

***REGULAR ANDOVER CITY COUNCIL MEETING – JANUARY 21, 2020  
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, January 21, 2020, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Mike Knight, Sheri Bukkila, Valerie Holthus and Jamie Barthel

Councilmember absent: None

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

***PLEDGE OF ALLEGIANCE***

***BADGE PINNING – FIRE DEPARTMENT***

Mayor Trude invited Fire Chief Jerry Streich to the podium to introduce the new Fire Chief, Dennis Jones. The family of Chief Jones pinned on his badge. The Mayor and Council congratulated and welcomed Chief Jones as the new Andover Fire Chief.

***INTRODUCTION OF SHERIFF’S DEPUTIES***

Mayor Trude invited Anoka County Sheriff James Stuart to the podium. Sheriff Stuart gave a summary of the Anoka County Sheriff’s Office and how they serve the City of Andover. Sheriff Stuart introduced Commander Lenzmeier to announce the 2020 Deputy Team. Commander Lenzmeier stated there are 18 Deputies serving the City of Andover with an average of 15 years of service. Commander Lenzmeier announce that 8 Deputies have been on the SWAT team and 11 have been Field Training Officers. Commander Lenzmeier introduced the team of Deputies serving the City of Andover on patrol, investigations, school resource officers and crime prevention. The Mayor welcomed the Deputies and thanked them for their work.

Councilmember Barthel stated he noticed how involved the Deputies are in the community and that it means a lot to residents in the City.

***RESIDENT FORUM***

No one wished to address the Council.

**AGENDA APPROVAL**

Mayor Trude noted the supplemental information received:  
Item 19 A revised page was added to this item

**Motion** by Holthus, Seconded by Barthel, to approve the Agenda as amended above. Motion carried unanimously.

**APPROVAL OF MINUTES**

*December 17, 2019 Regular Meeting:* Correct as written.

**Motion** by Holthus, Seconded by Knight, to approve the December 17, 2019 Regular meeting minutes as presented. Motion carried unanimously.

*January 7, 2020, Regular Meeting:* Correct as written.

**Motion** by Barthel, Seconded by Knight, to approve the January 7, 2020 Regular meeting minutes as presented. Motion carried unanimously.

**CONSENT ITEMS**

- Item 2 Approve Payment of Claims
- Item 3 Approve Ordinance Amendment Naming the North Drive of the Community Center to Veterans Memorial Boulevard NW (See Ordinance 212H)
- Item 4 Approve Plans & Specs/Order Ad for Bids/20-11/Andover Station North Ball Field Facility/East Field Lighting (See Resolution R003-20)
- Item 5 Approve Lighting & Equipment Purchase/20-11/Andover Station North Ball Field Facility/East Field Lighting
- Item 6 Approve Change Order #1/18-37/Veterans Memorial Boulevard NW Construction (See Resolution R004-20)
- Item 7 Decline DNR Grant/18-34/Andover Station North Trail Connection
- Item 8 Approve Change Order #3/18-39/Lift Station #10 Improvements (See Resolution R005-20)
- Item 9 Approve Amendment No. 2 to Connectivity Services Agreement/Anoka County
- Item 10 Receive December 2019 City Investment Reports
- Item 11 Approve Application for Exempt Permit
- Item 12 Approve Debt Service Payments
- Item 13 Approve City Code Amendment/Title 3-2 Sale of Tobacco Related Products (See Ordinance 500)

**Motion** by Bukkila, Seconded by Barthel, to approve of the Consent Agenda as read. Motion carried unanimously.

***ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT***

Commander Paul Lenzmeier provided a monthly report for December stating the Department made 260 traffic stops, 33 written warnings, 84 citations, and 7 DWI's. In addition, Deputies made 10 felony arrests, 9 gross misdemeanor arrests, and 21 misdemeanor arrests. The Department received 1,257 calls for service in December and 16,759 in 2019. He noted a significant event of a vehicle fire on December 1<sup>st</sup> and reviewed the year end numbers. Domestic disturbances, DWIs, and felony arrests increased in 2019.

Mayor Trude stated the community is vigilant in keeping an eye out for suspicious vehicles and people.

***HOLD PUBLIC HEARING/ORDER PLANS & SPECIFICATION/20-2/2020 STREET RECONSTRUCTION***

Public Works Director Berkowitz presented the information in the staff report explaining that each year the roadway segments in the most need of repair throughout the City are reconstructed with the City of Andover's street reconstruction program. Mr. Berkowitz identified the neighborhood generally southeast of Valley Drive, north of 157<sup>th</sup> Avenue and west of Xenia Street for reconstruction during the summer of 2020. He explained the project would include reclaiming the existing bituminous roadway, constructing concrete curb and gutter, storm sewer/culvert improvements, and constructing a new bituminous surface. Mr. Berkowitz showed photos of the existing road and explained the quality of the new road that will be constructed. Mr. Berkowitz highlighted the project schedule.

Mr. Berkowitz presented the costs of the project stating the City pays for 75% and assessments cover 25% of the total project costs. Mr. Berkowitz explained how the assessments can be paid.

Mayor Trude asked what issues were brought forth by residents at the neighborhood information session on December 3, 2020. Mr. Berkowitz stated residents questioned the concrete curb, construction time frame, assessment and drainage.

***Motion*** by Bukkila, Seconded by Barthel, to open the public hearing at 7:38 p.m. Motion carried unanimously.

Chad Granmoe, 4024 Genie Drive, came forward and stated concerns about the need for concrete gutters. He stated he has lived at his residence for 16 years and has never seen standing water. He asked how many lots of the 58 were affected by excess water and the cost effectiveness of adding concrete curb and gutter.

Anna Gergely, 4029 Genie Drive, came forward and stated the neighborhood wouldn't get prettier by putting in curb. She expressed concern that the money the residents are putting into curb and gutter won't pay off. She stated she has lived there for 50 years and has never seen standing water. She stated they need a new road, but not curb. She doesn't believe she has to

pay for something she doesn't need. She asked where the interest money went. Mr. Dickinson stated the interest goes back into the road fund.

Mike Kaess, 4036 Genie Drive, came forward and stated he doesn't believe in the process. He asked why the entire City can't be charged an additional \$90 per year with the property taxes to pay for the roads. He stated only 2 driveways are paved in his neighborhood. He stated he thinks they are being taxed unfairly.

Leonard Groen, 4048 Genie Drive, came forward and stated he concurred with the other speakers and they don't need the curb.

Glen Gray, 4041 Genie Drive, does not favor curb and gutter and would like to see if there is a different way to improve the height of the road to make it more economical.

Mayor Trude stated the City builds curb and gutter where there aren't ditches. She stated the affected neighborhood was built without consideration for where the water goes.

**Motion** by Holthus, Seconded by Barthel, to close the public hearing at 7:53 p.m. Motion carried unanimously.

Mayor Trude asked Mr. Berkowitz to answer questions brought up by the residents regarding the curb. Mr. Berkowitz stated there are challenge areas in this project with water drainage. He pointed out several areas that have pooling water. Mr. Berkowitz stated the water that runs off Genie Drive flows to other streets and affects their streets and lots. He stated the concrete is around \$1,000 per lot. He explained the City can dig ditches, but will dig in front yards, interfering with private utilities. Mr. Berkowitz presented how the proposed improvements would positively affect the storm sewer.

Mayor Trude asked Mr. Berkowitz to explain the topography map. He stated the green lines are contours and the red areas are where the water goes.

Mayor Trude stated the road project would solve the drainage issue. She stated after the City gets the bids, they will know if their estimating is close. Mr. Dickinson stated the Council can extend the number of years for paying assessments.

Ms. Gergely asked if everything is going to be torn up at one time. Mr. Berkowitz stated the City can look at phasing out the project. His concern is washout during the construction process. Mr. Berkowitz invited the residents to come in and meet with staff to get a further explanation.

Councilmember Bukkila brought up a resident having a question through email that hadn't been addressed at the meeting. Mr. Berkowitz stated staff is going through the comments and addressing them in the design process.

Mayor Trude stated residents can contact City Hall and ask for the City Engineer if they want

more information or have concerns. Mayor Trude stated she hopes for a favorable bid and the assessment will be adjusted lower if the bid comes in lower than expected. She explained how the City will communicate with residents and how residents can contact the City.

**Motion** by Bukkila, Seconded by Barthel, to approve Resolution No. R006-20 ordering Project No. 20-2, 2020 Street Reconstruction and directing preparation of final plans and specs. Motion carried unanimously.

***HOLD PUBLIC HEARING/ORDER PLANS & SPECIFICATION/20-14/2020 MILL & OVERLAY/JAY STREET NW***

Public Works Director Berkowitz presented the information provided in the staff report and identified a mill and overlay project of Jay Street NW from Station Parkway NW to Hanson Boulevard NW. The project would include milling off the existing bituminous wearing course and paving a new bituminous wearing course over the existing roadway. The project includes replacing water main valves. He stated a mill and overlay will extend the life of the road another 15-20 years. Mr. Berkowitz identified the project costs and assessment. Mr. Berkowitz stated the City is applying the assessment based on cost per linear foot. Mr. Berkowitz showed photos of the existing road and what it will look like when complete. Mr. Berkowitz reviewed the tentative project schedule.

**Motion** by Bukkila, Seconded by Knight, to open the public hearing at 8:20 p.m. Motion carried unanimously.

No one came forward.

**Motion** by Holthus, Seconded by Bukkila, to close the public hearing at 8:20 p.m. Motion carried unanimously.

**Motion** by Bukkila, Seconded by Barthel, to approve Resolution No. R007-20 ordering Project No. 20-14, 2020 Mill & Overlay/Jay Street NW and directing preparation of final plans and specs. Motion carried unanimously.

***HOLD PUBLIC HEARING/ORDER PLANS & SPECIFICATION/20-15/2020 MILL & OVERLAY/MARTIN STREET NW***

Mr. Berkowitz briefly reviewed the Martin Street project. He identified the neighborhood and stated the project is similar to Jay Street. He stated the costs for the City and the assessment is applied in the same manner as Jay Street. He explained the project would be bid with Jay Street and have the same schedule.

Mayor Trude stated the Council spent time in a work session discussing the project and how the assessment would be applied.

**Motion** by Barthel, Seconded by Bukkila, to open the public hearing at 8:23 p.m. Motion carried unanimously.  
No one came forward.

**Motion** by Holthus, Seconded by Barthel, to close the public hearing at 8:24 p.m. Motion carried unanimously.

**Motion** by Bukkila, Seconded by Barthel, to approve Resolution No. R008-20 ordering Project No. 20-15, 2020 Mill & Overlay/Martin Street NW and directing preparation of final plans and specs. Motion carried unanimously

***HOLD PUBLIC HEARING/ORDER PLANS & SPECIFICATION/20-16/2020 MILL & OVERLAY/WOODLAND ESTATES 1<sup>ST</sup> & 2<sup>ND</sup> ADDITIONS***

Mr. Berkowitz presented the information in the staff report and identified the neighborhood as Woodland Estates 1<sup>st</sup> and 2<sup>nd</sup> Additions. He explained the surface of the streets in this area has been stripping away, and a mill and overlay is the best course of action to correct this deterioration. Mr. Berkowitz presented the estimated project cost, the City's portion, and the residents' portion. Mayor Trude stated the City is replacing the gate valve to prevent water main breaks. Mr. Berkowitz showed a picture of the road to be overlaid and what it would look like when complete. Mr. Berkowitz presented the proposed project schedule.

Mayor Trude stated the Council has met with staff many times on road repair and have decided to aggressively pursue fixing the roads. She stated roads built in the late 1990s and early 2000s had pavement put in that is not holding up. Council supported staff going forward aggressively to preserve the pavement for another 20 years. Mr. Berkowitz stated the roadway is a good candidate for a mill and overlay and the seal coat has been a problem, so staff is fixing the problem and extending the life of the road.

Councilmember Bukkila stated there aren't roads that last 40 years like they used to, but this is where the concrete curb and gutter are important because it's holding the road tight. Mr. Berkowitz concurred that if the curb is in good shape, it will stay, and the City will repair failed sections.

**Motion** by Bukkila, Seconded by Barthel, to open the public hearing at 8:33 p.m. Motion carried unanimously.

Andrew Broman, 14911 Osage Street, came forward and stated he has a corner lot and asked how he was being assessed. Mayor Trude stated properties are assessed per unit, not on square footage. Mayor Trude stated every lot is assessed one unit, except for the church which is assessed for 8 units. She stated if there is a City park the City pays that cost.

**Motion** by Barthel, Seconded by Knight, to close the public hearing at 8:35 p.m. Motion carried unanimously.

**Motion** by Barthel, Seconded by Knight to approve Resolution No. R009-20 ordering Project No. 20-16, 2020 Mill & Overlay/Woodland Estates 1<sup>st</sup> and 2<sup>nd</sup> Additions and directing preparation of final plans and specs. Motion carried unanimously.

***CONSIDER CITY CODE AMENDMENT - TITLE 5, CHAPTER 1D HONEYBEES***

Mr. Berkowitz presented a summary of the item and stated the City ran a pilot project allowing beekeeping on a property 125 feet away from adjacent structures. Mr. Berkowitz introduced Kameron Kytonen, Natural Resources Technician. Mr. Kytonen explained the current City ordinance allows beekeeping on lots that are at least 2 acres in size and there has been interest from residents to do beekeeping on lots smaller than 2 acres. He reported on discussion at previous City Council workshops, that a property owner was authorized to move forward with a beekeeping operation for two seasons on their half-acre property. This pilot project was based on minimum distance of 125 feet from a neighboring primary structure. The project was reported as having gone well and there were no issues with neighbors or safety concerns. Mr. Kytonen explained the next step is to consider revising the ordinance to allow this operation to occur on smaller lots, if certain provisions are met and a license is obtained.

Mr. Kytonen stated staff has drafted amendments to the ordinance and presented the amendments listed in the staff report.

Mayor Trude stated the Council discussed this in workshops and explained it wouldn't impact single-family residential lots but would be mainly applicable to lots backing up a creek, wetland, or wooded areas where they have deep lots. Mr. Kytonen stated there would only be a select number of properties that would qualify due to the 125 feet distance.

Mr. Berkowitz explained the process staff went through to ensure dense urban areas would not be negatively impacted.

**Motion** by Knight, Seconded by Holthus, to approve changes to Ordinance No. XX as presented in the staff report to allow beekeeping on lots smaller than 2 acres.

**Further Discussion:**

Mr. Dickinson stated staff has received questions from residents that need to be addressed. Mr. Kytonen further explained the additional requirements of a fence, hedge, or other type of barrier that would force the bees to fly up and out. He stated residents were concerned the requirement of a fence was burdensome.

Mr. Baumgartner explained the purpose of the hedge is to control the bees and their flight path whereas the purpose of the fence is to keep people and pets away from the hives. He stated the two items serve different purposes.

Councilmember Bukkila stated she does not have an issue removing the fence requirement since the hives are located on the property. She stated if someone comes into contact with the hive because they trespassed, that is on them.

Councilmember Barthel stated a fence is required if the hive is within 50 feet of a property line. Councilmember Bukkila stated if you have large enough acreage, you shouldn't need a fence but if you are on a smaller property, a fence would be appropriate.

Mr. Dickinson stated staff will rewrite the ordinance and bring it back to the next council meeting for approval.

Mayor Trude asked if staff consulted Mr. Jim Meyers about the proposed ordinance. Mr. Kytönen stated his feedback was factored in.

**Motion** by Bukkila, Seconded by Barthel, to table changes to Ordinance No. XX as presented in the staff report to allow beekeeping on lots smaller than 2 acres. Motion carried unanimously.

### ***CALL FOR THE SALE OF BONDS SERIES 2020A – GENERAL OBLIGATION EQUIPMENT CERTIFICATES***

City Administrator Dickinson presented the item stating the Council is asked to consider issuing \$1,310,000 General Obligation Equipment Certificates for various public improvements and equipment purchases. Mr. Dickinson explained the process and effects on the City stating the issuance of the bonds will not negatively impact the City's financial standing. He said the City should receive a favorable interest rate. Mr. Dickinson explained this approval authorizes the process to move forward and staff will return to Council at a later meeting for approval of the sale.

**Motion** by Knight, Seconded by Holthus, to approve Resolution No. R010-20 providing for the sale of \$1,310,000 General Obligation Equipment Certificates, Series 2020A.

Councilmember Barthel stated the sale of the bonds has been budgeted, discussed at workshops and is a planned action.

Motion carried unanimously.

### ***SCHEDULE WORKSHOP MEETING***

Mr. Dickinson requested the Council schedule a Workshop Meeting to discuss topics as detailed in the staff report. Council discussed holding the workshop at 6:00 p.m. on February 18<sup>th</sup> and if it is not complete by 7:00 p.m., to reconvene after the regular council meeting.

Motion by Bukkila, Seconded by Barthel, to schedule a Workshop Meeting on February 18, 2020, 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.

***(Administrative Staff Report)*** Mr. Dickinson informed Council he has participated in board meetings for Youth First, North Metro Mayors Association, QCTV, and Andover Station North Owner’s Association. He reported that the Finance Department is working on the preliminary audit, financial reporting, and inventory is completed. He stated that Community Development is working with the Met Council on the 2040 Comprehensive Plan.

***(Public Works/Engineering Department Report)*** Mr. Berkowitz gave construction updates on the Community Center and the Public Works vehicle maintenance building. He provided an update on projects including trails, road construction, and development.

***MAYOR/COUNCIL INPUT***

***(Anoka Area Chamber of Commerce)*** Mayor Trude announced the Anoka Area Chamber will hold a State of the Cities event on February 7<sup>th</sup> at 11:00 a.m. She stated every city does a 5-10-minute presentation and the Council is invited.

***(Joint Law Enforcement Council)*** Mayor Trude stated she will be attending the Joint Law Enforcement Council meeting where they will be discussing adding a position to focus on reporting. She asked Councilmembers if they feel the report they receive from the Sheriff’s office is adequate. Council consensus is that the reporting is adequate and more detailed analysis is not needed.

***(North Metro Mayors Association)*** Mayor Trude stated she attended the North Metro Mayors Association meeting and was approached about contributing to Highway 10. She stated regional projects should be paid by regional agencies and not by individual cities. She further explained that people moved to Andover knowing there was not a major highway running through the City and Andover should not be required to contribute to a project that does not directly serve the City. Councilmembers affirmed the position of not contributing funds towards the Highway 10 expansion.

***ADJOURNMENT***

***Motion*** by Bukkila, Seconded by Barthel, to adjourn. Motion carried unanimously. The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Shari Kunza, Recording Secretary

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