

**REGULAR MEETING OF THE ANOKA CITY COUNCIL  
ANOKA CITY HALL  
CITY COUNCIL CHAMBERS  
JULY 5, 2016**

**1. CALL TO ORDER**

Mayor Rice called the meeting to order at 7:08 p.m., followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present at roll call: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver.

Staff present: City Manager Greg Lee; Deputy Community Development Director Doug Borglund; Police Chief Phil Johanson; Associate Planner Chuck Darnell.

Absent at roll call: Councilmember Anderson.

Councilmember Weaver requested an update on the evening's storm and power outages. City Manager Greg Lee said the Champlin substation is down due to the storm and City crews are switching feeds to different areas to restore power as well as backfeeding power from different sources as they work to get the substation back up and running.

Councilmember Weaver asked who residents can contact should their power still be out. Police Chief Phil Johanson shared the City's non-emergency number of 763-576-2860.

Mayor Rice said this is such a large power outage because of the substation so if someone does not have power restored within a couple hours to please contact dispatch.

Councilmember Schmidt shared that the Mayor's annual Ice Cream Social had over 1,500 attendees with music and a fundraiser for the ACBC Food Shelf.

**3. COUNCIL MINUTES**

3.1 Minutes of June 20, 2016, Regular Meeting.

Motion by Councilmember Freeburg, seconded by Councilmember Weaver, to waive the reading and approve the June 20, 2016, Regular Meeting minutes.

Vote taken. All ayes. Motion carried.

**4. OPEN FORUM**

No one appeared.

**5. PUBLIC HEARING(S)**

None.

**6. CONSENT AGENDA**

Motion by Councilmember Weaver, seconded by Councilmember Freeburg, to approve Consent Agenda 6.1 through 6.4.

6.1 Approved Verified Bills.

6.2 Revising and Setting Council Calendars.

6.3 Recommended Approval of an LG240B Bingo Permit; Anoka Halloween at Anoka Legion October 17 and 24, 2016.

6.4 Issuance of a Tree Care License; Living Waters Tree Service.

Vote taken. All ayes. Motion carried.

**7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES**

None.

**8. PETITIONS, REQUESTS AND COMMUNICATION**

None.

**9. ORDINANCES AND RESOLUTIONS**

9.1 RES/Appointing Election Judges for 2016 General Election.  
**RESOLUTION**

Mr. Lee shared a staff report with background information to the Council stating Minnesota Statute 204B.21 requires the City Council to approve the appointment of Election Judges. He noted that while there is not a “City” primary, we still do conduct a Primary Election (August 9, 2016), as there are other offices (State, Federal, etc.) that are voted upon in a primary election.

Mr. Lee outlined the proposed wages for the election judges as Election Judge \$9.80/hr; Assistant Head Judge \$10.00/hr; Head Judge \$10.40 hr; and Election Assistant \$11.75/hr who conduct the nursing home and residential treatment facility voting and provide assistance with equipment testing.

Councilmember Schmidt asked who sets the pay rate. Mr. Lee said he is unsure how the rates are established.

Councilmember Schmidt said election judges work a very long day and thanked them for their service.

Mayor Rice agreed, stating this is not an easy task and thanked those who serve as well. He said anyone else interested in serving should contact the City Clerk.

Motion by Councilmember Freeburg, seconded by Councilmember Schmidt, to adopt a resolution for adoption of election judges for the 2016 elections.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

9.2 ORD/Amending Chapter 48; Article II, Rental Licensing. (2<sup>nd</sup> Reading)

**ORDINANCE**

RES/Summary Resolution; Chapter 48, Article II, Rental Licensing.

**RESOLUTION**

Associate Planner Chuck Darnell shared a staff report with background information to the Council stating this item was discussed at the April 25, 2016 worksession, and also held a first reading on the proposed amendments at their June 20, 2016 regular meeting. He referred to one change to the proposed ordinance amendment since the first reading, based on conversation at the June 20, 2016 City Council meeting regarding a provision that allows for the rebate of license fees, upon request by the property owner, if a property ceases to operate as a rental dwelling prior to the end of the license period. With the change to a three-year renewal period, this would allow for property owners to recuperate fees if there is a change in use of the rental property before the three-year license period expires. The rebate would be completed on a prorated basis from the date of the request. This would also provide some incentive for property owners to notify the City when there is a change in ownership or use of a rental property. A summary of the changes to the rental licensing ordinance is as follows:

Councilmember Schmidt said this is crime-free residential housing and is a response to repeated police calls to certain properties and to those residing in a property that can create a hostile environment.

Councilmember Weaver said that 10 years ago rental licensing was self-reporting and that we have come a long way. He noted this program was modeled after Coon Rapids and that Officer Paul Schley has been magnificent and that this ordinance gives the tools to allow code enforcement staff to work with Police to remove poor landlords. Councilmember Weaver said poorly managed rental properties weigh on property values and is unfair to neighborhoods.

Chief Johanson said staff is also working through their liaisons to communicate better with downtown businesses which has been much improved. He noted that the majority of property owners and managers want to do better and use these tools to help address difficult tenants so the training and education helps as well. He said by targeting problem properties we will reduce crime in the long run.

Mayor Rice said this is one solution to problem areas and gives us a tool to motivate those property owners who do not care as much.

Councilmember Freeburg said there are licenses for many other activities in the City and that rental licensing is needed too because there are many issues in this industry and that this program is doing great. He said he appreciated staff's efforts in this matter as he wants to see healthy housing in Anoka.

Motion by Councilmember Weaver, seconded by Councilmember Schmidt, to hold first reading of an ordinance amending Chapter 48; Article II. Rental Licensing of the Code of the City of Anoka, Minnesota.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

Motion by Councilmember Weaver, seconded by Councilmember Schmidt, to adopt a resolution approving the summary resolution for Chapter 47, Article II, Rental Licensing.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

9.3 ORD/Amending 2016 Master Fee Schedule; Rental Licensing. (2<sup>nd</sup> Reading)  
**ORDINANCE**

Mr. Darnell shared a staff report with background information to the Council stating as part of the updates to the rental licensing ordinance, staff is proposing some minor changes to the City's 2016 Master Fee Schedule. The changes that are being proposed resolve some discrepancies between the rental licensing ordinance and the actual fee schedule. This is the second reading of proposed changes to the City's 2016 Master Fee Schedule. The City Council discussed this item at their April 25, 2016 worksession, and also held a first reading on the proposed changes at their June 20, 2016 regular meeting. There have been no changes to the proposed fee schedule changes since the first reading.

Motion by Councilmember Freeburg, seconded by Councilmember Schmidt, to hold second reading and adopt an ordinance amending the 2016 master fee schedule of the City of Anoka, Minnesota.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

9.4 ORD/Granting an Easement to City of Champlin for Champlin Substation.  
(2<sup>nd</sup> Reading)

**ORDINANCE**

Mr. Lee shared a staff report with background information to the Council stating the City of Champlin is requesting an easement to construct a cul-de-sac on 128th Lane. Approximately 50 feet lies within the southwest portion of the Champlin substation property. The City of Champlin will be responsible maintenance, repair and snow removal of the cul-de-sac. The easement has been reviewed by the City Attorney.

Motion by Councilmember Schmidt, seconded by Councilmember Freeburg, to hold second reading and adopt an ordinance granting an easement to the City of Champlin for constructing a cul-de-sac.

Mayor Rice said there will be 120 feet left to get to the first fence so there will be plenty of room for this to occur.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

9.5 ORD/Opt-Out, Temporary Healthcare Housing. (1<sup>st</sup> Reading)

Deputy Community Development Director Doug Borglund shared a staff report with background information to the Council stating on May 12, 2016, the Governor signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings. Subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations. The law allows landowners to place mobile residential dwellings on their property to serve as a temporary family health care dwelling up to 300 square feet in size with temporary utility service. These types of units are considered exempt from certain elements of local zoning regulations by law and allows these types of units through a permitting process and grants a timeline of 6 months for the use of the unit and allows an extension of 6 additional months to the permit, if requested.

Councilmember Weaver said it is interesting how the author of the bill is from Lakeville who just opted out of the ordinance, adding he will support opting out.

Mayor Rice said most people who have a family member in need of this option have an extra bedroom and that this law was for those who do not have that option. He said this is more difficult in fully-developed cities such as Anoka and that while we will see how it all evolves Anoka will be opting out for now.

Motion by Councilmember Weaver, seconded by Councilmember Freeburg, to hold first reading of an ordinance to opt out of the temporary healthcare housing statute.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

9.6 ORD/Approving Lease Agreement and First Amendment with Dennis and Beverly Medved; Riverplace Duplexes. (1<sup>st</sup> Reading)

**ORDINANCE**

Mr. Borglund shared a staff report with background information to the Council stating at your meetings in May the Council adopted multiple resolutions approving the Purchase Agreement, Property Exchange & Development Agreement with Dennis & Beverly Medved. Along with those approvals, authorization was given to sign all other necessary documents related to this transaction. One of those documents included a Lease Agreement between the City and Dennis & Beverly Medved for the duplexes on Fremont Street. Our Charter requires that leases be approved by Ordinance. The First Amendment makes corrections to and redefines the legal description of the premises.

Councilmember Schmidt asked if we plan to market the duplex soon. Mr. Borglund said staff is currently replacing the siding on the front façade and installing new locks on both units after which the property will be marketed by the City's realtor Nathan Gunn.

Motion by Councilmember Freeburg, seconded by Councilmember Schmidt, to hold first reading of an ordinance approving a lease agreement and first amendment to the lease agreement between the City of Anoka and Dennis and Beverly Medved.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

9.7 RES/Approving 2016 Budget Amendment; Downtown Security Officers.  
**RESOLUTION**

Mr. Lee shared a staff report with background information to the Council stating in 2016 the City of Anoka hired one full-time sworn officer and two full-time security officers to address issues in the downtown area, parks, and public spaces. Currently, there are gaps in the coverage for patrolling the downtown and parks areas, mainly from 10pm to 6am each night, and on weekends. When this program was developed it was understood that there would be gaps and that perhaps 24/7 coverage would not be necessary. However, based on the activities in the downtown and parks areas this summer, and the feedback staff and Council

is getting from citizens, it is becoming evident that 24/7 security patrols coverage during the summer months warrants investigation and consideration.

Mr. Lee said the cost per full-time security officer is \$51,000; \$33,280 in salary and \$17,720 in benefits, a total of \$102,000 per year for the two additional security officers. However, the actual budget increase would be less than \$102,000 as any proposed additional security officers would only be assigned to downtown /park patrol during the summer months and to the AMRTC or other assignments where we are being reimbursed for their service during the remainder of the year. Staff calculates the additional budget expenditure for the two additional full-time security officers to be \$61,040. (\$35,440 in benefits and \$25,600 in salary; based on approximately 20 weeks in the summer at \$16 per hour).

Mr. Lee said in speaking with Finance Director Lori Yager earlier today she is recommending that based on current projections expenditures are \$300,000 less than expected and is recommending waiting until year-end as we may have sufficient funding available without the budget adjustment. He said reasons for the surplus is due to timing of hiring positions such as the Deputy Community Development Director, Public Services Director, and Streets Maintenance which is currently \$100,000 under budget.

Councilmember Weaver said by not adopting the resolution Council can still give the approval to hire the officers but is just waiting on budget adjustments. Mr. Lee confirmed staff can begin the hiring process immediately.

Councilmember Weaver said he cannot think of anything more important than hiring additional police patrol when you can see the impact officers have had on the cancer that has grabbed ahold of the downtown area with people hanging out downtown. He said this activity needs to be addressed aggressively as some of the incidents that have occurred are bad and that the police have done a great job.

Chief Johanson said having park patrol on the trails and in utility vehicles has resulted in very positive feedback and while some activities are more serious while others are just for people sleeping in the parks it has made people feel unsafe and noted the crime rate has not really grown. He said the overnights beginning at 5am and 6am show we are already out there and thanked Council for the tools already in place as well as this, adding while he is not sure what the draw to Anoka really is he has seen much more foot traffic in the City than ever before. He said with this as well as the camping ordinance and aggressive pan-handling ordinance this is one more tool to stay on top of these problems.

Councilmember Freeburg said predicted this summer was going to be a challenge as Anoka is conducive to this type of activity and said there is no confusion as to where the problem is coming from as it stems from Hope 4 Youth. He said the organization caters to people who come from miles away and provides food and

supplies, including backpacks and tents, and that we should not be afraid to recognize this.

Mayor Rice said the problem is more than that as we are a charming community and what we are proud of draws people to us because we are friendly, giving, and have rivers, parks, and walkways and are prime for someone who chooses to be homeless. He said while there are programs for homelessness the reason for being more aggressive or assertive is that we work hard to create a welcoming community which can make it easy for an obvious homeless person to destroy much of the charm and safe feeling. Mayor Rice said if we could handle this without alienating other good people that would be fine and while people have a right to choose how to live when it alienates residents and businesses we have to address the problem.

Councilmember Freeburg said we do a lot as a community for the homeless but added his job is to the taxpayer and businesses of Anoka to protect their investment as they pay the bills.

Councilmember Schmidt said they have had budgetary discussions on wants and needs and said this will be a need and as the budgeting process begins in August instead of depending on the success of this increased coverage and relying on a windfall we need to budget for this regularly.

Councilmember Weaver when you look at the businesses in downtown Anoka this money is a drop in the bucket if we start losing any of them and asked what else staff needs from Council.

Mr. Lee said he just needs Council direction on hiring the additional officers.

Mayor Rice noted the 24-hour day coverage does not mean three persons for eight-hour shifts and while we are still trying to increase coverage we will not have staff 24/7 but are just increasing in areas.

Chief Johanson said that is exactly right but noted this will get us much closer to 24/7, especially during the summer months.

Mayor Rice said five years ago we did not need this but times have changed and will likely change again and as we continue to be assertive we will continue to find solutions, such as addressing car cruising in the past. He said he recently was on a walk and saw a homeless individual who he knew to have a police record and encouraged people to contact law enforcement are these people are not welcome. He said while he recognizes this sounds harsh a response is necessary.

Councilmember Schmidt said this is a much bigger problem than homelessness and that the City will soon be considering a drug paraphernalia ordinance as another tool as a whole wave of people come off the buses here to do illicit things

and this needs to be addressed as well. H said Anoka holds the County seat where people can receive maintenance payments but with no way to get to the job training center they stay in Anoka and that we have to control that which we can.

Mr. Borglund updated the Council about the proposed drug paraphernalia ordinance, stating staff has notified tobacco license holders and plans to have the first reading held on July 18. He noted staff has also held conversations with the two other property owners who may be impacted.

Mr. Lee stated the proposed ordinance would prohibit the sale of certain potential drug paraphernalia items within Anoka.

Mayor Rice asked if the ordinance will result in non-conforming business or will not be allowed. Mr. Borglund said the ordinance would prohibit certain items to no longer be able to be possessed or sold certain items.

Mayor Rice noted there is an argument for some of these items to be used for activities other than drug paraphernalia.

Mr. Lee said this is a new ordinance that other cities have successfully adopted.

Motion by Councilmember Schmidt, seconded by Councilmember Freeburg, to direct staff to begin hiring process for proposed downtown security officers but not adopt proposed resolution authorizing revision of 2016 budget to allow funding for downtown security officers in order to wait until year end to review if current budget allows for funding.

Upon a roll call vote: Mayor Rice, Councilmembers Freeburg, Schmidt, and Weaver voted in favor. Motion carried.

Mr. Lee said staff can bring forward a budget adjustment later in the year as well as the 2017 budget adjustment and will begin moving forward immediately to hire the security officers as proposed.

Mayor Rice said he would like to see this as a budget decrease if possible. Mr. Lee said Ms. Yager will be tracking downtown overtime over the final months of 2016 and hopes to bring forward solutions.

Councilmember Freeburg suggested a worksession to review going back to the source and potentially charging back for these services, similar to rental licensing.

**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 Staff and Council Input.**

Councilmember Weaver reminded the community to attend the annual Riverfest Craft Fair event on Saturday, July 9, adding this is the first time the event has sold out. He also encouraged people to attend the Historical Society Home and Garden Tour on Sunday, July 10.

Mayor Rice said the Home and Garden Tour is a fundraising event for the Historical Society.

Councilmember Schmidt noted the tour has been sold out for the several years and is a good event.

## **13. ADJOURNMENT**

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

Vote taken. All ayes. Motion carried.

Time of adjournment: 8:05 p.m.

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

Approval Attestation:  
Amy T. Oehlers, City Clerk