

***REGULAR ANDOVER CITY COUNCIL MEETING – SEPTEMBER 4, 2018  
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, September 4, 2018, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

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

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***

***PROCLAMATION – CONSTITUTION WEEK***

Mayor Trude read the proclamation in recognition of the 231<sup>st</sup> anniversary of the drafting of the Constitution of the United States of America.

***RESIDENT FORUM***

No one wished to address the Council.

***AGENDA APPROVAL***

***Motion*** by Holthus, Seconded by Bukkila, to approve the Agenda as presented above. Motion carried unanimously.

***APPROVAL OF MINUTES***

*August 21, 2018, Regular Meeting:* Correct as written.

***Motion*** by Knight, Seconded by Bukkila, to approve the minutes as presented. Motion carried unanimously.

**CONSENT ITEMS**

Item 2 Approve Payment of Claims

Item 3 Approve JPA/Anoka-Hennepin School District #11/Sunshine Park West Parking Lot & Eveland Fields Parking Lot

Item 4 Approve Contract for School Liaison/Anoka-Hennepin School District #11

**Motion** by Knight, Seconded by Holthus, approval of the Consent Agenda as read. Motion carried unanimously.

**CONSIDER RESOLUTION AMENDING RES. NO. R017-18 TO AMEND CONDITIONS FOR APPROVAL – SHAW’S GLEN SECOND ADDITION**

Mr. Dickinson explained the City Council was being asked to amend resolution R017-18 to update the conditions for approval for Shaw's Glen Second Addition Preliminary Plat, originally approved by the City Council on April 20, 2018.

After further evaluation by the current property owner (after the proposing developer decided to not pursue completion of the development), and meeting with City Administration, Robert & Shelley Almeida are seeking to modify condition #3 of resolution R017-18 related to the removal of the existing home, in an effort to complete the development. Amending resolution R017-18 would allow the current home to remain until September 4, 2021; and removal could happen sooner if the lots sell quickly. The Almeidas agree with all other aspects of the development as approved by the City Council, but desire to remain in their existing home while the development is being completed (new conditions #3 & #4 of the amending resolution address the new timing requirements). As a security for the City to assure removal of the home, the Almeidas will enter into an abatement and assessment agreement (new condition #7). Staff also updated condition #2 as additional engineering review has been completed. The action the City Council was asked to consider would amend the original proposed resolution R017-18 as it relates to the timing of the removal of the existing home within the proposed development.

Mr. Dickinson stated Jethro Carpenter Homes decided it was not feasible to move forward with the conditions of approval. The Almeidas feel they can sell 2-3 lots and then remove the home. City staff is recommending removal of the pole barn as part of the final plat. The center lots will not be able to be developed until the existing home and detached garage are removed. With this change to amend the removal condition, the development can move forward yet this fall with grading. If the developer would walk away, the City through the abatement and assessment agreement would be able to remove the buildings and then charge the cost back when the property is sold. The only way for the Almeidas to get out of the situation is to sell some lots.

Mayor Trude clarified the final plat was approved previously, but a change in the timeline/teardown of the structures is being brought forward now. One structure has to come down right away and the other will be torn down when lots 3 and 4 are sold or developed.

**Motion** by Bukkila, Seconded by Goodrich, to approve Resolution No. R054-18, amending conditions for approval of Shaw's Glen Second Addition. Motion carried unanimously.

***CONSIDER RESOLUTION AMENDING RES. NO. 124-07 TO AMEND ASSESSMENT TERMS FOR PROJECT 07-41 – ALMEIDA PROPERTY – 1950 157<sup>TH</sup> LANE NW***

Mr. Dickinson explained as part of the Woodland Crossing, Cardinal Ridge and Shaw's Glen Developments they had public improvement assessments in 2007. Some neighboring properties, that did not petition for the improvements, and were not a part of the initial development, but had the potential for future urban development, were also assessed. Those neighboring properties' assessments were allowed to be deferred with specific terms until 2017. One of the property owners (Robert and Shelley Almeida), with an assessment, presented a specific request to modify the terms of the assessment.

The Almeidas wrote a letter asking the Council to consider modifying the terms of the current assessment by deferring the assessment, with no interest until the property is sold. Staff is recommending the property be deferred with no interest until the following:

1. Upon the sale of PIN 15- 32- 24-43- 0075, the assessment shall be immediately due and paid in full, or
2. Upon the platting of the parcel into five lots by the Shaw' s Glen Second Addition plat, the assessment shall be divided equally amongst the four vacant lots and be immediately due and paid in full upon the sale of each lot, or
3. September 4, 2021.

The Almeida' s request is similar to what has been requested by other developers and property owners in the community either facing an assessment or struggling to be able to pay their current assessment.

The City Council is asked to approve the attached resolution amending the original resolution. A deferral was put in place of 10 years and then the assessments would come due. The request is that it be deferred until September 4, 2021. The family plans to pay it off as the lots are sold. There are 4 lot assessments left to pay. If they do not do the development, as it exists now, then the assessments would become due and payments continue per the assessment schedule. All of the conditions are put into place so the City will be made whole and the change gives the family 3 years to meet the requirements, without making the large assessment payment.

One clarification was requested, upon platting of the parcel, is the assessment to be divided equally among the lots or would there be a portion assigned to individual lots. Mr. Dickinson replied it would be assigned to the individual lots.

**Motion** by Holthus, Seconded by Goodrich, to approve Resolution No. R088-18, adopting an amended assessment for project 07-41, 1950 157<sup>th</sup> Lane NW. Motion carried unanimously.

### ***SCHEDULE SEPTEMBER WORKSHOP***

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

The Council discussed the draft agenda and available dates.

***Motion*** by Goodrich, Seconded by Holthus, to schedule a Council Workshop meeting on September 25, 2018, at 5:00 p.m. Motion carried unanimously. The agendas are posted in advance. The public is welcome to join the bus tour.

### ***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.

***(Mr. Dickinson)*** Mr. Dickinson attended a density task force meeting for Metro Cities. One helpful thing was the interpretation of plat monitoring requirements and the Thrive 2040 plan. He received clarification how the calculations are computed and implemented. This information will be helpful to the City of Andover in meeting housing goals. Some stormwater ponds are part of people's properties. Mr. Dickinson learned that publicly held ponds can be held out of the computation for the 3 units/per acre test. Andover is more dense than previously reported because homeowners have ponds as part of their property. Mr. Dickinson participated in a QCTV News & Views interview. There have been City Campus Master plan design meetings, including the Community Center and the Public Works facility. Developers are also still working with City staff on commercial and residential development.

***(Mr. Berkowitz)*** Mr. Berkowitz confirmed Crosstown Boulevard opened on August 31<sup>st</sup>. There has been a lot of activity the last two weeks. Trail project bids are going out for a related boardwalk. By allowing more time for a contractor to do the work, they are hoping they can keep the price lower. In cul-de-sacs it was noted that sealcoating loses more due to waste trucks. The goal is to use oil with rocks on top, rolling it, and then another coat of oil on top. They had good results last year. Residents need to stay off the sealcoated area for 24 hours. On the upcoming bus tour, City Councilmembers will be able to look at a few of those cul-de-sacs.

***(Anoka County Sheriff's Office)*** Mr. Dickinson announced there would be an open house from 4:00-7:00 p.m. on September 13, 2018. There will be food trucks. It was noticed that local businesses did well on alcohol compliance tests.

### ***MAYOR/COUNCIL INPUT***

***(Candidates)*** Mayor Trude announced there would be a forum for meeting candidates the next day, including the House of Representatives for 3 different districts at 7:00 p.m. on September 5, 2018. On September 22, 2018 there will also be the Andover Fire Department's open house at

the Community Center. Check the Facebook page for details.

***(Neighborhood Safety)*** Councilmember Bukkila noted with kids going back to school, residents need to drive safely and be vigilant about safety in their own neighborhood. If something suspicious happens, call 911 and give a good description. Criminals are looking for opportunities.

***ADJOURNMENT***

***Motion*** by Holthus, Seconded by Bukkila, to adjourn. Motion carried unanimously. The meeting adjourned at 7:33 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

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