

***REGULAR ANDOVER CITY COUNCIL MEETING – JULY 17, 2018
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, July 17, 2018, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

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

Councilmember absent: Valerie Holthus

Also present: City Administrator, Jim Dickinson
Community Development Director, Joe Janish
Director of Public Works/City Engineer, David Berkowitz
City Attorney, Scott Baumgartner

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

Frank Skubitz, 16648 Maniteau Boulevard NW came to the podium regarding the variance request that was going to be tabled until the August 8th City Council meeting.

Mr. Dickinson highlighted the next City Council meeting is on a Wednesday at the Anoka County Sheriff's Law Enforcement Center, in the Community Room, right off the lobby.

Mr. Skubitz asked if there would be an opportunity to show the visuals that he had prepared. Mr. Dickinson offered to scan the materials so they would be available for consideration at the August 8th City Council meeting.

Another resident asked if there would be updates on the survey at the next meeting. Mayor Trude asked staff about the proper notice. Staff indicated there will be drawings available at the time of the hearing and will review the notice. Mr. Skubitz also asked for clarification regarding the shape of the lot.

AGENDA APPROVAL

Mayor Trude indicated Item #8 on the agenda, variance request was requested to be tabled as the applicant's surveyor submitted an updated survey and would like City Staff to further review the

survey prior to the Council reviewing the variance request.

Motion by Goodrich, Seconded by Bukkila, to approve the Agenda as amended above, including the tabling of agenda #8, variance request. Motion carried unanimously.

APPROVAL OF MINUTES

June 26, 2018, Workshop Meeting: Correct as amended.

Mayor Trude asked for a correction on page 4. She was not discussing the schools being a user of those rooms, but rather the need for conversation with the schools regarding after school programs.

Motion by Goodrich, Seconded by Knight, to approve the minutes as amended. Motion carried unanimously.

July 3, 2018, Workshop Meeting: Correct as presented.

Motion by Goodrich, Seconded by Knight, to approve the minutes as presented. Motion carried on a 3-ayes, 1-present (Bukkila), 1-absent (Holthus) vote.

July 3, 2018, Regular Meeting: Correct as presented.

Motion by Knight, Seconded by Goodrich, to approve the minutes as presented. Motion carried on a 3-ayes, 1-present (Bukkila), 1-absent (Holthus) vote.

CONSENT ITEMS

Item 2 Approve Payment of Claims

Item 3 Appoint Election Judges for the Primary Election (See Resolution R047-18)

Item 4 Approve Debt Service Payments

Motion by Bukkila, Seconded by Goodrich, to approve the Consent Agenda as read. Motion carried on a 4-ayes, 1-absent (Holthus) vote.

ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT

Derek Schultte gave the monthly Sheriff's report. He highlighted a significant fraud case where the criminal was apprehended. He cited community involvement as key to success in the case.

PUBLIC HEARING – VACATION OF DRAINAGE AND UTILITY EASEMENT – 851 138TH AVENUE NW

Mr. Janish stated the plat for Hills of Bunker Lake 5th addition was approved in May 1994. As

part of the plat, Outlot A was considered buildable; however, the buildable area was small with most of the lot covered by a drainage and utility easement. In 1996, the outlot was purchased, along with the lot to the north, by Mr. Swalchick's grandparents. After the passing of the grandparents, Mr. Swalchick purchased the home and outlot. Recently, Mr. Swalchick sold the home and would like to sell the outlot, as well. To make the property more marketable, Mr. Swalchick worked with City Engineering staff and the Coon Creek Watershed District to increase the buildable area by confining the area needed for the drainage and utility easement. The buildable area will increase from 50 feet wide to approximately 65 feet wide. The site and grading work has been completed. Engineering staff approved the final grading of the lot and supports the vacation of the drainage and utility easement with the rededication of a drainage and utility easement encompassing the drainage area.

An email was received from a resident that was acknowledged by Mr. Janish.

Mr. Berkowitz explained the lot was identified as no longer being considered a wetland. There is a need to ensure that it does not impact the neighborhood drainage.

Mayor Trude noted there are low spots in the neighborhood and there was a lot across the street that was not allowed to be split. Mr. Berkowitz confirmed it had been reviewed for a 100-year flood.

Councilmember Goodrich asked about the acreage. Mr. Berkowitz noted the lot was 159 x 149 or .43 acres according to the County website. Councilmember Bukkila asked about the grading.

Mayor Trude asked where the driveway would be and how a resident could safely back out on the curve. Mr. Berkowitz stated the driveway would not be in the center of the curve and the home would face south. Mr. Berkowitz confirmed it is a small lot, but it can meet the City requirements and staff feels that this is a buildable lot.

Motion by Goodrich, Seconded by Bukkila, to open the public hearing at 7:31 p.m. Motion carried unanimously.

Katie Meister, 13811 Palm Street highlighted the outlots in the neighborhood and said it was the same conversation regarding her outlots except she was denied. She expressed concerns about traffic patterns and placement of the driveway for the new lot, noting that light posts have been “taken out” twice and there have been cars in her yard that have lost control on the curve. Her concern is that it is going to get worse and the curve is very icy when the water pools and freezes. She expressed the proposed lot size/house did not fit the aesthetics of the neighborhood and she is concerned about the resale value, look and feel of the neighborhood. She noted her proposal was different in size than the proposal before the Council this evening.

Dan Schultz, 838–138th Avenue expressed concern about the run-off and how it might change, as it goes through his back yard. He stated it was supposed to have gone to a retention pond, but it still pools in his yard.

Mayor Trude repeated a question from the audience regarding wanting to know how the work was done in the last year without the vacation of easement happening first.

Craig Swalchick, 851–138th Avenue stated the bottom of the basin has never really had standing water in it. He wants proper engineering to make sure none of the neighborhood is impacted. He confirmed he had to show a grading plan and it had to be graded before he could sell the lot. Trees had to be cut down in order to grade the property. The setback is 18 feet and the property is already sold, contingent on the decision at the Council meeting. He had been trying to sell the lot and the buildability constraints forced his hand.

Margaret Lantta, 13829 Palm Street asked how big of a house could be built on the lot.

Mr. Swalchick responded a tri-level split would likely be built of approximately 2,400 square feet. The area to build the home is 48x50 feet. The home would have a 3-car garage. It will meet the City Code and be designed to be similar in style to the rest of the neighborhood.

Councilmember Knight noted the unusual shape of the lot.

Mr. Berkowitz noted the lot across the street could not be built on because the Coon Creek Watershed still needed the land to accommodate drainage.

Mayor Trude stated there are no restrictions on the look and how it fits. Mr. Janish commented the lot is actually bigger than others in the neighborhood.

Mr. Berkowitz confirmed that curve signage would be posted due to the inherent dangers of the road. The storm water drainage has been addressed. He reemphasized the drainage basin proposed meets all of the requirements.

Mayor Trude asked who takes care of the swale. Mr. Berkowitz confirmed residents do not need to mow the swale as it is in the easement. If it is dry, the resident can mow it and use as usable space, although structures cannot be built in the easement area.

Mr. Schultz asked about sod in the drainage basin. Mr. Berkowitz stated the owner cannot sod the bottom of the basin and that infiltration needs to be part of the basin design. He explained how infiltration works. Mr. Berkowitz indicated there might be cattails in the swale. This would be a storm water pond. Mr. Schultz asked if there are any deadlines on how long it would take to build the home once it starts. Mr. Berkowitz confirmed you have to show continual activity once the permit is pulled. Mr. Dickinson noted the boulevard needs to be maintained at all times and ultimately to sell the home it will need to be inspected, including the grading. Mayor Trude encouraged residents to contact the City if there are wetland violations.

Mr. Swalchick indicated there were trees growing in the low spot and the builder has to maintain the ability of the drainage basin to function. He said he has not seen standing water for many

years on the lot. The silt fence was removed because of resident concerns expressed to the City. He is ready to move forward and apologized that the grading took so long.

Keith Lantta, 13829 Palm Street noted the house would not have much of a back yard. Mayor Trude acknowledged the concern.

Mr. Berkowitz stated there could not be any fencing in the right-of-way or the drainage easement now or in the future.

Motion by Knight, Seconded by Goodrich, to close the public hearing at 8:11 p.m. Motion carried unanimously.

Mayor Trude stated there is not a legal reason we the Council can say no to the request. Therefore, she supported a motion to approve.

Councilmember Goodrich said a lot of good issues had been raised. The issues have been addressed and the lot meets the legal requirements.

Motion by Bukkila, Seconded by Goodrich, to approve Resolution No. R048-18 granting the vacation of drainage and utility easement legally described as Outlot A, Hills of Bunker Lake 5th Addition. Motion carried unanimously.

ACCEPT DEDICATION OF DRAINAGE AND UTILITY EASEMENT – 851 138TH AVENUE NW

As part of the vacation of drainage and utility easement for the property located at 851-138th Avenue NW, an easement is required to be dedicated encompassing the storm water ponding to allow the City maintenance access.

Mayor Trude expressed concern about the appearance of the lot. Staff will work with the builder and go through the details.

Councilmember Goodrich noted in some places rainwater gardens are considered to be attractive. Mr. Dickinson said he did not have much concern because it would be built in line with City Code.

Mr. Baumgartner noted the quit claim deed needed to be approved as that dedicates the new drainage easement. He pointed out this wording needs to be included in the quit claim deed to be consistent.

Motion by Goodrich, Seconded by Bukkila, to approve the quit claim deed as described by the City Attorney and the dedication of drainage and utility easement of 851–138th Avenue NW. Motion carried unanimously.

VARIANCE REQUEST – 167TH AVENUE NW/MANITEAU BLVD. NW – RICHARD LEHN

This item was tabled, at the request of the applicant. The applicant has provided an extension to the review process.

CONSIDER CITY CODE AMENDMENTS TO TITLE 12, ACCESSORY STRUCTURES, USES AND TEMPORARY STRUCTURES

Mr. Janish highlighted the changes in the City Code that were being proposed.

Some highlights of the draft ordinance are: rewritten for ease of understanding; shipping and storage container language added to temporary structures; architecturally compatible language is included; language related to architectural standards for lots " less than 2.5 acres" vs. " less than 3 acres" has been modified, this change allows for vertical steel siding on lots 2.5 acres or greater vs. the current 3 acres or greater.

Mayor Trude noted page 2 of the draft talked about the construction requirements, specifically no front yard garages. She was also concerned about front yard garages and accessory structures as it makes sense in the rural areas.

Mr. Dickinson confirmed the front yard setback would be 60 feet for a 1-acre lot for an accessory structure.

Mayor Trude stated the Council would need to trust that staff has gone through the document with a fine-tooth comb.

Motion by Goodrich, Seconded by Knight, to approve Ordinance 483. City Code amendments to Title 12, Accessory Structures, Uses and Temporary Structures. Motion carried unanimously.

Motion by Goodrich, Seconded by Knight, to approve Ordinance 483 Summary providing for the publication of City Code amendments to Title 12, Accessory Structures, Uses and Temporary Structures. Motion carried unanimously.

CONSIDER AWARDING BID/17-17, CROSSTOWN BLVD. NW TRAIL (BUNKER LAKE BLVD. NW TO 140TH AVE. NW) & 18-26, FIRE STATION #1 PARKING LOT RECONSTRUCTION

Mr. Berkowitz explained the Crosstown Boulevard NW Trail will extend from Bunker Lake Boulevard NW to 140th Avenue NW. A boardwalk will be constructed across the wetland north of Bunker Lake Boulevard NW but will be bid as a separate project later this summer. The Fire Station #1 Parking Lot Reconstruction will include removal and replacement of deteriorated concrete curb and gutter segments, replacement of the existing bituminous parking lot, expansion of concrete pads into the Fire Station used for parking trucks and training, fixing issues with the sidewalks and pedestrian curb ramps leading into the building, and pond construction for storm

water cleaning. These projects are identified in the City's 2018-2022 Capital Improvement Plan (CIP) for 2018.

Mr. Berkowitz noted contractors will sometimes give a better price if a customer is willing to wait until the fall.

Motion by Bukkila, Seconded by Knight, to approve Resolution No. R049-18 to award the bid for 17-17, Crosstown Boulevard NW Trail (Bunker Lake Blvd. NW to 140th Avenue NW) & 18-26, Fire Station #1 Parking Lot Reconstruction. Motion carried unanimously.

SCHEDULE AUGUST EDA MEETING

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

The Council discussed the draft agenda and available dates.

Motion by Bukkila, Seconded by Knight, to schedule an August EDA Meeting on August 21, 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.

(City Administrator) Mr. Dickinson provided a tour of the Community Center to the City of Crystal. There was much preparation in anticipation of the Andover Family Fun Fest. He expressed thanks to the City staff and volunteers of the Fun Fest Committee. In other efforts, Mr. Dickinson is involved in policy creation for Metro Cities including work on the taxation committee and Metro Governance Committee. In addition, work is happening on budget creation for 2019 and the Capital Improvement Plan. These tasks take many staff working together. Permits have been granted for 40 new homes so far this year. There was a ground breaking for new classrooms at Andover High School. Walmart is remodeling space out front to include a FedEx store. The McDonalds at Clocktower Commons is being remodeled.

(Community Development Director) Mr. Janish indicated the Community Resource Guide was being updated. Meetings are being held with residential and commercial developers. Commercial site plans are being worked through. Meetings are also happening with individual residents on smaller projects.

Councilmember Knight asked about the 7th Avenue project.

(Public Works/City Engineer) Mr. Berkowitz indicated 2 grants were applied for, for Kelsey Round Lake Park. They were received in the amount of \$77,000 and are 50% grants. The area referred to is currently being used as a nature trail and has been mowed up until this time. There

is an existing trail system to tie in to. The other trail is the Andover Station North trail. That trail cost is \$117,000 and will go around the landfill and tie in to an existing trail. It will connect by the playground from around the landfill. It will be a 10-foot-wide trail as required by the grant. Mayor Trude stated it will be nice to have a loop for high school students to use for running.

As for 7th Avenue, Mr. Berkowitz stated it is a reclaimed overlay program. It will go down to gravel.

The other update is that Crosstown Boulevard is closed until the end of August, when school is back in session.

MAYOR/COUNCIL INPUT

(Public Works/Community Center) Mayor Trude praised staff and community members for the work to make the Fun Fest event a success. There is excitement about expansion of the Community Center. Features under discussion include: a multipurpose area, walking track on the second level, fitness space, and flex fitness space. Firm costs are not yet known, once plans are designed, more will be known. The project is looking to add meeting rooms, more storage and staff rooms, and more senior/teen space. Additional gym space has been discussed, but there may not be enough support. In the future, there will be an opportunity to evaluate costs proposals. The YMCA has been meeting separately with the planners. More childcare space is needed and they would like to refresh the building and meeting space. There are a lot of amenities available at the YMCA, even if you are not a Y member. Residents can review minutes of meetings where this topic has been discussed. As for the potential tax increase, a home valued at \$250,000 - \$300,000 would have an increase of about \$100/year in taxes. More will be known in August when the cost estimates are available. Residents can call City Hall with any questions

Councilmember Knight commented after the new space is built at the high school, there will be space for 400 new students, and expanded lunchroom, field house, and classroom space.

Councilmember Bukkila noted information was presented to the Council from the Finance Department [regarding the funding].

Mr. Dickinson indicated a spreadsheet based on projected bond issuances had been posted on social media was part of an original council packet regarding a potential expansion project. Meeting minutes can be reviewed to obtain additional details. Early estimates are projecting a cost of \$5M-\$20M.

Mayor Trude indicated there has been some misunderstanding in the community regarding cost estimates. Mr. Dickinson responded final cost estimates are still being worked on.

Mayor Trude indicated additional information will be shared in the newsletter.

ADJOURNMENT

Motion by Bukkila, Seconded by Knight, to adjourn. Motion carried unanimously. The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

REGULAR ANDOVER CITY COUNCIL MEETING MINUTES – JULY 17, 2018
TABLE OF CONTENTS

PLEDGE OF ALLEGIANCE.....	1
RESIDENT FORUM.....	1
AGENDA APPROVAL.....	1
APPROVAL OF MINUTES.....	2
CONSENT ITEMS.....	2
Item 2 Approve Payment of Claims.....	2
Item 3 Appoint Election Judges for the Primary Election (R047-18).....	2
Item 4 Approve Debt Service Payments.....	2
ANOKA COUNTY SHERIFF’S OFFICE MONTHLY REPORT.....	2
PUBLIC HEARING – VACATION OF DRAINAGE AND UTILITY EASEMENT – 851 138 TH AVENUE NW (R048-18).....	2
ACCEPT DEDICATION OF DRAINAGE AND UTILITY EASEMENT – 851 138 TH AVENUE NW.....	5
VARIANCE REQUEST – 167 TH AVENUE NW/MANITEAU BLVD. NW – RICHARD LEHN Tabled.....	5
CONSIDER CITY CODE AMENDMENTS TO TITLE 12, ACCESSORY STRUCTURES, USES AND TEMPORARY STRUCTURES (Ord. 483).....	6
CONSIDER AWARDDING BID/17-17, CROSSTOWN BLVD. NW TRAIL (BUNKER LAKE BLVD. NW TO 140 TH AVE. NW) & 18-26, FIRE STATION #1 PARKING LOT RECONSTRUCTION (R049-18).....	6
SCHEDULE AUGUST EDA MEETING.....	7
ADMINISTRATOR’S REPORT.....	7
(City Administrator).....	7
(Community Development Director).....	7
(Public Works/City Engineer).....	7
MAYOR/COUNCIL INPUT.....	8
(Public Works/Community Center).....	8
ADJOURNMENT.....	8