

**REGULAR MEETING OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
CITY COUNCIL CHAMBERS  
APRIL 6, 2020**

**1. CALL TO ORDER**

Mayor Rice called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

**2. ROLL CALL**

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

Staff present: City Manager Greg Lee; Finance Director Brenda Springer; Police Captain Andy Youngquist; and City Planner Clark Palmer. Remotely present; Engineering Tech Ben Nelson and City Attorney Scott Baumgartner.

Absent at roll call: None.

**3. COUNCIL MINUTES**

3.1 Minutes of the March 16, 2020, Regular Meeting.

Councilmember Skogquist requested a change to Page 10, Paragraph 3: "...that much of the project will be done by staff or subs."

Motion by Councilmember Skogquist, seconded by Councilmember Barnett, to waive the reading and approve the March 16, 2020, Regular Meeting minutes as corrected.

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

**4. OPEN FORUM**

4.1 Police Activity Update.

Police Chief Eric Peterson provided an update to the response plan to the COVID-19 pandemic and ways to ensure continuity of service in Anoka. He Spoke about the Minnesota Department of Health's 986 positive cases but that 470 no longer needed to be isolated and while unfortunately there had been 30 deaths there were only 43 known positive cases in Anoka, three in the City of Anoka. He said we should not attempt to find comfort in this as many cases are unknown then spoke about how wearing masks was optional and used to protect both the wearer while

being a good tool to aid in covering cough. He addressed recent news stories that stated The Homestead had a confirmed case of Corona virus and how staff met with leadership who identified a contract worker developed symptoms and tested positive but there were no known cases in staff or residents. Chief Peterson spoke about essential businesses/workers based on CISA that describes critical sectors in broad categories and how some businesses have been advised to close then stated businesses are referred to DEED for determination if they should be open, adding staff has been fielding many complaints and are asking businesses to cooperate and verify before opening. He thanked the City Council for practicing social distancing in the meeting environment which helps the State prepare health care to manage the surge in patients and noted the heroes are health care professionals and thanked them for their work as well as the citizens for complying with the Governor's orders. Chief Peterson said in general the public is doing well but noted compliance could always be better, then he spoke about crime during the pandemic and how they had a full complement of staff but that calls for service were down slightly except for domestic calls. He reiterated how stay at home does not mean stay where one is not safe then shared the crisis hotline. Chief Peterson highlighted how Anoka High School stadium lights will be lit at 20:20 to honor students of the senior class and to help give hope to the community.

Sam Scott, Anoka, shared concerns about recent changes with business closures and impacts to the community and ways to mitigate unintended consequences. He shared potential ideas and opportunities to address this fallout to ensure local businesses can endure through a temporary nutrition program and ways to help those who may not be able to navigate the economic and health downturns and the likelihood of a recession. He shared ways for ensuring the downtown vitality of Anoka and temporary nutritional assistance in form of a voucher that provided healthy, simple food to residents through area restaurants and central distribution centers to help ensure they stay open post-pandemic and reduce people at grocery stores. Mr. Scott shared program costs and tenure at \$2 per meal limited to 200 meals per day for a \$12,000 per month cost that could be funded through City surplus funds and donations and last until 2-3 weeks after restrictions are eased. He spoke about potential safety precautions then shared the partners that included Cork, Sparky's G's and Casa Rio. Mr. Scott stated the goal was not to make money but ensure the restaurants' rent and utilities were paid and they were able to keep key employees on staff while helping during this time.

Councilmember Skogquist asked questions about implementation. Mr. Scott said individuals 18 and under were covered through school districts but the goal was to focus on others such as families who do not qualify under other programs and those in the gap between unemployment and stimulus funding.

Councilmember Barnett said how they would not want distribution to occur at City Hall for protection and asked about partnering with ACBC Food Shelf or the Anoka Community Mission. Mr. Scott said their goal is to keep eateries like

Applebee's in business and provide a cooked meal at a low cost while helping to pay rent.

Councilmember Skogquist commented how the pandemic has affected downtown and how he spoke to some restaurants who had to lay off employees and have owners cook food and concerns about customers returning once reopened and ways to keep the downtown area vibrant going forward. He commented about rent assistance, zero-interest loans and other brainstorming needs because SBA administration was out of funds and that he liked this creative idea to help residents and businesses at the same time.

Mayor Rice explained how Council cannot act during Open Forum but that staff would work with Mr. Scott on the viability of this proposal.

### **OTHER INFORMATION UNDER OPEN FORUM**

None.

### **5. PUBLIC HEARING(S)**

None.

### **6. CONSENT AGENDA**

Motion by Councilmember Barnett, seconded by Councilmember Wesp, to approve Consent Agenda 6.1 through 6.6.

- 6.1 Approve Verified Bills.
- 6.2 Revising and Setting Council Calendars.
- 6.3 Approve Issuance of a Massage Business License for Sapphire Massage, LLC, 12 Bridge Square, Suite 202A.
- 6.4 Approve Issuance of a Massage Business License for Therapeutic Healing Massage, LLC, 12 Bridge Square, Suite 202B.
- 6.5 Approve Issuance of a Massage Business License for Jennifer Cook of Sapphire Massage, LLC, 12 Bridge Square, Suite 202A.
- 6.6 Approve Issuance of a Massage Business License for Marquelle Pagel of Therapeutic Healing Massage, LLC, 12 Bridge Square, Suite 202B.

Councilmember Wesp inquired about the April 27 worksession schedule should the Stay at Home order be extended. City Manager Greg Lee said that agenda will be part of Item 12.2 discussion later in the agenda.

Mayor Rice said it may be possible to add participants and social distance accordingly for virtual meetings.

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Freeburg, Wesp and Skogquist voted in favor. 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/2020 Street Maintenance Project; Authorize Project.**

#### **RESOLUTION**

Engineering Technician Ben Nelson shared a background report stating in 2004, a group of cities joined together to form the North Metro Regional Street Maintenance Consortium. The purpose of the group was to combine maintenance service contracts in an effort to obtain a financial benefit for maintaining city streets. The benefit of the joint powers agreement (JPA) is that it allows participating cities to share administrative costs associated with street maintenance projects, including: advertising, preparation of plan, and specifications documents, bid review and tabulation, contract documentation administration, legal review of documents, and preconstruction administration. There is also the possible benefit of receiving more favorable bids from a larger project. The City of Coon Rapids estimates that there is typically a savings of 10 to 15 percent to the cities that are part of this JPA agreement. The street maintenance program was established to protect and prolong the life of city streets. The importance of this program became more essential once the city began the Street Renewal Program in the 2000 and the Street Surface Improvement Program in 2009. Starting in 2016 staff standardized the time frame for when these different types of street maintenance are to occur and incorporate fog sealing into the program. Details of the current street maintenance program includes crack sealing prior to any seal coat or fog seal. The initial seal coat and fog seal will be applied within 5-years of the initial construction of the street. Five to seven years of the initial seal coat and fog seal, the street will receive another seal coat and fog seal if there is no indication of moisture traveling up into the surface. At minimum, a fog seal will be applied during this time frame. After the

second application of a seal coat, only fog sealing will occur on a 5-year cycle until the roadway becomes distressed (i.e. alligator cracking, rutting or potholes). At this point a mill and overlay of the wear course lift would extend the pavement life another 10 years. He noted the typical design life of a roadway is only 15-20 years and typically roadways have a 20-year design life being in the Anoka Sand Plain. The engineer estimate for the City of Anoka's portion was \$347,000 which includes 10% for administration and construction observation. The low base bid will result in a total project cost of \$302,360 or a reduction of \$44,000 (14% decrease) of what was estimated. He shared the proposed project schedule with work to begin in May and complete mid-October and the detailed cost breakdown.

Councilmember Freeburg said some streets were fog sealed last year by the liquor store and 9<sup>th</sup> Avenue north of Coon Rapids Boulevard but had holes and asked what we were doing. Mr. Nelson said he was aware of the recent article about the road condition and explained a pavement specialist came to review the area and suggested we only seal coat twice going forward as moisture was coming up through the pavement and that fog seal would be used so this does not occur again, adding repair has been patching only.

Councilmember Freeburg asked if road integrity has been affected on these new streets. Mr. Nelson said road life is 15-20 years and some are getting to that age even though they were SRP projects.

Mayor Rice referred to the life of asphalt prior to maintenance. Mr. Nelson said the life of pavement can gain another 10 years through a mill and overlay project by removing the wear course or by a full street surface project but was more expensive.

Mayor Rice said the West Main Street project had crack seals that did not stay in place and how it seemed pointless in some areas to do and asked if there was a new method to keep the material in place. Mr. Nelson said high traffic volumes added to the concern so this year they would lay new rubber and conduct no fog sealing.

Mayor Rice asked how traffic would not pull the crack seal out. Mr. Nelson said crack filling would be done just ahead of fog sealing with paper placed put on cracks to help ensure the material stayed in place.

Councilmember Skogquist asked about streets at the west end of the City and how old the fog seal and seal coat streets were and the range of years as 20-year streets seems too less of a lifespan and asked why the amounts were changing. Mr. Nelson said we could fog seal instead and noted the pavement specialist said fog sealing was becoming more popular but the only issue was timing of curing and having to close roads depending on weather, temperature and wind form a range of one hour to three hours.

Councilmember Barnett asked more about the north metro regional street JPA process. Mr. Nelson explained the JPA includes 15-18 cities and how more cities help receive the best bids. He said Coon Rapids administers the contract and we pay a portion which saves 10-15% as one large project overall.

Councilmember Barnett asked about an alternate bid on sealcoat. Mr. Nelson said a different type of rock was identified which is more angular that imbeds better and was included in the base bid.

Mayor Rice asked about different processes this year and if we have faith in all three and are meeting our needs or should we switch to just one process. Mr. Nelson said the fog seal over sealcoat has been working well for Anoka and that staff recommends this now to help lengthen the street life and fog seal for Thurston Avenue which did not last as long.

Councilmember Freeburg said we may see a different price on asphalt now that petroleum is so much less. Mr. Nelson agreed and said the bid received on March 12 was fairly current.

Councilmember Skogquist asked what year Oakwood Street was done as some areas are not bad and holding up fairly well. Mr. Nelson said that area was done in 2007 which was why staff is recommending only fog sealing and sealcoating.

Motion by Councilmember Freeburg, seconded by Councilmember Skogquist, to adopt a resolution for the 2020 Street Maintenance Project and authorize project.

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

9.2 RES/Approving Development Agreement; Westgate of Anoka, LLC, Cutter and Reed.

**RESOLUTION**

Community Development Director Doug Borglund shared a background report stating staff has drafted a development agreement between the City of Anoka and Westgate of Anoka LLC, which encompasses the construction of a 22,000 square foot 32-unit, assisted living and memory care building including all necessary site improvements on a 1.96-acre site. The agreement includes points of interest that states the developer will be required to construct the project as approved by the City of Anoka City Council through its development review process, the developer will be responsible for the construction and all cost associated with all necessary utilities and related improvements, the developer will pay normal development fees including building permit, utility connection charges, and any other financial requirements stated in this agreement, and the developer will pay a

park dedication fee equaling the amount of \$34,635.66. Westgate of Anoka, LLC has been provided a copy of the development agreement for review and comment and the resolution authorizes the City Attorney to make necessary adjustments based on Westgate of Anoka, LLC's comments that are forthcoming. If there are any changes that would alter the intent of the agreement the agreement would be brought back to the City Council for review and consideration.

Motion by Councilmember Barnett, seconded by Councilmember Wesp, to adopt a resolution approving development agreement; Westgate of Anoka, LLC, Cutter and Reed.

Mayor Rice said we have worked with this firm before and developed a quality project who added elements when requested and said he appreciated their investment in the City.

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

9.3 RES/Declaration of Emergency, Coronavirus Disease (COVID-19).

**RESOLUTION**

Mr. Lee spoke about the proposed resolution to extend the declaration of emergency originally ratified by Council on March 16, 2020 relating to the Coronavirus Disease (COVID-19). It is proposed that the emergency declared should remain in effect and be extended until the emergency is declared over. The City Council may choose to extend the declaration until the recovery phase is complete.

Councilmember Wesp asked if the emergency declaration can be stopped if chosen. Chief Peterson said the decision was Council's as when to stop and should be based on guidance from the State of Minnesota and Anoka County emergency processes.

Councilmember Freeburg asked about opening Green Haven Golf Course and spoke about how golf courses are being handled in other states such as Arizona which helps economics and mental well-being of customers. Chief Peterson said staff has to receive guidance from the Governor's office on what activities should be open and follow the spirit of the order with regard to social distancing to stave off infection.

City Attorney Scott Baumgartner noted the Minnesota PGA has submitted a request to the Governor to consider opening golf courses and said there were plans in place in the Order to open.

Councilmember Skogquist asked how a local emergency was different than the County or State's emergency. Mr. Baumgartner said the local emergency allowed for flexibility in notices, bid publications and additional funding sources.

Councilmember Barnett clarified we are not imposing additional restrictions than the State. Chief Peterson said we may be but it was more for reimbursement requests, equipment, and personnel and nothing more restrictive than the Governor then referred to the State for clearer definition. He noted there has been no enforcement just education based on complaints received.

Councilmember Barnett asked if other cities are imposing more restrictions, such as closing playgrounds. Chief Peterson said some cities are closing parks and playground equipment and said while Anoka has not closed any parks yet we have been posting signage to pay attention and wash hands.

Councilmember Skogquist asked if staff sees more activity to let Council know for any necessary action prior to the next meeting. Chief Peterson said he will continue to provide a daily update and will identify areas where cooperation is not happening and let Council know if action is necessary.

Mayor Rice confirmed staff is educating through signage at playgrounds and suggested including direction to use sanitizing wipes or other methods. Chief Peterson said they were educating through signage and park patrol officers.

Mayor Rice spoke about restaurants and how each curbside service is not doing things the same way and referred to a caller's complaint about being inside the restaurant and our interpretation. Chief Peterson said the spirit of the order is to prevent crowding of individuals and limit the number of customers at a time and being inside a restaurant may be safer than a line of customers outside.

Mayor Rice spoke about some stores such as ice cream and tobacco shops and if we are closing those who some think are essential. Chief Peterson said staff is directing the businesses to provide proof of essentiality and are only responding to calls on a complaint basis.

Councilmember Skogquist thanked Chief Peterson and staff for their work and the ability to act quickly if needed.

Motion by Councilmember Skogquist, seconded by Councilmember Freeburg, to adopt a resolution extending the declaration of emergency for the City of Anoka, Minnesota, Coronavirus Disease 2019 (COVID-19).

Upon a roll call vote: Mayor Rice, Councilmembers Barnett, Freeburg, Wesp and Skogquist 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 COVID-19; City Operations, Changes, and Impacts – Questions, Comments, and Discussion.

Councilmember Wesp spoke about the potential of opening golf courses and suggested working with Senator Abeler to allow maintenance to be done so the course was ready to open. Mr. Lee said maintenance has been occurring already to ensure the course was ready to open when able.

Councilmember Wesp referred to property taxes being due May 15 and how we can help mitigate property tax payments possibilities and impacts to the City budget if amended or delayed. Finance Director Brenda Springer spoke about an advance at the end of June and first half final payment beginning July and how the City has a good amount of reserves on hand to carry us over two months if needed.

Mr. Lee shared an update regarding the State of Emergencies declared by all levels of government related to COVID-19 and the importance for the City change or adjust operations and policies to better address the needs and concerns of our citizens in a way that will better safeguard their health and prosperity. This agenda item is intended to allow for the City Council to have an open discussion on the how the COVID-19 Virus is impacting the City operations. It will also allow Council to ask questions, have discussions, and provide direction on matters related to COVID-19 impacts. The Police Activity Update was mostly related to COVID-19 during this period and the following was a list of items the Council may wish to discuss including utility billing and collection policy changes that included extending the protections of Minnesota's Cold Weather Rule (no shutoffs), waive late fees, and arrange payment plans based on the financial resources and circumstances of the customer. He commented about paid leave during this period and the anticipated Families First Coronavirus Response Act (FFCRA) that ensures employees taking sick leave related to the Coronavirus will be paid 100% or two-thirds (2/3) of their original pay. He spoke about the list of essential businesses and issues and questions regarding whether businesses were considered essential under the Governor's Executive Order 20-20 then commented on the property tax deadline resolution to support extension of the

May 15 Property Tax deadline or forgiveness of late penalties that Council could consider that would assist small businesses. He noted an extension would have a trickledown effect on entities that receive funds derived from property taxes. This could create cash flows issues for the City, school district, etc. and that forgiveness of late fees and penalties would be less problematic. Mr. Lee shared about current leases and lease adjustments during dining in shut down period that included The Tavern and Mad Hatter who have requested adjustment to their leases during this period. The proposal from the Mad Hatter should be agreeable to the City, as it does not represent a financial loss for the City. The Tavern proposal warrant further discussion and direction and suggested waiting to see about any possible stimulus bill Federal government and may be able to take advantage of.

Councilmember Skogquist said he supported this action by extending the lease three months or 30 days after being able to open again. Councilmember Freeburg agreed lease.

Councilmember Wesp asked about closing of the property on Ferry Street. Mr. Borglund said staff has been working with the Koch's and their attorney and a survey of the historic wall is being done to remove this from the transaction and how the City can maintain the wall for the long-term which should hopefully be in the coming weeks after the lot split.

Councilmember Barnett asked what the Economic Development Commission was hearing and if businesses were getting resources. Mr. Borglund said staff has gathered all programs available to share with businesses, including philanthropy agencies, and have listed them on the City's website and sent to Boards and Commissions to share.

Mr. Lee reviewed the current nine items on the April 27 worksession, stating the large number of items was a result of moving the items from the cancelled March 23 worksession and asked for some direction.

Councilmember Skogquist said discussions should continue regarding hauling and the need for Parking Advisory Board input on signage before including on an agenda.

Mr. Lee thanked Chief Peterson and noted his priority work should surround COVID-19 and if a Parking Advisory Board meeting could not be arranged before the April worksession the topic would be delayed. He noted the US Highway 10/169 topic would remain and the Anoka County Law Enforcement Training Facility item could be delayed to the May 26 worksession as well as the Charter Commission discussion. Mr. Lee recapped April worksession topics included organized hauling, Highway 10 streetscapes, and possibly parking signage.

Councilmember Skogquist asked about Board and Commission work and their essential functions and how they could meet during this time. Mr. Lee said staff will review their future agenda items and arrange for virtual meetings if needed.

Councilmember Skogquist asked about interior inspections during this time and staff's focus in the immediate term. Mr. Borglund said staff was focused on general code enforcement, neighborhood sweeps, other projects.

Councilmember Barnett asked about seniors and meal programs slowing down and how we can proactively reach seniors to offer help if needed. Chief Peterson said there was no specific plan in place but that staff was constantly evaluating ways such as including paper signs in windows but that required the need for neighbors to watch out for neighbors. He said the City did not have a hotline or resource available and did not want to overtax services but shared concerns about seniors having necessary supplies such as food and prescriptions.

Councilmember Barnett said the community was s reaching out to offer help where needed and shared an idea of a resident leaving letters with neighbors offering to help.

12.3 Staff and Council Input.

None.

**13. ADJOURNMENT**

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

Vote taken. All ayes. Motion carried.

Time of adjournment: 8:53 p.m.

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

Approval Attestation:

Amy T. Oehlers, City Clerk