

***ANDOVER CITY COUNCIL WORKSHOP MEETING – FEBRUARY 18, 2020
MINUTES***

The Workshop Meeting of the Andover City Council was called to order by Mayor Julie Trude, February 18, 2020 at 6:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

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

Councilmember absent: None

Also present: City Administrator, Jim Dickinson
Community Development Director, Joe Janish
Director of Public Works/City Engineer, David Berkowitz
Associate Planner, Jake Griffiths
Chief Building Official, Fred Patch
Others

UPDATE AND DISCUSS SOLAR ENERGY

Chief Building Official Patch reviewed previous discussions Council had on solar energy. He stated at the Workshop of January 28, 2020, the Council discussed opportunities to provide for larger ground mounted solar electric installations. He explained the Council consensus was a unit size of up to 1200 square feet on a minimum lot size of 3 acres. The Council also wanted high standards on buffers and aesthetics. Mr. Patch distributed an informational packet which gave a visual of a ground mounted solar energy system with examples of buffers and fencing. Mr. Patch stated it is up to the Building Department to review the screening and aesthetics. If there was conflict in the process, they could appeal to the Andover Review Committee (ARC) or the Council would make the final determination.

Mayor Trude asked Council for their opinion on examples in the photos. Councilmember Bukkila replied she did not care for a particular photo that showed an array in direct view of a neighboring home.

Councilmember Barthel stated he did not like the set up at “475” photo adding that only a half-acre of the property is actually usable because the rest is swamp.

Mayor Trude stated these lots are not in a planned development and at some point, property rights apply.

Councilmember Bukkila stated she would like to see the view impact from adjacent properties to determine how she would feel if she were a neighbor to a solar installation. Councilmember Bukkila stated if there is a view from a neighboring property there should be additional buffering requirements.

Mayor Trude added she felt the aesthetics of the solar installation were better than she anticipated.

Councilmember Holthus stated each application should be taken individually.

Mayor Trude asked the Council if screening was the main issue they had.

Councilmember Bukkila stated the language of the code needs to be clear and unambiguous so in the future, it is easy to apply.

Mr. Dickinson stated the current code allows 400 square feet of ground mounted and requires screening. He stated the issue is going from 400 square feet to 1200 square feet and the breaking point of the lot size to allow expansion, screening is already required in the code.

Mayor Trude stated she does not mind increasing the solar panel size if the lot has acreage.

The Council reached consensus of a minimum of a 3-acre lot size could allow up to 1200 square feet of solar panels, concurring with setbacks proposed by staff.

Councilmember Barthel stated his only issue is the size of usable land in a 3-acre lot and is it okay to put this on a lot with those issues where the location of the solar panels is limited. Mr. Patch stated the lot would at a minimum still be required to follow the setback and code if building any accessory structure.

DISCUSS/CONSIDER CITY CODE AMENDMENT/DOGS & CATS

Mayor Trude handed out a side-by-side comparison with a list of questions she compiled. Mr. Dickinson presented information from the staff report asking Council to look at the new Animal Control Code with the goal of the public being able to read it, staff being able to interpret it, and the Council being able to follow it as issues arise. Mr. Dickinson asked for feedback from Council if the proposed code is meeting the Council's expectations.

Mayor Trude referred to her handout comparing the existing ordinance with the proposed ordinance. She thanked Mr. Griffiths for his work on the ordinance. She stated she read through the existing code and the proposed code, evaluating redundancy, readability, and what is not in the ordinance that needed to be there. She asked Council if items from the parks code about leashing a dog should be included in this section so residents can have one policy.

Council agreed to duplicate items from the parks code into the Animal Control Ordinance.

Mayor Trude stated current code allows verbal control of dogs on trails but not in parks. She stated she is not interested changing the code that permits this. Councilmember Bukkila concurred.

The Council reached consensus to allow verbal control of dogs on trails that are not located in parks.

Mayor Trude stated the new code removes basic care provisions and prohibited treatment of dogs but that it is in State Statute and in the City Code.

Councilmember Bukkila stated it is State Statute and does not need to be repeated. She recommended removing the entire section. Council agreed.

Mayor Trude discussed muzzling provisions and stated if there was a rabies outbreak, the Mayor could declare a muzzling requirement. She stated it is now moved to nuisance and felt it should stand alone.

Mayor Trude asked staff to research requirements for notification for dangerous dogs. Mr. Dickinson replied the requirements are listed in State Statute and can be added if Council would like.

Mayor Trude raised a question about whether impoundment of dangerous dogs should be a separate provision or not. Mr. Dickinson stated staff will ensure the ordinance is consistent with State Statute and if the Council would like to make additional restrictions, they may, but he recommends staying consistent with State Statute.

Mayor Trude addressed the wording on Abatement and Nuisance Item A that the terms “on any person” and “in accordance with State law” are missing from the new code. Mr. Griffiths replied that State Statute does not limit substantial bodily harm to people and can include animals. He stated that substantial bodily harm has been defined in the definition section.

Councilmember Bukkila stated the City should be consistent with State Statute.

Mayor Trude stated she would like the Nuisance Dogs and Potentially Dangerous Dogs sections close together to make it easier for Council to refer to when addressing the issue at Council meetings.

Councilmember Bukkila stated the code should read for the residents rather than Council. Mr. Dickinson stated staff will look at arranging the ordinance to follow logical order.

Mayor Trude would like to have a summary sheet at public hearings for easy referral.

UPDATE/ DISCUSS CITY CODE UPDATES

Mr. Janish stated staff has reviewed several sections of the Zoning Code that require amendments to correct issues of consistency, clarity or relevance. These items will go to the Planning and Zoning Commission, but staff wanted to inform Council and get feedback prior to moving forward. Mr. Janish briefly explained the Discharge of Weapons/Hunting Restrictions and Zones Established Code would be changed to remove the 30-day requirement to bring it into alignment with the DNR regulations. Council supported this change.

Mr. Janish stated City Code requires that corner lots are to keep a triangular area of land clear of sight obstructions. He pointed out the area is sometimes referred to as the "Clear View Triangle" and sometimes as the "Sight Triangle". Staff would like to be consistent with the terminology and list it as "Sight Triangle". Council supported this change. Mr. Janish reviewed Section 12-13-22 pertaining to Interim Performance Standards. He stated the Interim Performance Standards are intended to be standards for the Hughs/Westview Industrial Park that would be temporary until such time as municipal utilities are extended to the area. He explained the proposed amendments would change Interim Performance Standards to Interim Uses to reflect the eventual expiration (sunset clause) of the uses instead of Conditional Uses which continue with the property. Council supported this change. Mayor Trude asked if the IUP would cover number of bushes and trees. Mr. Janish stated yes and would allow the City to put sunset clause on it.

Mr. Janish addressed the code pertaining to off-street parking which allows cars to be parked on grass with proper setback. Staff would like to clarify that people can't park on the front lawn regardless of setback.

Councilmember Holthus stated there are homes with large get-togethers where people would park on gravel. Mr. Janish stated R-1 properties can park on gravel and R-4 properties must be paved.

Council supported staff's interpretation.

OTHER BUSINESS

There was none.

ADJOURNMENT

Motion by Bukkila, Seconded by Holthus, to adjourn. Motion carried unanimously. The meeting adjourned at 6:52 p.m.

Respectfully submitted,

Shari Kunza, Recording Secretary
TimeSaver Off Site Secretarial, Inc.