

**ANDOVER CITY COUNCIL WORKSHOP MEETING – MARCH 28, 2023  
MINUTES**

The Monthly Workshop Meeting of the Andover City Council was called to order by Mayor Bukkila, March 28, 2023 at 6:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Jamie Barthel, Ted Butler, Rick Engelhardt, and Randy Nelson

Councilmembers absent: None

Also present: City Administrator, Jim Dickinson  
Community Development Director, Joe Janish  
Director of Public Works/City Engineer, David Berkowitz  
Natural Resources Technician, Kameron Kytonen  
Others

***DISCUSS LEGACY AT PETERSEN FARMS ACCESS***

The City Council is requested to receive an update from the developer on Legacy at Petersen Farms and provide informed feedback to the developer. Mr. Hellegers provided details of the proposed 3<sup>rd</sup> phase of the development.

Darren Lazan, representing the developer, was present at the meeting to review plans with the Council. He explained they could consider doing a phased plan, which would involve building 19 homes to begin with instead of 33 as originally planned, which would be called phase 3A. Phase 3B would involve building the remaining homes and adding additional access points. He asked if the Council had any specific concerns related to the plans. A few concerns that had previously been mentioned by staff were longer dead ends for fire and emergency access safety, the number of access points, and the number of homes served off 7<sup>th</sup> Avenue.

Mayor Bukkila and the Councilmembers discussed their concerns. The majority of Council had concerns about the lack of a secondary access point and the cul-de-sacs lengths of over 500 feet.

The developer shared that over the past few months they have been working on a secondary access to 170<sup>th</sup> Avenue. They will be able to make connections to the north, but at tonight's meeting they want to contemplate if that connection solves for the 33 total lots planned for in Phase 3, or if there is a different number of lots the Council would be okay with.

Mayor Bukkila asked the developer if he had the studies to show that it is feasible for them to build the road out. The developer confirmed that he did. Mayor Bukkila shared staff needs to

review that, and the developer agreed.

The developer shared more information about the traffic study that was done, showing the distribution model showing traffic patterns, traffic counts, and turning movements, and discussed it with the Council.

Hope Luedtke, 16932 Jivaro Street NW, asked if the Council is concerned with hanging on to what the average lot size is supposed to be in case the developer never gets the extra chunk of land for what would be considered Phase 3B. Jason Osberg shared the average lot size for the project as a whole is still under 2.5 acres.

Councilmember Butler challenged the Councilmembers to think about what the number of homes is that they would be comfortable with the developer building along the 7<sup>th</sup> Avenue corridor until 2027, or do they just want to put a stop to the plans for now.

Councilmember Barthel shared that for him, it's not about how many homes are added, it's about safety. Many accidents on 7<sup>th</sup> Avenue happen on the corners. If Phase 3 was coming out in a safer location, he wouldn't have a problem with it. If the first access point was on 174<sup>th</sup> Avenue, then the developer added a roundabout in 2027, he would be okay with it.

Mayor Bukkila asked what the width is for the lots being proposed. The developer shared that there is a 100-foot minimum.

At this point in the discussion, Council consensus was split. Councilmembers Barthel and Nelson were opposed to the phased plan, while Councilmembers Butler and Engelhardt were in favor.

The Council discussed other possible locations where the development could exit, and other potential numbers of lots that could go into the development.

Mayor Bukkila shared with the developer that they need his information exchanged with the engineering department to confirm that the access road can be built with surety. The developer shared he has a revised set of plans addressing comments from the first couple discussions. They would have it for Council before they would consider acting on and approving the development plans.

Mayor Bukkila shared that if that is proved out, she can agree to the 500 feet. Her concern is any manipulation of the cul-de-sacs to add lots to extend driveways to reach the cul-de-sac. She shared the lots need to be fronted lots in their permanent locations, with no later alterations to join access to the cul-de-sac. The developer indicated that's fair and he agreed.

The developer recapped he is hearing that building 33 lots with the new proposed road connection has some support, and that the phased approach involving 3A and 3B with everything approved in a preliminary plat may have approval, but they need to provide more information on the size of lots, making sure the totals stay in line. Given what he has heard, the developer will

go back in with a preliminary plat submittal to include the new road, amend the PUD to include changes to lot densities, and make a new application for both of those. The developer will plan to present the preliminary plat and PUD to Council at the same time.

Mr. Berkowitz asked when the additional geotechnical work will be done on 170<sup>th</sup> Avenue. The developer shared he will get plans into Council first, then when the snow melts, they will do some pourings and test pits. It will be done before going to Council.

### ***DISCUSS GWINN TREE ORDINANCE/PRESERVATION POLICY PROPOSAL***

Nature Preserve Commissioner Jonathan Gwinn drafted a proposal with some ideas for advocating developers to protect more trees. His proposal also outlined tree replacement and tree fund requirements for potential scenarios that meet a tree removal threshold. The City Council is requested to listen to and discuss Commissioner Gwinn's proposal.

Mr. Kytonen briefed the Council on Mr. Gwinn's proposal.

Mr. Gwinn stated Andover's vision statement and went over the details of his proposal, sharing his key takeaways. He shared details of the tree requirements for the cities of Coon Rapids, Ramsey, and Maplewood, as examples of what it could look like for the City of Andover. Andover has a current minimum of 2-4 trees per lot. In his proposal he would up it from 3-5. He would also propose 12 trees per acre to be required to be replanted. Buffer trees required in new developments would count toward the number of trees. For this proposal, if they do not accomplish requirements for tree numbers, they would need to pay \$600 per tree. He shared some scenarios of what this could look like in existing and future developments. Existing and future developments discussed were Silvercrest and B and D Estates. He shared that the tree fund could be used to fund future natural resource restoration and preservation opportunities.

Mayor Bukkila pointed out the presentation didn't cover trees that were unhealthy or had invasive species. Mr. Gwinn shared his proposal relates to trees over 6-8 inches.

Mayor Bukkila indicated the dollar amounts are shocking, and she isn't sure about putting that on a developer. She stated if he is going to attach a fee to something there needs to be a purpose. She asked what the overall percentage goal is for tree coverage in the City.

Councilmember Butler agreed with looking at the City as a whole in terms of tree coverage. He appreciated the detailed proposal. He liked the community value. Shared mayors' concerns about what seems like the punitive nature of it. He stated it seems focused on the developer, but asked if there would be a situation where a private homeowner wanted to clear some trees in their backyard, would they be subject to some fees.

Mr. Gwinn shared he had mentioned something about minimizing people trying to bypass the requirements by cutting trees down before selling to a developer.

Mayor Bukkila asked at what point he would do tree accounting on a property. For example, if

she bought land and planted 20 trees, and the next owner took down 5. She asked how you account for the transition of a property.

Councilmember Butler agreed that is a concern. He noted there might be other ways to look at it that wouldn't limit homeowners, like if they want to add a shed and need to cut down some trees.

Councilmember Butler stated in general it would be well received by the community to hold developers more accountable for quality and quantity of tree coverage they put in to replace what trees need to come down when putting in new homes. He believes there is a good direction and goal with the proposal, the details just aren't right yet.

Mayor Bukkila agreed this is brainstorming, not a finished product. She encouraged Mr. Gwinn to keep working on his proposal, but take feedback. She cautioned him to think about government being allowed a free pass for government and infrastructure but put an onus on anybody else in stakeholder realm. When you do that, it causes some pause.

Mr. Gwinn asked about the 911 Call Center being put in. He would also support that the requirements should be on government buildings as well.

Mayor Bukkila brought up the other cities allowing exceptions for adding sidewalks. Private vs. public owners shouldn't have to be held to the higher standards.

Councilmember Nelson thanked Mr. Gwinn for the work he put into his proposal. It seems to be in a developer's best interest to keep as many native plants and trees as possible.

Councilmember Barthel agreed with everything that had been said and added two minor things. Overall he loves the concept and the City should put something in showing they are concerned about trees. He would bring the fee down dramatically. He would have a different allowance for residential than he would for commercial.

Mayor Bukkila shared Mr. Gwinn is bringing a valid concern to the forefront and the research is good, and it's a good foundation for a potential strategic plan or policy development.

Mr. Kytonen shared they knew the \$600 per tree could be a shock, they could lower the fee.

Mayor Bukkila shared that no matter what the fee is, there needs to be a reason behind the fee. It must be fair and reasonable, and you need to have an overall goal for what the fee is for.

Mr. Gwinn asked if it would be more reasonable per inch. Mayor Bukkila stated that no, you need to look at the overall tree canopy goal for what you want Andover to look like, then walk it back and see how you want to get there.

Councilmember Engelhardt shared he agrees and would like to see a more of an incentive-based structure with rules and guidelines for meeting incentives. He has the same issue as the Mayor. Many trees on his lot are aging out and need to be cut down. Homeowners need to pay a lot of money to get trees cut down safely. He'd like to see more involvement in the Arbor Day Program

with more events and education about planting trees.

### ***RECESS AND RECONVENE***

Mayor Bukkila recessed the meeting at 7:35 p.m. The meeting reconvened at 7:50 p.m.

### ***DISCUSS COMMUNITY SURVEY***

The Council is requested to receive a presentation from staff about the Community Survey and to provide direction to staff on how to proceed. Mr. Dickinson shared that a community survey has not been done since 2014. They want to make sure all are able to participate. There is a group that does community engagement using an online tool. He is looking at what another city is doing with a company named Polco. The survey will likely happen in the fall.

Councilmember Butler shared they should consider including things in the survey like an initiative around protecting the City's trees.

Councilmember Nelson asked how much the survey will cost. Mr. Dickinson shared it costs around \$26,000.

It was discussed that they would like to do a broader survey than the scientific report which only gets opinions from about 400 residents.

### ***2024-2028 CIP DEVELOPMENT DISCUSSION/ 2023 CIP PROGRESS REPORT***

The Council is requested to receive a brief presentation on the staff report and provide direction to staff on Council priorities for the 2024-2028 CIP. Mr. Dickinson shared the City needs new equipment like a fire engine replacement, snowplow, and trail machines for plowing trails. There is a lead time on things, so they need to be ordered now to get them by 2024. He is seeking approval that the City can move forward with these purchases.

Mayor Bukkila asked if it is still an option to split expensive purchases in two. Mr. Dickinson shared that yes, they plan to do that for these purchases. The supply chain for specialized parts is becoming more difficult. They try to commonize parts, so they aren't in supply chain issues, keeping things as standard as possible. The fire engine is a priority to get in line for soon.

Mayor Bukkila asked if Mr. Dickinson is able to work within the budget given. Mr. Dickinson said yes but he would also look at the bond put out for purchases this year. They will work with what they have.

Councilmember Barthel asked how much he plans to put down for the purchases. Mr. Dickinson shared he will likely put \$450,000 into the fire engine chassis.

The Council and staff discussed roads, trails, and the new equipment as being priority for the CIP.

Mayor Bukkila asked about the new Unmanned Aerial Vehicle (UAV) the City would like to purchase as part of the engineering department for \$13,000. She asked why that is necessary as it seems expensive. Mr. Dickinson shared it's for mapping and inspections, it's the camera that goes along with it. It requires specialized training. Andover is on its own now for GIS, no longer working with the three cities.

Mayor Bukkila asked how long the UAV would remain operable. Mr. Dickinson shared he doesn't know.

Mayor Bukkila asked if it would be an annual expense. Mr. Dickinson said it's the upfront cost and then you need to license it.

Mayor Bukkila asked if this would be new to our system. Mr. Dickinson said it's brand new. They would want two people minimum to learn to use it at first, and probably more.

Mayor Bukkila asked about the policy in place for its use. Mr. Dickinson shared at this point it would only be used for construction-related projects. Mayor Bukkila shared that she would like to see a policy in place making sure it would be used appropriately.

Mayor Bukkila asked if these are 2023 items on the CIP. Mr. Dickinson stated everything in the plan is being looked at are for 2023, and anything in 2024-2027 can be moved around based on changing priorities and needs, especially in regard to replacing equipment.

Councilmember Nelson asked if each department brings forth proposals of what they need. Mr. Dickinson said each department is put through a vehicle purchasing committee group that reviews all requests.

### ***2024 BUDGET DEVELOPMENT GUIDELINES DISCUSSION***

The Council is requested to review and discuss the proposed Budget Development guidelines and discuss whether they are appropriate for developing the 2024 Annual Operating Budget. Mr. Dickinson shared that Andover had an overall 3.4% market value growth in the community from 2023-2024. He compared Andover's Estimated Market Values (EMVs) to other nearby cities in the County the following areas: agricultural, apartment, commercial/industrial, personal property, and residential. Many new homes and developments have been added to the City. The median home value is \$401,800, which is a 0.02% increase from 2023.

Mayor Bukkila asked Mr. Dickinson about strategic planning. Mr. Dickinson shared strategic planning hasn't happened since 2019, so they should do another session soon. Mayor Bukkila shared having a third-party present would be helpful. Mr. Dickinson agreed they are due for an outside facilitator.

The Council discussed possible times and locations for a strategic planning meeting.

Mr. Dickinson stated he will seek some facilitators and he would need a budget up to \$2,000. Mayor Bukkila and the Councilmembers agreed that price would be fair.

Mr. Dickinson explained they will be going through a salary staffing study and analyzing benefits, at the next Council Workshop meeting. They will see a budget impact with critical infrastructure analysis relating to water, sewer, and traffic lights. He shared other upcoming items including the upcoming 2024 election, sheriff contract, and fire service items. He stated it will be a challenging budget year.

### ***FEBRUARY 2023 GENERAL FUND BUDGET PROGRESS REPORT***

The Council is requested to review and receive a brief presentation on the February 2023 General Fund Budget Progress Report. Mr. Dickinson asked the Council for questions.

Mayor Bukkila stated the budget is looking good. Mr. Dickinson explained the percentages are lining up but pointed out the investment income number, which is negative instead of positive, saying some of the City's investments have lost value. They haven't lost money, and it isn't an issue unless they sell the investments, but Andover buys and holds investments collecting interest payments.

Mayor Bukkila asked about the intergovernmental revenue difference between 2022 and 2023. Mr. Dickinson explained those revenues are received from the State or County. The City brought in money for maintenance of roads and gas tax money used for maintenance and construction. Dollars went down because people were driving less in 2022 but he believes it will go up now that people are driving more again.

### ***FEBRUARY 2023 COMMUNITY CENTER UPDATE***

Mr. Dickinson shared they are on target financially and he does not have any concerns.

Mayor Bukkila asked if security has been updated. Mr. Dickinson shared they have added some to deal with after school issues. Deputies have been patrolling and managing well. They have been funding patrols using opioid money since they are dealing with drug related issues, going with zero tolerance on drugs. They lost some employees due to the after-school issues. Mr. Dickinson has been sending City Hall staff to be at the front desk at the Community Center. They are working with what they have. They think they have the right number of employees but need to train people.

Mr. Dickinson shared that things are provided the City does not get revenue on, like the track, resident passes, and community meeting rooms. He briefed the Council on who uses the community meeting rooms.

Mayor Bukkila suggested posting on Facebook for people who still need to come pick up their passes.

### ***2022 CHARITABLE GAMBLING REVIEW/DISCUSSION***

The Council is requested to receive a brief presentation from staff and discuss if the current City efforts towards regulating lawful gambling in the City of Andover are sufficient. Mr. Dickinson

shared they predicted they would go over \$30 million, and they went to \$30,616,000.

Councilmember Butler shared his concern about venues that have pull tabs, wanting to operate by themselves, which shifts more of the revenue away from the charitable gambling nonprofit and more toward the venue that is hosting it. It has started to take place more with electronic tabs and when this happens, gambling managers aren't overseeing employees who are conducting the gaming operations. Instead, venue employees are conducting the gaming operations, but they are not held accountable to the gambling manager of the nonprofit.

Mr. Dickinson shared they have a business that is pushing to get more money that way. He has asked the State what they can do, and the State is seeking answers. He believes City ordinances will need to be changed related to charitable gambling. The primary focus of electronic pull tabs has been to pay off US Bank Stadium and it is going to be paid off early, so the State might be pulling back some of the electronic pull tabs.

### ***OTHER TOPICS***

Mr. Dickinson stated he toured a new facility under construction that will have some studio apartments, 1-bedroom, and 2-bedroom units.

Councilmember Nelson suggested doing a flag raising at the Veterans Memorial for Andover Family Fun Fest because there is no Memorial Day service since the County is doing that. He asked Mr. Dickinson if that is still happening. Mr. Dickinson shared they have tasked two people to start preparing for that.

Mayor Bukkila asked for a clarification on what a flag raising involves. Mr. Dickinson shared it will be before the Fun Run on Saturday morning, raising of the flag like a ceremonial kickoff.

Councilmember Nelson asked if Mr. Dickinson had been contacted by the postal service. Mr. Dickinson shared they got new management and changed their philosophy, so they are starting from scratch again.

Councilmember Nelson asked about housing and redevelopment voting, noting the City of Andover doesn't have loans for residents, but they do in Anoka County. He suggested including email addresses for loan programs provided by the County or State in the *Andover Today* newsletter. Mr. Dickinson stated they have previously advertised that in the newsletter, but there seems to be a lack of interest or need.

Mayor Bukkila brought up tomorrow night's Anoka County Local Government Officials meeting. She shared it was nice to watch staff brainstorm at the second meeting with the Critical Infrastructure Committee. It was focused on Communications and IT, and each month they will focus on a different topic.

Councilmember Nelson asked if they are looking at critical infrastructure. Mayor Bukkila said there are 17 categories of that including lifeline sectors of communication, transportation, water,



emergency services, and government facilities.

Mayor Bukkila asked if we don't have access to our fuel pumps, what are the secondary resources. They may need to look at a joint powers agreement with other nearby cities to make sure they have a plan to cover their weaknesses.

Councilmember Nelson asked if toxic waste is transported on the railway through Andover. Mayor Bukkila and Mr. Dickinson both said yes, but there is a low risk for an accident in Andover because the top speed on the railways is 50 mph.

The Council discussed a recent uptick in terrorist-type or anti-government activities, like vehicle ramming and agitators.

Councilmember Engelhardt asked about the discussions about legalizing marijuana. Mr. Dickinson shared it's moving through the Capitol and will be legalized. There are certain items identified in terms of restrictions the State is looking at setting, like proximity.

The Council discussed the legalization of marijuana in Minnesota and potential zoning issues it could cause in the City. Mr. Dickinson stated he has been having discussions with State Representatives to advocate for workable solutions.

### ***ADJOURNMENT***

***Motion*** by Barthel, Seconded by Nelson, to adjourn. Motion carried unanimously. The meeting adjourned at 8:41 p.m.

Respectfully submitted,

Kristina Haas, Recording Secretary