

***REGULAR ANDOVER CITY COUNCIL MEETING – MARCH 16, 2021
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Sheri Bukkila, March 16, 2021, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Valerie Holthus (remote), Jamie Barthel, Ted Butler (remote), and Randy Nelson

Councilmember absent: None

Also present: City Administrator, Jim Dickinson
Community Development Director, Joe Janish
City Attorney, Scott Baumgartner
Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

No one appeared before the Council.

AGENDA APPROVAL

City Administrator Dickinson offered a correction to Item #7 on the Consent Agenda stating it should read: Receive February 2021 General Fund ***Budget Progress*** Report.

Motion by Butler, Seconded by Barthel, to approve the Agenda as amended.

Motion taken by roll call:

Councilmember Nelson - aye

Councilmember Barthel - aye

Councilmember Butler - aye

Councilmember Holthus - aye

Mayor Bukkila - aye

Motion carried unanimously.

APPROVAL OF MINUTES

February 23, 2021 Workshop Meeting and March 2, 2021 Regular Meeting

Motion by Barthel, Seconded by Nelson, to approve the February 23, 2021 Workshop Meeting and the March 2, 2021 Regular Meeting minutes as presented. Motion taken by roll call:

Councilmember Nelson - aye
Councilmember Barthel - aye
Councilmember Butler - aye
Councilmember Holthus - aye
Mayor Bukkila - aye
Motion carried unanimously.

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Approve 2021 Code Enforcement Abatement /Mowing Contract
- Item 4 Award Bid/21-17, 2021 Mill & Overlay/SE Corner of City & 21-8, 2021 Curb, Sidewalk & Ped Ramp Repairs (See Resolution R028-21)
- Item 5 Update Appointment/Coon Creek Watershed District Vacancy
- Item 6 Receive February 2021 City Investment Reports
- Item 7 Receive February 2021 General Fund Budget Progress Report

Motion by Barthel, Seconded by Butler, to approve the Consent Agenda as read. Motion taken by roll call:

Councilmember Nelson - aye
Councilmember Barthel - aye
Councilmember Butler - aye
Councilmember Holthus - aye
Mayor Bukkila - aye
Motion carried unanimously.

ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT

Commander Lenzmeier provided a monthly report for February 2021, reporting 874 calls for service which is a 25% decrease from this time last year. Commander Lenzmeier noted a correction to the written report stating calls for service through February 2020 was 2,389. He stated CSOs responded to 54 calls for service. Commander Lenzmeier noted there continues to be an increase in calls for domestic assault with 8 arrests year-to-date. Commander Lenzmeier stated deputies made 16 felony arrests, 3 gross misdemeanor arrests, 13 misdemeanor arrests, 348 traffic stops with 110 citations including 6 DWI arrests. Commander Lenzmeier highlighted several DWI and drug events that occurred in February.

Mayor Bukkila stated the drug and DWI activity is not good news and is quite concerning. She stated this time of year there is not much activity, and she is concerned about the risk posed to the public when the community is more active. She encouraged residents to be vigilant and call 911 when they see something. Commander Lenzmeier agreed and stated residents should follow their gut instinct and call when they see something suspicious.

***CONSIDER CONDITIONAL USE PERMIT - ACCESSORY DWELLING UNIT - 4815
159TH AVE. NW - MARGARET KLIBER (APPLICANT)***

The City Council is asked to consider a Conditional Use Permit (CUP) for an Accessory Dwelling Unit (ADU) at 4815 159th Avenue NW.

Community Development Director Janish stated the applicant is requesting an accessory dwelling unit on their property. He explained an ADU is a secondary home on a property that already has a home. Mr. Janish stated the ADU has restrictions such as size, placement, and appearance and the application meets City Code. Mr. Janish stated there are 13 conditions that must be met for an ADU and are listed in the resolution. Mr. Janish said the Planning and Zoning Commission held a public hearing, received no comments, and unanimously recommended approval of the CUP. Mr. Janish displayed a map of the property and showed where the ADU would be located. He stated the owners are proposing a second driveway and will live in one of the two homes. Mr. Janish noted the Planning and Zoning Commission discussion regarding the possibility of the owners renting the ADU and indicated a rental license would need to be obtained.

Councilmember Barthel asked if the property were to sell, does the new owner retain the CUP. Mr. Janish replied the CUP stays with the property and the City can revoke the CUP if the homeowner is in violation of the conditions.

Councilmember Holthus asked if the property were to sell, could the new property owner rent out the second house. Mr. Janish stated they could if they obtained a rental license.

Motion by Barthel, Seconded by Nelson, to adopt Resolution No. R029-21 approving the Conditional Use Permit request for an Accessory Dwelling Unit located at 4815 159th Avenue NW. Motion taken by roll call:

Councilmember Nelson - aye
Councilmember Barthel - aye
Councilmember Butler - aye
Councilmember Holthus - aye
Mayor Bukkila - aye
Motion carried unanimously.

***CONSIDER COMPREHENSIVE PLAN AMENDMENT - FUTURE LAND USE MAP -
CAPSTONE HOMES, LLC (APPLICANT)***

The City Council is asked to consider a request for a Comprehensive Plan Amendment for Future Land Use at 7th Avenue and Bunker Lake Boulevard and Hanson Boulevard and Bunker Lake Boulevard.

Community Development Director Janish reviewed the Council's past discussions on the properties. Mr. Janish stated the applicant cannot meet the number of units in the Urban

Residential Medium (URM) and is requesting to be zoned Urban Residential Medium Low (URML). Mr. Janish stated the City would need to allocate another property to make up for the loss of potentially affordable housing. Mr. Janish explained the City Council had a workshop to determine the best location to replace 60 units of potentially affordable housing and decided upon a property on Hanson Boulevard and Bunker Lake Boulevard that is owned by Anoka County.

Mr. Janish noted the Planning and Zoning Commission held a public hearing and received no comments. He stated the Planning and Zoning Commission discussed the County HRA, when the County property may develop, and why not the option to transfer density to the north side of 7th Avenue and Bunker Lake Boulevard. Mr. Janish explained the reason the density could not shift to the northern side of Bunker Lake Boulevard is because the market studies showed a denser development on that site was not feasible. Mr. Janish explained the process for the Comprehensive Plan Amendment, stating if approved, it will go to the Met Council for review and then back to the Council for formal adoption.

Mayor Bukkila pointed out the only alternative to this option is to offer a different product on the applicant's property. Mr. Janish replied Mayor Bukkila is correct. Mayor Bukkila stated in order to meet the Met Council's density requirement, the City would have to delay development until someone would be willing to take on the economic challenge of fitting a different product in that space.

Motion by Barthel, Seconded by Nelson, to approve Resolution No. R030-21 amending the Comprehensive Land Use Plan of the City of Andover to include the following: change the future land use designation of part of PID# 30-32-24-43-0001 from Urban Residential Medium (URM) to Urban Residential Medium Low (URML) and change the future land use designation of part of PID# 35-32-24-32-0001 from Public to Urban Residential High Low (URHL). Motion taken by roll call:

Councilmember Nelson - aye
Councilmember Barthel - aye
Councilmember Butler - aye
Councilmember Holthus - aye
Mayor Bukkila - aye
Motion carried unanimously.

CONSIDER CITY CODE AMENDMENT - CITY CODE TITLE 12, CHAPTER 12 - CITY OF ANDOVER (APPLICANT)

The City Council is asked to consider a City Code Amendment to allow daycares within legally conforming religious institutions and schools. Community Development Director Janish stated the City was contacted by an individual interested in opening a daycare center within a religious institution. Mr. Janish explained that staff researched policies in surrounding cities and the majority of them allowed for it. He stated the item was brought to a City Council Workshop for a discussion and staff placed it on the Planning and Zoning Commission agenda for a public hearing. Mr. Janish reviewed the proposed language in the

Code Amendment.

He explained religious institutions and schools fall under a different building code category and have different types of requirements than a daycare. He said applicants would need to work with an architect to make sure the building meets the requirements for a daycare center. Mr. Janish stated the Planning and Zoning Commission discussed the possibility of a daycare operating in portable classrooms and the Commission wanted to prohibit that from happening. The Planning and Zoning Commission made a recommendation for approval of the Code Amendment with restrictions not allowing them to operate in a portable classroom.

Councilmember Barthel asked if the Code Amendment gets approved, can churches have daycares in accessory structures. Mr. Janish stated the language prohibits daycares from being operated in subordinate classrooms.

Councilmember Holthus stated she has taught in portable classrooms and is in full support of the Code Amendment not allowing daycares to operate in a portable classroom.

Mayor Bukkila asked Mr. Janish to explain the Code Amendment in relation to portable classrooms. Mr. Janish stated the Code Amendment allows for daycares to operate within schools and religious institution and prohibits them from operating in a subordinate structure.

Motion by Barthel, Seconded by Butler, to adopt Ordinance 516 amending City Code Title 12: Zoning Regulations, Chapter 12: Residential Permitted Accessory, Conditional, Interim, and Prohibited Uses. Motion taken by roll call:

Councilmember Nelson - aye
Councilmember Barthel - aye
Councilmember Butler - aye
Councilmember Holthus - aye
Mayor Bukkila - aye
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 Activities) - Mr. Dickinson updated the Council on the community meetings he will be attending. He stated the City's audit is moving along. He has been spending time on project and contract closeouts. Code Enforcement is picking up and the City is receiving calls from residents. Street construction projects came in under the estimated budget. The bid opening for Tom Anderson Trail and Prairie Knoll north parking lot is on March 31st. Grace Lutheran Church is looking to sell their property on Nightingale Street and the City will need to move the community garden. City maintenance crews are working on tree trimming and potholes. The City has received 22 new home permits year-to-date. The Community Center turf is on order and will be installed the week of March 29th. Mr.

Dickinson stated the Community Center has been extremely busy with youth hockey playoffs, basketball tournaments, volleyball tournaments and high school hockey section playoff.

(COVID-19 Response) - Mr. Dickinson stated the Governor has opened more things up and the City is looking to see if Fun Fest can be held this year.

(Meeting Reminders) - Mr. Dickinson reminded the Council of the Workshop on March 23rd.

Councilmember Nelson asked if the City normally has a mill and overlay project of 10 miles. Mr. Dickinson replied 10 miles is higher than normal in order for the City to catch up on road repair. He expects the City to mill and overlay around 4 miles in 2022. He said the bids came in half a million lower than the engineer's estimate.

MAYOR/COUNCIL INPUT

(Kelsey Round Lake Park Interpretive Signs) – Councilmember Holthus stated she has an appointment at the Minnesota History Center to do research for the Kelsey Round Lake Park Interpretive signs. She was able to obtain a book about the area written in 1905.

ADJOURNMENT

Mayor Bukkila declared the meeting adjourned at 7:42 p.m.

Respectfully submitted,

Shari Kunza, Recording Secretary
TimeSaver OffSite Secretarial, Inc.

REGULAR ANDOVER CITY COUNCIL MEETING MINUTES – MARCH 16, 2021
TABLE OF CONTENTS

PLEDGE OF ALLEGIANCE..... 1
RESIDENT FORUM..... 1
AGENDA APPROVAL..... 1
APPROVAL OF MINUTES..... 1
CONSENT ITEMS..... 2
Item 2 Approve Payment of Claims..... 2
Item 3 Approve 2021 Code Enforcement Abatement/Mowing Contract..... 2
Item 4 Award Bid/21-17, 2021 Mill & Overlay/SE Corner of City & 21-8, 2021 Curb,
Sidewalk & Ped Ramp Repairs (R028-21)..... 2
Item 5 Update Appointment/Coon Creek Watershed District Vacancy..... 2
Item 6 Receive February 2021 City Investment Reports..... 2
Item 7 Receive February 2021 General Fund Budget Progress Report..... 2
ANOKA COUNTY SHERIFF’S OFFICE MONTHLY REPORT..... 2
CONSIDER CONDITIONAL USE PERMIT - ACCESSORY DWELLING UNIT - 4815 159TH
AVE. NW - MARGARET KLIBER (APPLICANT) (R029-21)..... 3
CONSIDER COMPREHENSIVE PLAN AMENDMENT - FUTURE LAND USE MAP -
CAPSTONE HOMES, LLC (APPLICANT) (R030-21)..... 3
CONSIDER CITY CODE AMENDMENT - CITY CODE TITLE 12, CHAPTER 12 - CITY OF
ANDOVER (APPLICANT) (Ord. 516)..... 4
ADMINISTRATOR’S REPORT..... 5
(Administrative Staff Activities)..... 5
(COVID-19 Response)..... 6
(Meeting Reminders)..... 6
MAYOR/COUNCIL INPUT..... 6
(Kelsey Round Lake Park Interpretive Signs)..... 6
ADJOURNMENT..... 6