. Staff developed four options for the Parks and Recreation Advisory Board (Park Board) to consider. The options created were a combination of individual passes based on age, family passes, senior passes, and two options that split into resident and non-resident pricing. These options were brought to the January Park Board meeting for discussion and recommendation and recommendations were made. She said on February 18, 2020, staff presented the Council the price recommendation for the fee change and that during discussion a few things were brought up. Council felt the increase was steep and could gradually increase over time and that the percentages of increase should be limited to a 15-25% increase. In addition, the resident and non-resident pricing was discussed in depth. It was brought up that Anoka residents were already subsidizing the Aquatic Center with their taxes and having to in fact pay more for their season pass than a non-resident, there should be an incentive for a resident of Anoka to purchase a season pass to the Aquatic Center. Overall, the request was to discuss the fee structure again and find a balance. On February 25, 2020, staff brought the 2020 Season Pass restructure back to the Park Board for further discussion and recommendation for second reading. New options were brought to the Board as well as the previous options to discuss and agree on a price option. The Park Board discussion focused on the need to keep the fees simple and easy for the public to understand and yet still being mindful of potential revenue generation. The Board felt strongly about continuing with one rate for both residents and non-residents and the family pass could be easily manipulated for people to build their family in the online computer system (more than 80% of the season pass purchases are and will continue to be purchased through the online system). Ms. Jenks said after discussion the Parks and Recreation Advisory Board recommended the following rates: Individual (1-17): \$50 (10% increase from 2019 for individual pass), Individual (18-61): \$40 (10% decrease from 2019 for individual pass), Senior (62+): \$30 (17% increase from 2019 for senior pass). She noted additional benefits for Resident pass holders

would be Little Splashers Residents- Free admission with Season Pass (11 dates :\$22 value), Non-Residents - \$2 admission with Season Pass (this was the price for all pass holders in the 2019 season), Resident Season Pass Holders receive 3 “Guest Passes” for daily admission to the facility, per household. $7*3= \$21$ value). For the past several seasons, the Aquatic Center has held a Season Pass Holder Appreciation, which is a 2-hour dedicated pass holder only swim time with no daily paid admission allowed. Staff has done prize giveaways and other special activities. With the new price structure staff does not propose to continue with an “Early Bird” 10% discount for season pass purchases prior to opening day.

Councilmember Skogquist thanked staff for reviewing the information in detail, adding there was a lot of complexity in fees and that he liked what the Board came up with that instead of different fees they created a perk for residents that streamlines the process and avoids people having to be less than truthful about their residency.

Councilmember Barnett thanked the Board and staff for reviewing all the data and said she was excited to see the benefits to the residents and challenged staff since more than 80% of tickets were purchased online it may be a good way to verify addresses and still provide discounts to Anoka residents. She said 70% of attendees were visitors from outside Anoka and the importance of being mindful of residents of Anoka first who had a median annual income of \$50,000 while cities nearby were significantly higher which provided another reason to offer more benefits wherever possible.

Motion by Councilmember Freeburg, seconded by Councilmember Barnett, to hold second reading and adopt an ordinance amending the 2020 Master Fee Schedule of the City of Anoka, Minnesota.

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

Mr. Lee noted the proposed development around the Commuter Rail Transit Village and would like to include this topic on March 23 worksession. He said this was a large agenda already and said staff may postpone a couple topics including franchise fees and the animal containment facility in order to include the development topic instead.

12.2 Staff and Council Input.

Ms. Jenks shared an activity update that included the June 17 book-up recycling with the Waste Reduction and Recycling Board at George Green Park pavilion, the March 17 Antler Shed Hunting at Anoka Nature Preserve, and the babysitters training on March 18-19.

Councilmember Skogquist asked about current patching activities and the differences between cold patch and hot patch. Public Works Director Mark Anderson shared staff was still using cold patch mix but with hot water as it performs better and said hot patch mix should be available from the St. Paul plant by tomorrow.

Mayor Rice asked about experiences with temperature changes and cold and hot patch mixes. Mr. Anderson said hot patch mix works best but cold is better than dirt, adding staff was anxious to have the hot mix available as it works better through water displacement.

13. ADJOURNMENT

Councilmember Freeburg made a motion to adjourn the Regular Council meeting. Councilmember Barnett seconded the motion.

Vote taken. All ayes. Motion carried.

Time of adjournment: 7:57 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk