

**WORKSESSION OF THE ANOKA CITY COUNCIL
ANOKA CITY HALL
CITY COUNCIL CHAMBERS
JUNE 22, 2020**

1. CALL TO ORDER

Mayor Rice called the worksession meeting to order at 5:00 p.m.

City Manager Greg Lee stated a change had occurred from the published agenda regarding an item added following a closed session on June 15 regarding an incident that occurred on June 8 with the Fire Department and Councilmember Skogquist. He said direction had since been received that this item not be discussed publicly and therefore has been removed from the agenda.

2. ROLL CALL

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

Staff present: City Manager Greg Lee; Community Development Director Doug Borglund; Public Services Director Mark Anderson; Finance Director Brenda Springer; City Planner Clark Palmer; Housing Manager Darin Berger; Electric Utility Director Greg Geiger; and City Attorney Scott Baumgartner.

Absent: None.

3. COUNCIL BUSINESS and/or DISCUSSION ITEMS

3.1 Discussion; Fire Department/Fire Board.

City Manager Greg Lee stated Councilmember Wesp had requested this item be included on the agenda so Council could discuss the overall operation of the Fire Department and the Fire Board.

Councilmember Wesp said the Anoka Champlin Fire Department has not had a Fire Chief since July 2019 and discussion was needed on the hiring process with the Fire Board. He said he was not prepared to speak about any potential separation of the Fire Department from the Board but for the need to replace the Fire Chief. He explained how Andover and Ramsey fire departments recently replaced their Chiefs within 60 days through different methodologies and would like a discussion as to what the City should say to the Fire Board to get something done. He said the process has taken way too long and while there are competent firefighters and leadership the leadership is temporary and we should convey direction to the Fire Board that permanent leadership is needed.

Councilmember Freeburg asked for a hiring synopsis over the past year. Mr. Lee shared a timeline of the two application processes since Chief Charlie Thompson resigned last year that resulted in the candidate declining the offer during the first round and the Board not appointing the top candidate during second round. He said the majority of the Fire Board did not want to proceed with a third round of interviews immediately because of COVID-19 and to allow more time to get a different pool of applicants so they planned to update the job description and begin at the end of 2020 or beginning of 2021. Mr. Lee said with this timeline the Board felt the need for an interim chief or consultant for 6-9 months to provide assistance. He said requests for proposals were sent with a deadline of June 10 for review by the operating committee and presentation to the Board at their next meeting on July 8 for approval, which would place hiring a permanent Fire Chief sometime in March 2021.

Councilmember Freeburg said the joint powers agreement allows for a shift of administrative powers from each city every five years and explained how Champlin retained the duties at the end of their five-year period when Chief Thompson resigned as it was not a good time to switch. Mr. Lee explained the timeframe for Champlin's term was January 2019 but as it was their first five years asked for a two-year extension which worked well as Anoka had a new Finance Director and the Fire Department was going well and had no concerns and noted this agreement lended itself well for Finance as the fulltime firefighters were on Champlin's side for insurance. He said if the City had known about a third round of applications staff would have recommended Anoka taking over and leading the hiring process.

Councilmember Skogquist said he has attended Board meetings to hear concerns directly and said everyone was doing a great job during this interim time. He thanked them for their work but said there were concerns with Fire Board administration and that it was important as a City to take these concerns seriously and work in tandem with the firefighters to find a way to hire. He said there has been nothing adversarial and that everyone was following the rules of the Fire Board but that Anoka should take an active role if this was not occurring.

Councilmember Wesp said it was critical to have a Fire Chief in place as there were millions of dollars of assets held between the two cities and said while the firefighters were doing exceptional work he was concerned with the process and why two city administrators were voting members on the Board as it should include elected officials. He shared his understanding of how the job description may have changed during this time and years of service requirements changed without Board approval and how the proposed outline would take another year and may not be the best solution for our department because we need to have public safety personnel comfortable.

Councilmember Barnett asked questions about the Board's composition and process necessary should any changes need to occur and asked if the proposed hiring timeline was acceptable to the firefighters. Mr. Lee explained the Board was comprised of five individuals, two elected from each City, the two City Managers, and one at-large appointed position which has historically been a retired fire chief. He said changes to the

Board would occur through their bylaws and the joint powers agreement and clarified neither city is the administrator or oversees the Board but performs the human resources and finance duties. He noted at the May 13 Board meeting Anoka did not support the need to bring in an outside firm but the rest of the Board was supportive of the motion and prevailed.

Steffan Weidenbach, Lt Firefighter & President of the Firefighters Relief Association, commented about the hiring process and said they have good leadership in place already who deserves this rank and there was no need to bring anyone in to make changes. He said former Chief Thompson felt they had a good department and that an interim chief to analyze processes was not necessary, adding the budget was low already. Weidenbock said there had been a lot of frustrations amongst firefighters but the biggest concern was the first process when the first candidate declined and why the second was not considered.

Councilmember Barnett clarified the Board was to act on behalf and represent all members and asked how often the Board interacts with the Department and is aware of the concerns and opportunities. Mr. Lee said the Board meets with the firefighters very little and that generally the Chief or interim Chief collects input from firefighters and brings concerns forward during operating committees.

Councilmember Freeburg asked about moving the hiring process forward. Mr. Lee said we could bring the process forward but whenever the third hiring round begins, he recommends Anoka take the administration back again. He said he has a meeting with Champlin this week and could bring forward that consensus.

Mayor Rice said the concern is being without a fire chief for an extended period of time and how three individuals were not successful candidates and concerns about administrative and influence through the Board. He agreed Anoka's administration would be more transparent and likely more successful but cautioned against further discussion in this public format. Mr. Lee suggested scheduling a joint city meeting with Champlin to discuss further in light of the joint powers agreement.

Councilmember Wesp agreed a frank discussion was needed and transparency surrounding of the two applicants selected and transparency and rumors surrounding the process was not good as well as Champlin managing the process. He noted firefighters were frustrated and while Interim Fire Chief Jon Holmes was experienced, he had a full-time job with Anoka and this process needs to be completed.

Councilmember Skogquist agreed, stating the process was not working well anymore and that we owed it to our firefighters and citizens to not allow this plan to continue.

Councilmember Barnett concurred, stating a larger discussion of Anoka taking over was an opportunity for both cities, adding transition is cumbersome and suggested Anoka keep the duties and be compensated by Champlin.

Mayor Rice asked for input from the firefighters and the proposed timeline and administrative frustrations and stated when a fire alarm goes off all continue to respond because good leadership was in place and the frustrations with the Board addressed separately. Weidenbock replied the process has gone on too long and was affecting businesses and attitudes of firefighters but agreed no internal changes were needed.

Councilmember Freeburg noted Champlin was likely thinking the same thing and encouraged the Fire Board to move forward. Mr. Lee stated Champlin was engaged and agreed a change was needed.

Mayor Rice suggested reviewing nearby cities with fire boards for comparison adding this make up has worked well for the past 30 years but may need review. He said he invited input from firefighters prior to any meeting and thanked them for their attendance.

Council consensus was to arrange for a joint meeting with the City of Champlin elected officials and staff to further discuss the process prior to the next Fire Board meeting on July 8.

3.2 Discussion; East Main Street Zoning Interpretation Related to Proposed Vet Center Use.

City Planner Clark Palmer shared a staff report with background information stating the property of 700 East Main Street is the former location of Gould's Diamonds & Jewelry. The property was recently purchased by C2A, LLC. The new owners are seeking to renovate then lease the existing building to the U.S. Department of Veterans Affairs (VA) for the establishment of a "Vet Center" (Readjustment Counseling). Regarding Vet Centers, the VA's website says "Readjustment counseling is a wide range of psycho social services offered to eligible Veterans, Service members, and their families in the effort to make a successful transition from military to civilian life." The reason for the discussion is the subject property is zoned Main Street Mixed Use, East Main Street Subdistrict 2 (EM-2) and the proposed use is not specifically defined in the zoning code. The use is consistent with a few different uses either allowed or not allowed in the zoning district. The new owners have submitted a building permit application and plans for renovating the building and staff is seeking direction from the City Council related to the interpretation of the zoning code and the proposed Vet Center use.

Councilmember Freeburg expressed concern about sufficient parking. Mr. Palmer said preliminary analysis showed parking standards would be exceeded and meet City code requirements.

Councilmember Skogquist said it seems there are overlapping definitions and asked Mayor Rice for some input based on his work with social service agencies. Mayor Rice agreed there was overlap in definitions but said if you separate out some of what is offered based on a traditional mental health type clinic it seems this should be defined more as a mental health clinic and not a social services use.

Councilmember Wesp asked if the business was for profit or a non-profit organization, associated with the VA and able to dispense prescriptions, or would it be more like a business similar to Haven for Heroes.

Matt Bock, C2A, LLC, stated explained they purchased the building and would be leasing directly to the VA to operate. He said C2A was a small VA-owned business and that they do a lot of work with the VA.

A representative for the VA (unnamed), explained their work and stated they were licensed independent social workers and therapists for support health and would create a small clinic with no psychiatry services offered.

Councilmember Barnett asked if this would come before the Planning Commission first. Mr. Palmer said they would get involved if there was a determination that the use did not meet code, similar to the recent currency exchange code amendment, but said a building permit was already applied for and when submitted staff reviewed and saw both sides and thought it best to bring this forward to Council to provide clear direction.

Councilmember Freeburg said since this was a gray area the use should be allowed and he would be in favor of not going before Planning Commission because this was a good use and allowed the building to be functional. Mr. Palmer said if a determination was made that this use meets the medical clinic definition and parking standards the applicant could begin construction and staff could still review code and other similar uses and determine the Vet Center was a governmental-based unique use that provided a wide range of services.

Mr. Lee said if Council wanted to move forward with Option 2 and narrowly define this use he noted we recently removed a counseling center from the City and this action could open the door for other centers in the downtown district and suggested including language that this type of use require federal funds.

Councilmember Freeburg noted we do not limit the number of doctor clinics in the City and was not in favor of opposing this use for veterans as it was not a center but more appointment-based.

Mr. Bock said they felt they met the current zoning and the only way they would not is if they were deemed a social service agency and said while he did not believe it to be intentional their specific use was not allowed in any area of the Code and suggested review of City Code to ensure they would be specifically allowed but said Council should feel comfortable moving forward at this site with the knowledge they fit the medical use currently.

City Attorney Scott Baumgartner said staff struggled with the interpretation based on current definitions and whether allowed or not the concern was about other hybrid uses that would also be allowed then spoke about definitions and ancillary services which help distinguish other treatment facilities. Mr. Bock explained they were not assessment

heavy and could not do diagnostic assessments and were entirely treatment focused and are not a chemical treatment facility.

Mayor Rice asked if the clinic would see clients who were not veteran related. Mr. Bock said under federal statute they could treat any eligible veteran or anyone the veteran defined as family.

Mr. Palmer explained the three criteria included social service agency, medical use, and medical/governmental office that would allow generic definition diagnosis for treatment for psychiatric and patient care. He said the proposed use was more of a hybrid and any text amendment would go to Planning Commission for public hearing then referred to the pending building permit now and asked if we wait to amend the code or issue now the permit now and direct staff to begin the work to amend the code.

Councilmember Skogquist said he was comfortable allowing the building permit then working towards amending the code. Councilmember Barnett agreed, stating the definition was ambiguous enough and hoped we would move forward quickly to amend the code as she agreed the City would receive additional requests.

Mayor Rice noted Mr. Bock said they do not do diagnostic work and all definitions include diagnosis and therefore the use has to be categorized under governmental building. Mr. Baumgartner said if we move ahead in order to allow as a permitted use, we have to lean towards identifying as a permitted use now then redefine and include vet center soon, adding we cannot be ambiguous as this closely resembles a current use.

Planning Commissioner Bonthuis stated if this was a governmental agency was it tax free and would the Planning Commission to approve the code amendment based on what was before them. Community Development Director Doug Borglund noted the property was privately owned and leased to a government agency and therefore is a tax paying property and that the use would not come before the Planning Commission but the text amendment would.

Mr. Baumgartner said this was a comingled definition and that staff has to be reactionary and go back to the Planning Commission as this was a unique hybrid and would look to the Commission for definitions that better identifies what this use is as well as other government uses to help distinguish the Vet Center from other potential users.

Mayor Rice said he would like to provide the Planning Commission with input and direction instead as he did not want them to make a definition fit but instead look at conflicts in definitions and identify a use that way. He noted if this was not an allowed use it would become a legal non-conforming use anyway.

Councilmember Barnett confirmed if the use becomes legal non-conforming and the building owner leases to the VA and they leave in the future the owner would not be able to lease to another legal non-conforming use.

Council consensus was to move forward with a proposed code amendment.

3.3 Discussion; Blighted Properties.

Mr. Palmer shared a staff report with background information stating staff would like to have a discussion with the City Council related to blighted properties and code enforcement. Staff presented tools currently available to bring properties into compliance and said staff was seeking input on what tools should be used in specific cases, including the issuance of administrative citations, referrals for criminal prosecution, hazardous building declarations, and the abatement of violations including court authorized forced demolitions. He noted over past few years staff has worked to clean up many properties but some are still lingering and present challenges that would result in forced demolition on a home which may not be the best solution if the home had historical significance or other reasons and said staff was seeking direction on other remedies.

Councilmember Freeburg said blighted properties was the reason he ran for Council 24 years ago then referred to the Fischer House and the Hartfield House and suggested threatening sale to reach compliance. Mr. Palmer said City code allows for abatement and noted we did paint the Fischer House once and likely would not abate it through repair but instead do a forced demolition on the home.

Councilmember Freeburg said he did not want to demolish a home but said the current structure was not good for the neighborhood either. Mr. Borglund noted the process would not be condemnation but hazardous structure procedure.

Housing Manager Darin Berger said he has met with the homeowner numerous times to address this home and would be touring the home with an appraisal this week to hopefully bring an offer to purchase to the HRA at their next meeting, similar to when they purchased 319 Monroe Street.

Councilmember Freeburg asked about the home on Highway 10 and Ferry Street. Mr. Palmer said this was the reason for the discussion as this home and another needed to be addressed but the City had limited resources and had to address one at a time. He said the next step was the home on 3rd Avenue and felt they were moving in the right direction but if not hoped to be purchased by the HRA.

Mr. Borglund said staff had asked the courts to stay the sentence to allow for the appraisal process because it not the property owner would be subject to jail time and a fine but the City would still have the blighted property and while some believed the home was historic and should be restored we had limited time and resources for that process.

Councilmember Freeburg asked if the home was replaced would it still be historic in nature and encouraged the HRA to purchase the home. Mr. Palmer said it would depend on how the property was restored and noted the porch was pulling away from the foundation and the property owner had considered just removing the porch which would be harmful to the architectural aspect of the home.

Councilmember Barnett said allowing these homes in these conditions was unacceptable and having enforcement occur on different timelines lacks transparency and honesty by treating some property owners differently than others but understood what motivates one property owner could be different than another and encouraged creating a draft of a timeline that included first warnings, civil fines, abatement, etc. She said if not successful then she would be comfortable with forced demolition and while identifying motivated buyers was great but did not always serve the City to be historic if it affected public safety and the neighborhoods.

Mr. Baumgartner commented addressing hazardous properties was necessary to protect the public and explained the process utilized to date had worked quite well in many cases and keeps the process moving forward and that ultimately an abatement could be needed and if done consistently word spreads and hopefully more compliance is reached.

Councilmember Skogquist asked about the special assessment process and if not paid goes tax forfeit. Mr. Baumgartner said the process is actually a court process to get the order and then get approval for tax purposes but was unsure if they fail to pay taxes would it result in tax forfeiture as he thought it was more like a condemnation process instead. He said some tools are more costly in time and money than others and the key is to find the best one that works with each property owner.

Mayor Rice spoke about having a consistent policy but said we cannot take 25 years to address a blighted property and that there has to be enough support by Council and staff to be carried forward in a timely manner, stating both these homes are historic homes but the problem has to be addressed.

Councilmember Barnett summarized Council consensus to allow the HRA to acquire the one property if possible and if we have exercised every other option available for the other property would support sending an abatement letter for correction and if not completed correction would occur up to and including forced demolition.

Councilmember Skogquist said staff was clear about the process and follow-through and was hopeful the HRA would be successful as this needs to be addressed as citizens should not have to deal with these types of properties.

Mayor Rice left the meeting at 6:55 p.m.

3.4 Discussion; Capital Improvement Plan (CIP)/Equipment Replacement Plan (ERP).

Finance Director Brenda Springer stated annually Council and staff review the five-year capital improvement plan and equipment replacement plan prior to adoption. The document is for planning purposes and allows staff to project future funding needs based on planned capital improvement projects and equipment replacement. This Capital Improvement Plan and Equipment Replacement Plan is in a draft form. The capital improvement and equipment replacement plan impact several governmental and business

type funds and Council was asked to discuss plan and provide input for changes, additions and deletions.

Public Services Director Mark Anderson shared budget request items that included a boiler for the aquatic center, and wheelchair lift at City Hall.

Mayor Pro Tem Skogquist asked if ramp was possible instead of a wheelchair lift. Mr. Anderson said based on the needed pitch the ramp would go into the community room and was not a very good option.

Councilmember Barnett asked how often the community room was used. Mr. Anderson said the budget also includes \$75,000 for community room upgrades in the future and the lift could be included then but said room use has become more popular.

Mr. Anderson spoke about CSAH 16 and TH 47 improvements before the Anoka Solution project and the need to complete the unfinished sidewalk portion. He shared about the proposed entrance monument on East Main Street near Federal Cartridge, Emerald Ash borer replacement trees, and trail system repair and pavement maintenance at Mississippi Park.

Councilmember Freeburg asked if the rip rap project was to be done this year. Mr. Anderson said he would follow-up then explained the tennis and basketball court rehab at Sorenson Park, sidewalk extensions from 7th Avenue to Johnson, John Deere mower purchase that would be used for grass as well as sidewalks during winter months.

Mayor Pro Tem Skogquist asked if the \$50,000 quote for the mower was because of the many accessories. Mr. Anderson said the accessories were expensive and explained the mower had a full cab with heat and air conditioning and would be used for both seasons and included trade-in value.

Councilmember Barnett asked about the entrance monument. Mr. Anderson said the City was starting to put monuments at the City's borders and there was not one in place now and this was a busy roadway. Councilmember Freeburg said the City had permission from Federal Cartridge to place the monument on their property.

Mayor Pro Tem Skogquist asked about other items in the CIP for the Public Works building such as a gate and alarm and if we should invest for another decade work towards a new roof as he did not want to bond for a new public works facility during the current economy. Mr. Lee stated this would most likely be the last parcel to be developed.

Mike Bruhl, Greenhaven Golf Course, outlined bunker improvement requests in detail at the golf course.

Police Chief Eric Peterson shared about the proposed police parking lot expansion and repair, emergency operations center (EOC) technology upgrades that would be utilized

for City training, and the request for three additional police officers to allow for better operations to serve the City. He spoke about increased calls for service of 46% in the past 10 years then shared statistics with other cities and the need to respond to citizens at all levels and reduce overtime expenditures then spoke how the shift strength has changed but not the number of officers over 30 years.

Mayor Pro Tem Skogquist said it would behoove us in the current policing world to include this topic as a worksession discussion to fully understand the types of calls police receive and what has changed. Councilmember Barnett agreed, stating we need to better understand the need more fully regarding the level of service and benefits to allowing more time with community members on calls.

Chief Peterson spoke about proposed radio system upgrades, squad video systems, and a pole camera for covert investigations. Councilmember Barnett asked if we fund three new officers would that include squads and other ancillary costs and asked about other opportunities for the use of an upgraded EOC in the last year. Chief Peterson said he anticipated one squad leasing and the ability to use a daytime specialty assignment for the other and said with the recent civil unrest this was the first opportunity the City could truly have used an EOC.

Mayor Pro Tem Skogquist asked if cost was to add on or replace the parking lot and could this be included with bonding for the Animal Containment Facility. Chief Peterson said the expansion would mainly alter the plans on how we expand the parking lot.

Mr. Anderson shared the need for sidewalk extensions at 7th Avenue from Johnson to Garfield, exterior painting, fire alarms, rooftop unit at City Hall, and community room upgrades.

Chief Peterson updated the Council on the outdoor warning siren needs not reliable and needs to be upgraded.

Mr. Anderson shared about the proposed power gate system, animal containment law enforcement training facility, street renewal program, Greenhaven Parkway Phase II.

Mayor Pro Tem Skogquist asked about the cost for Greenhaven use for funding or TIF funds. Ms. Springer replied we do not anticipate general funds would be used but be developer cost possibly but there would be other funding through grants and TIF possibly but noted we barely had enough to pay for the already-committed TIF properties.

Mr. Lee said if the timing is right, we would have a developer pay for a standard road and the City pay for the parkway upgrade cost and said they fully anticipated receiving a MnDOT grant for this road as well.

Mr. Anderson outlined Highway 10 improvements, TH 47, 2021 SSIP, liquor store parking lot upgrades at the East store, Rum River trail crossing, Rudy Johnson Park, Mississippi Park shoreline restoration, trail system connection, John Ward Park restroom

rehab, Kubota RTV for cross country ski trail grooming, columbarium, two mowers, skid steer, and other items.

Mayor Pro Tem Skogquist asked about the well expansion and two wells and filtering system for increased pumping capacity. Mr. Anderson explained the request included an expansion at Wells 6 and 8 but not Wells 9 and 10. Mr. Lee explained we are lacking capacity to treat water.

Councilmember Barnett asked about revenue collection for the columbarium use. Mr. Anderson said the payback period would be 6-8 years.

Electric Utility Director Greg Geiger said electric costs were very fluid based to keep staff busy then spoke about circuits at Garfield and substation infrastructure was going well this year at Crooked Lake. He then described proposed SCADA substation repairs and the request for an underground pulling trailer.

Councilmember Barnett said the SCADA upgrades would be determined but the others were confirmed with the last three done in 2020.

Mr. Bruhl outlined equipment requests for Greenhaven included a turbine blower, approach mower, fertilizer spreader, and small utility vehicles. Councilmember Freeburg complimented staff on maintenance of the golf course.

Ms. Springer encouraged the Council to contact staff with any questions and explained the process included the first budget meeting in August with work sessions going forward to review both the general and enterprise funds.

4.1 Staff Update.

None.

4. **COUNCILMEMBERS COMMENTS**

None.

5. **ADJOURNMENT**

Motion by Councilmember Freeburg, seconded by Councilmember Wesp to adjourn the Worksession at 8:07 p.m. Motion carried.

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

Approval Attestation:

Amy T. Oehlers, City Clerk