

**ANDOVER CITY COUNCIL WORKSHOP MEETING – OCTOBER 27, 2020
MINUTES**

The Workshop Meeting of the Andover City Council was called to order by Mayor Julie Trude, October 27, 2020 at 6:04 p.m., at the Andover City Hall, 1685 Crosstown Blvd NW, Andover, Minnesota.

Councilmembers present: Sheri Bukkila, Valerie Holthus, Jamie Barthel (remote), and Ted Butler

Councilmember absent: None

Also present: City Administrator, Jim Dickinson
City Engineer/Public Works Director, David Berkowitz
Community Development Director, Joe Janish
Associate Planner, Jake Griffiths
Assistant Public Works Director, Todd Haas
Building Inspector, Joe Heidelbergger
Others

DISCUSS PARK AND RECREATION COMMISSION ITEMS

a) Update of Prairie Knoll Park Proposed Lighting Plan, Cont./20-18

Mr. Hass explained this item was discussed at the September 22, 2020 Council Workshop and staff was directed to contact the neighbors who live adjacent to Prairie Knoll Park North and parking lot to get their thoughts on lighting the north parking lot. He presented feedback from the neighbors, noting the Heilmanns are open to lighting the parking lot as long as there is a security light close to the west boundary; the Linehans would like to the Traditionare-style security lights with one towards the west end, one in the middle near the trail entrance, and one light near the east end of the parking lot; and the Brennys prefer five Traditionare-style security lights as was proposed to the Council in September.

Mr. Haas referenced the lighting plan that was presented at the September Council Workshop, light location plan from Connexus Energy, and cost estimate for four Traditionare-style security lights at \$13,300 and Shoebox-style lights at \$18,212. Mr. Haas noted the existing light where the trail meets the north parking lot is deteriorating and recommended to be replaced with a Connexus Energy owned light.

Mayor Trude asked what lighting would be adequate to make it safe for the people parking in the lot.

Mr. Haas stated they are fortunate to get power from the north side of the road. He noted additional lights could still be added in the future if the Council chooses to go with five lights at this time and then to the north side if the lighting isn't adequate.

The Council discussed the possibility of using a meter to shut off the lights in the winter months when the lot is not plowed. Staff replied that would not provide a cost savings under the current contract.

Mr. Dickinson confirmed the consensus of the Council was the four lights including replacing the existing pole near the trail that needs to be replaced, for a total of five lights in the Traditionare-style and with the ability to shut them off in the winter.

b) Discuss Proposed Improvements to Sunshine Park Bike/Youth Trail

Mr. Haas explained this summer, the Park and Recreation Commission considered requests and interest from youth for a bike/youth trail and thought the best option for this type of trail was Sunshine Park near Municipal Well Pumphouse #6. The Park and Recreation Commission held a neighborhood public informational meeting in early October and staff met on site with the Gaikowski family, the property owner who lives on the west side of where the trail would be constructed. Based on the trail location, the Gaikowskis are on board with the City moving forward with the bike/youth trail.

Mr. Haas presented the pros and cons for the Sunshine Park location as detailed in his staff report. He explained if approved by the Council, brush and tree removal will occur over the winter months followed by grading in the spring. The bike/youth trail will be designated as a one-way trail and signed as such with a separate sign identifying the rules as recommended by the League of MN Cities Insurance Trust. Mr. Haas stated the cost of the project, if approved, will be funded from the \$15,000 that is allocated every year for miscellaneous items since the project is not identified in the Capital Improvement Plan (CIP).

Mr. Berkowitz provided details on vandalism that has occurred near well number six. He stated security measures will be added to that area based on past activity.

Councilmember Holthus asked the cost for the cameras and fencing.

Mr. Berkowitz replied the cameras and fencing would come from the Water Fund. He stated the cost for the bike trail would be tree removal and estimated \$5,000 to \$10,000.

Mr. Haas noted there would be signage as required by the League of Minnesota Cities Insurance Trust.

Mayor Trude stated she agrees with extending the no parking area as requested by the residents.

Councilmember Bukkila confirmed agreement and it was the consensus of the Council to direct staff to prepare that resolution rather than requiring the residents to submit a petition.

Mr. Dickinson stated staff could reach out to the resident to alert them to the section that the Council will approve as no parking and if their desire is to request additional area, that would need to come through a petition of the neighborhood.

Mr. Berkowitz commented on the normal petition process, which gives residents the opportunity to voice their opinions. It was the consensus of the Council to allow the normal process to be followed through petition.

Councilmember Butler commented his one concern would be that this is not in a visible area. He also noted perhaps this bike trail could bring more people into the area which may drive out some of that less desirable activity.

Councilmember Holthus commented there has been a history of less desirable activity in this area, so that was her concern as well. She stated there was support from the neighbors.

Councilmember Bukkila stated this is a chance to improve the situation and if problems arise, they can shut it down and try to find an alternate.

It was the consensus of the Council to direct staff to move forward with brush and tree removal at Sunshine Park over the winter months followed by grading in the spring.

The Council and staff discussed the possibility of adding light along the Crosstown Boulevard corridor. It was determined that a cost estimate would be determined in 2021 to light from Nightingale Street to Andover Boulevard or to South Coon Creek Drive on existing poles.

COMPREHENSIVE PLAN UPDATE DISCUSSION

Mr. Janish provided an informational update relating to the 2018 Comprehensive Plan, noting staff has been working with Metropolitan Council staff and received a letter on October 9, 2020 confirming the updated Plan was found complete and it will be reviewed by the full Metropolitan Council at their December 9, 2020 meeting. It is anticipated to be before the City Council on December 15, 2020.

CITY CODE DISCUSSION ITEMS

- Septic System Size Requirements Discussion

Mr. Griffiths presented septic system size requirements that plats identify two drainfield sites, the results of staff's research of septic permits since 2018, and recommended draft amendment language to reduce the existing City Code requirement and amend the City Code to require an area totaling 5,000sf for the primary and secondary septic systems combined. Additional details were

provided on the different elements of a septic system and methods that can be used should a part of the system fail by Mr. Heidelberger.

There were no objections to that change.

- Property Maintenance/Rental Licensing Updates Discussion

Mr. Griffiths presented staff recommended revisions to the City's property maintenance rental licensing code to address issues of consistency and clarity related to application process, application materials, fees, and inspection processes.

Mayor Trude stated the City has been fortunate that there have not been issues with rentals and therefore not all of the tools have had to be used. She noted that rentals could increase in the future and she would want a better explanation on why the provisional license tool should be removed.

Councilmember Butler commented he would not have a problem removing that provisional license tool, as that property is already having issues at that time and can work with staff or the license can be revoked.

Mr. Griffiths agreed that staff attempts to work with the property owner and only brings issues forward to the Council when a roadblock has been hit. He commented the provisional license tool has never been used to date. He provided additional details on the rental license process.

Councilmember Holthus asked what process would be followed if the provisional license tool is removed.

Mr. Griffiths provided additional details on the process staff currently follows and the options the Council would have if the case went forward to the Council.

Councilmember Holthus stated she would agree with eliminating this tool as it seems that there are other procedures in place.

Councilmember Bukkila stated she would like to ensure that the City is consistent with the process required by the courts for eviction, in order to assist landlords.

Mr. Griffiths used the example of the last abatement hearing the Council held earlier in the year in which the rental license was not suspended because the problems were caused by the tenant.

Councilmember Bukkila stated the point of the rental license was to keep the contact information on hand for the property owner in the case that a situation arises.

Councilmember Barthel stated he would not be interested in anything that drags the process out further and will support the method recommended by staff.

Mr. Griffiths provided details on the recommendation to create a sober house license. He noted there have not been issues in Andover, but the City Attorney recommends the creation based on his experience in other communities. He also provided details on the recommendation to require the crime free lease addendum.

It was noted staff is working with the City Attorney to finalize draft amendment language and will bring this item back to the City Council for a more formal review at a future work session.

Mayor Trude commented she was the only person hesitant about eliminating the provisional license and noted she will follow up with the City Attorney to ensure that she feels confident in the change in order to attempt to provide support for the change.

- Snow Fencing vs. Garden Fencing Discussion

Mr. Griffiths provided an update on the work of Code Enforcement to resolve Code violations at a resident's property relating to a large amount of snow fencing on the property. The property owner has indicated this is garden fencing since it encloses gardens on the property; however, the Andover Review Committee (ARC) determined that for the purposes of City Code, the fencing in question is snow fencing. The property owner has requested further review by the City Council so staff is seeking direction.

It was the consensus of the Council that the fencing in question is snow fencing as defined by City Code. Staff will allow the property owner to keep the fencing this year, but it will need to be removed by April 15, 2021 in accordance with City Code.

- Rear Yard Parking Discussion

Mr. Griffiths referenced an e-mail received from a resident expressing concern with the Code allowance to park up to two vehicles in the rear yard of residential properties if under 20 feet in length and parked at least 10 feet from the property line. It was noted this has been allowed since its adoption as a Grow Township Ordinance in 1970 and was included in the City Code upon incorporation of the City of Andover in 1974. He stated staff has observed many properties that currently park vehicles in the rear yard in compliance with Code so any revision would be a major change in property maintenance standards for residents.

Councilmembers Bukkila and Holthus stated they do not desire to make any changes to the regulation.

Councilmember Butler stated he would be interested in reviewing the regulations.

Councilmember Bukkila commented this is an incident of someone moving into Andover without doing their homework and then complaining about an allowed activity.

Councilmember Butler suggested revising the Code for more urban areas of Andover. He agreed there is not an urgency but should be placed on the list for discussion and public input.

Mr. Griffiths commented there are a lot of properties in all areas of the City that park in backyards and estimated perhaps five or six complaint calls per year.

Mr. Dickinson commented if the change were made to allow zero vehicles parked in the backyard, that would cause a lot of violations.

Councilmember Butler asked what other communities allow.

Mr. Griffiths commented the regulations vary across the board, with no regulation to a detailed chart of the size and surfacing for what parking is allowed on.

Councilmember Bukkila stated ATVs and snowmobiles are considered vehicles and there will be pushback if the regulation is changed.

Mr. Griffiths commented if the backyard parking is not allowed, the only place people could park vehicles would be on the driveway or in the garage. He stated that backyard parking is a tool for some code enforcement cases.

Councilmember Butler stated he would simply like to have additional discussion on the topic and move slowly.

Councilmember Barthel stated that he would agree to review the ordinance. He stated people are not allowed to park on the grass in the front yard and was unsure why people would be allowed to park on grass in the backyard. He stated he would also like to discuss how changes could be made to ensure that staff is not encumbered with issuing tickets. He commented that he perhaps would be okay with a boat being parked in the back but would not want to see junk vehicles parked in backyards. He stated he would also be okay with seasonal recreational vehicles being allowed to park in the backyard as well.

It was the consensus of the Council to not make any changes to the regulation at this time but to continue discussions on the topic when the Council discusses goals in the spring.

OTHER

Mr. Dickinson provided an update on a recent positive COVID test within the City and exposure. He provided an update on how the department will respond, along with the timeline of when individuals can return to work.

2021 BUDGET DEVELOPMENT PROGRESS REPORT

Mr. Dickinson reviewed the 2021 general fund budget process, noting that on September 15, 2020, the Council adopted a preliminary 2021 property tax levy and general fund budget proposing a total property tax levy of \$14,946,945: \$9,671,493 operational levies, \$3,166.875 debt service levy, and

\$2,263,577 capital/watershed levy. The 2021 proposed property tax levy is estimated to increase the current tax rate by 0.01% and when applied to the City’s growing taxable market values, will generate an additional tax revenue to preserve the City’s current operations, infrastructure assets, City Campus construction projects, and corresponding operations. It will reflect a 3.23% increase in a gross tax levy.

Mr. Dickinson also provided an update on the election process and early voting process.

Mayor Trude referenced the potential wage increases for staff and it was noted that the union contract will increase by three percent. It was noted that the typical process has been to match the union contract increase for the non-union employees.

Councilmember Butler stated he would like to revisit that approach in the future and provide increases on a case by case basis.

Councilmember Bukkila commented when the union contract was accepted, she confirmed consensus with that same increase for non-union employees.

Councilmember Barthel agreed with the three percent, noting that the non-union employees are expecting that. He agreed that he would be willing to revisit the topic in the future to discuss the wage adjustment process as a whole.

Mr. Dickinson provided an update on employee health insurance costs, noting that the proposed increase came in higher than anticipated but the current provider has agreed to match another quote received. He stated with a rebate that will be received in December, the anticipated increase will be in line with the estimated placeholder in the budget.

Mayor Trude asked if Andover would be eligible for additional recycling funds, as Coon Rapids received funds to expand its recycling through the State.

Mr. Dickinson continued to review the different elements of the budget including the different fund balances. He also provided an update on development activity and future development activity.

OTHER BUSINESS

There was none.

ADJOURNMENT

Motion by Bukkila, Seconded by Butler, to adjourn.

A roll call vote was performed:

Mayor Trude	aye
Councilmember Butler	aye

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Councilmember Bukkila aye
Councilmember Holthus aye
Councilmember Barthel aye

Motion carried unanimously. The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Amanda Staple, Recording Secretary
TimeSaver Off Site Secretarial, Inc.