

**REGULAR ANDOVER CITY COUNCIL MEETING – JANUARY 16, 2017
MINUTES**

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, January 16, 2018, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Mike Knight, Sheri Bukkila, Valerie Holthus and James Goodrich

Councilmembers absent: None

Also present: City Administrator, Jim Dickinson
Assistant Public Works Director, Todd Haas
Director of Public Works/City Engineer, David Berkowitz
City Attorney, Scott Baumgartner
Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

No one wished to address the Council.

AGENDA APPROVAL

Motion by Bukkila, Seconded by Knight, to approve the Agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

January 2, 2018, Regular Meeting: Correct as amended.

Mayor Trude requested a correction on page three, line 9, to reflect Vice “Mayor,” rather than Vice “Chair.”

Motion by Holthus, Seconded by Knight, to approve the minutes as indicated above. Motion carried unanimously.

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Accept Contribution/North Metro Soccer Association/Andover Community Center (See Resolution R005-18)
- Item 4 Approve Application for Exempt Permit
- Item 5 Approve 2018 Used Vehicle Sales Business Licenses
- Item 6 Accept Resignation/Retirement of Jim Smith, Utilities Maintenance Worker
- Item 7 Approve Debt Service Payments

Motion by Knight, Seconded by Bukkila, approval of the Consent Agenda as read. Motion carried unanimously.

ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT

Lieutenant Schuldt gave the monthly Sheriff's Report, in place of Commander Lenzmeier.

HOLD PUBLIC HEARING/18-2, 2018 STREET RECONSTRUCTION & 18-11, 143RD AVE NW RECONSTRUCTION

Mr. Berkowitz explained each year the roadway segments in the most need of repair throughout the City are reconstructed as part of the City of Andover's annual street reconstruction program. The majority of the Andover Boundary Commission Plat 1, as well as 143rd Avenue NW from Round Lake Boulevard NW to Xenia Street NW are identified in the City's Capital Improvement Plan (CIP) for reconstruction in the summer of 2018.

The project would include reclaiming the existing bituminous, replacing/patching deteriorated concrete curb and gutter, storm sewer repairs, and constructing a new bituminous surface. A trunk water main would be constructed in 143rd Avenue from west of Round Lake Boulevard NW to Woodbine Street NW to provide a looped distribution system. 143rd Avenue NW from Xenia Street NW to Round Lake Boulevard NW would be widened 3.2' on the north side to provide a wider shoulder for on street parking and can act as a pedestrian safe way when not used for parking. The south side will be posted, "no parking." A narrower striped shoulder would be included on the south side of 143rd Avenue NW, without any roadway widening due to physical constraints. This has been a very effective reconstruction method since the City began the process back in 1996.

Three separate assessment amounts are proposed for this project. One for the standard street reconstruction, one for areas with a mill and overlay of newer pavement, and a deferred assessment for the cost of water main service stubs only for properties along 143rd Avenue NW adjacent to the trunk water main extension. Some residents submitted letters that state they are not interested in a water stub to their property.

A neighborhood informational meeting was held on November 6, 2017 with the residents to discuss the project and to answer preliminary questions and receive comments.

The project is to be funded from a combination of special assessments and City funds. Twenty-five percent of the total project costs based upon a standard roadway section would be assessed to the benefiting properties fronting along the improved street as identified in the City's Roadway Reconstruction Assessment Policy. The remaining costs would be funded through the City's Road and Bridge Fund, through Municipal State Aid Funds (143rd Avenue NW improvements only) and the Trunk Water Fund.

The estimated assessments vary from \$1,810 to \$2,960 for the project.

Mayor Trude asked for clarification regarding the corner lots and water stubs. It was stated that residents understand this may be the only opportunity to bring a water stub. It is also an opportunity to have it available in the future for a future buyer of a resident's property. The City does not expect water to go into the adjacent neighborhood. It was explained there is no immediate assessment if a water stub is put in, the assessment on the water stub would come due if the property is hooked up to City water. Mr. Berkowitz explained further about the water main and the proposed location of the water stub, in response to Councilmember Bukkila's question. In one situation there is only a proposed water stub assessment, not an assessment for street reconstruction.

Motion by Bukkila, Seconded by Knight, to open the public hearing at 7:27 p.m. Motion carried unanimously.

Carla and Dale Lang, 14299 Underclift Street, came to the podium and proposed that they should not be part of the current reconstruction project. They did not want their property to be treated differently than their neighbors along Underclift Street. They expressed they are happy with their well but want to leave that issue up to the next owner. Mayor Trude explained how the deferred assessment would work. Ms. Lang described the difficulties of going the additional feet and the encumbrances of putting in City water and reinforced her position and her concern regarding the need for the tree barrier and the potential disturbance to her driveway. Mayor Trude asked the staff to respond. Mr. Berkowitz addressed how mortgage companies handle this type of situation at the time of sale. The assessment generally cannot be more than 3% of the total sale. It would not be a forced hook up. FHA loans may require it [hook ups]. Councilmember Bukkila asked about consideration for a neighborhood's interest in "hooking up."

Mayor Trude asked about the other property with a similar issue. Councilmember Bukkila stated the water main is going in "no matter what." She expressed her belief that it is the resident's decision to make, whether or not the homeowner's decision is the correct one in her eyes.

Councilmember Goodrich also felt that the right decision was to put the stub in, but that the resident should be able to make that decision.

Councilmember Holthus felt 14299 Underclift Street should be removed from the project, overall, with the understanding that they may not have another opportunity to hook up to City

water.

Mr. Berkowitz addressed the second petitioner along Vintage Street. He described the difference between the two situations with the two petitioners. Most water services come in from the front. Mr. Berkowitz clarified the deferred assessment for the water stub would come due at the time of sale and does not include costs for inflation.

Mayor Trude reminded everyone this is the first time that the City is starting the formal process for a reconstruction project in this neighborhood.

Mr. Don Legge, of 14417 Vintage Street NW, came to the podium and wished to speak for Randy at another address. The front of this home comes off of Vintage Street. The owner does not want the “water to come in [to his property].” He will encourage Randy to come to a City Council meeting at a future time, if he so desires. Mayor Trude stated his project is definitely part of the street reconstruction project and the water will go down 143rd for the reason of [fire] safety in the community

Motion by Bukkila Seconded by Knight, to close the public hearing at 7:51 p.m. Motion carried unanimously.

Motion by Bukkila, Seconded by Knight, to approve Resolution No. R006-18, ordering the improvement of project nos. 18-02, 2018 street reconstruction & 18-11, 143rd Ave NW reconstruction and directing preparation of final plans and specifications. Motion carried unanimously.

HOLD PUBLIC HEARING/17-13/UNIVERSITY AVE. NW OVERLAY

Mr. Berkowitz explained this is an assessment hearing.

University Avenue NW from 157th Avenue to Constance Boulevard street overlay was completed in the fall of 2017. This section of roadway is a shared border with the City of Ham Lake and they were the lead agency on the project.

The project consisted of milling a portion of the existing roadway and paving a 2" thick bituminous surface.

This project is jointly funded (50/50 split) between Andover and Ham Lake. The total construction cost is \$56,043.49, of which the City of Andover is responsible for \$ 28,021.75. Ham Lake enforced liquidated damages because the contractor failed to complete the project on time, which reduced the City's portion of construction to \$26,929.57. With 11.21% indirect costs, the total project cost is \$33,211.16. In accordance with the City of Andover's Roadway Reconstruction Assessment Policy, 25% of the City of Andover's share of the project costs, \$8,302.79, is being assessed to the benefitting properties. There are seven parcels impacted by assessments for this project. The final assessment rate per unit is \$1,186.11. The feasibility

report estimated the assessment to be \$1,880.00.

The assessment roll has been prepared and is available in the City Engineer's office for review. The assessment will be over a 5-year period at a 4.5% interest rate for an annual assessment amount of \$270.19, if the property owner decides not to pay at this time and elects to have it certified by Anoka County. The assessment roll has been prepared and is on file in the City Clerk's office for review.

Andover's share of the project costs will be funded from the City's Road & Bridge Fund in the amount of \$24,908.37, with 25% of Andover's total project costs, \$8,302.79, for the improvements assessed to the benefiting properties as identified in the City's Roadway Reconstruction Assessment Policy.

Motion by Knight, Seconded by Goodrich, to open the public hearing at 7:56 p.m. Motion carried unanimously.

There was no one present in the audience to speak.

Motion by Holthus, Seconded by Knight, to close the public hearing at 7:57 p.m. Motion carried unanimously.

Motion by Knight, Seconded by Holthus, to approve Resolution No. R007-18, adopting the assessment roll for the improvement of project no. 17-13, University Avenue NW overlay. Motion carried unanimously.

CONSIDER APPROVAL OF 2018 PARK DEDICATION STUDY AND RESOLUTION ADOPTING PARK DEDICATION FEE

Mr. Haas stated the park dedication fee recommended, based on the park dedication study, is \$3,319 per unit for residential (single-family residences, town homes and twin homes, apartment, and lot splits) and \$9,957 per acre or 10% of the market value of the land for commercial/industrial property (whichever is less).

The main highlights of the report were as follows:

- The study no longer will include the Rural Reserve area. If the Rural Reserve area develops, a separate study will need to be developed which will provide recommendations on the various types of parks that could be included in the area and what the park dedication fee should be for developing those parks.
- Based on the Metropolitan Council predicted buildout of the City and the surplus of mini parks, it is recommended that no additional land for mini parks be taken as part of the park dedication requirements.
- Based on the Metropolitan Council predicted buildout of the City, even though there is a surplus of 5.24 acres of neighborhood parks, the Park and Recreation Commission is recommending one additional neighborhood park near the east-central part of the City

somewhere in Sections 13, 23, or 24 Township 32 Range 24. Note: This was also noted in the 2011 Park Dedication Study.

- Based on the Metropolitan Council predicted buildout of the City, community parks is deficient by about 120 acres but Bunker Hills Park does make up for some if not all the acreage to satisfy NRPA suggested recommended acres.
- Based on the Metropolitan Council predicted buildout of the City and the surplus of community playfields, it is recommended that no additional land for community playfields (example like Sunshine Park) be taken as part of the park dedication requirements.
- The actual household count from the 2016 Metropolitan Council estimate and the estimated 2040 household count is indicating the City is approximately 67% developed not including the Rural Reserve Area).
- The City has completed approximately 66% of its identified 2040 park system based on estimated value and future improvements. This indicates that the current park system is on track with the City's current population.
- Once the 2020 US Census is done, it is recommended that an update to the park dedication study be done to determine the park dedication fee based on the population numbers and the improvements yet to be completed. By then, Metropolitan Council will have new estimates on household numbers (not including the Rural Reserve Area) identified in the City of Andover's Comprehensive Plan.

Mayor Trude noted the Shadowbrook West Park was not included on the list. This is a passive area where trees are enjoyed, but she would like to use a different name other than “undeveloped park.” It is essentially a park without a play structure. “Scenic park” was suggested, as well as “view park,” and some parks are simply wetlands. These wetlands have a park name.

Mr. Haas noted there are 2 page 5s in the report.

Mayor Trude noted Andover does not quite “fit the norm” in these cases.

Councilmember Holthus stated her appreciation for the time and effort put into the study.

Motion by Holthus, Seconded by Goodrich, to approve Ordinance No. 477, amending the City Code Title 1-7-3 establishing the park dedication fee to be collected by the City of Andover. Motion carried unanimously.

SCHEDULE SPECIAL CITY COUNCIL MEETING

Mr. Dickinson requested the Council schedule a Special City Council meeting to discuss topics as detailed in the staff report. Updates from the listening sessions will be provided in a meeting regarding the planning for possible expansion of the Community Center.

The Council discussed the draft agenda and available dates.

Motion by Knight, Seconded by Goodrich, to schedule a Special City Council Meeting on Monday, February 12, 2018, at 6:00 p.m. Motion carried unanimously.

SCHEDULE FEBRUARY COUNCIL WORKSHOP

Mr. Dickinson requested the Council schedule a City Council workshop meeting to discuss topics as detailed in the staff report.

The Council discussed the draft agenda and available dates.

Motion by Knight, Seconded by Holthus, to schedule a City Council Workshop on February 27, 2018, at 6:00 p.m. Motion carried unanimously.

ADMINISTRATOR'S REPORT

City Staff updated the Council on the administration and city department activities, legislative updates, updates on development/CIP projects, and meeting reminders/community events.

(Mr. Dickinson) Mr. Dickinson attended the Andover Station North Owners Association meeting. Joe Janish also attended. The City is a non-voting member, but Mr. Dickinson is still the President. It is a good opportunity to find out what is going on in the Andover Station North area. All of the businesses are doing very well and Acapulco has plans to expand operations in another community. Pizza Ranch is doing well and owner also has plans to expand into another community. The Animal Hospital is doing excellent and exceeding expectations. The QCTV Executive Committee is talking about the expansion activity and bid documents to submit to the full board. Upgrades would include high definition, better microphones, better signal, and acoustical upgrades. Security in City Hall will also be considered. Acoustics are the biggest challenge in the Andover City Hall facility. Mayor Trude expressed her concern about the presentation screen. Mr. Dickinson responded the plan is to go to smartboards for presentations. Mayor Trude would like to see plug-ins for the iPads [in the Council Chambers]. The consultants who specialize will look at the presentation area, responded Mr. Dickinson. There would be a plug-in opportunity for presentations at the podium.

(Expansion Projects) Mr. Dickinson indicated the YMCA would be sharing its stakeholder input. He is working with the YMCA on updating the lease agreement; and Ehlers and Associates, the City's fiscal consultant, is being consulted on how to fund such an effort.

(Year-end) Mr. Dickinson reported he has been working on year-end reports, preparing for audits and W-2 Forms. In addition, there has been a lot of activity with developers and there has been 1 new home permitted, so far this year.

(Mr. Berkowitz) Mr. Berkowitz has been looking at easements needs for 10 properties along Crosstown Boulevard. He also thanked the snow removal crew. Also a 17-year employee, Jim Smith, was recognized for being mechanically inclined and using those skills at the water

treatment plant. He has been a dedicated employee and will still be working with the City for 2 more weeks. Thanks were expressed from the entire Council.

MAYOR/COUNCIL INPUT

(Mayor Trude) Mayor Trude mentioned the upcoming Council Workshop where they will be doing a number of interviews for Commission positions. On February 13th there will be a State of the Cities address before the Chamber. There will be updates from 10 cities. She also expressed her appreciation for work done on the roads during the cold weather. Councilmember Goodrich reiterated that he received complements on the recent snowplowing.

ADJOURNMENT

Motion by Knight Seconded by Holthus, to adjourn. Motion carried unanimously. The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

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