

**REGULAR ANDOVER CITY COUNCIL MEETING – DECEMBER 6, 2022**  
**MINUTES**

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Sheri Bukkila, December 6, 2022, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

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

Councilmembers absent:     None

Also present:                     City Administrator, Jim Dickinson  
  City Attorney, Scott Baumgartner  
  Others

***PLEDGE OF ALLEGIANCE***

***RESIDENT FORUM***

No one was present for the open forum.

***AGENDA APPROVAL***

***Motion*** by Nelson, Seconded by Butler, to approve the Agenda as presented. Motion carries unanimously.

***APPROVAL OF MINUTES***

*November 15, 2022 Regular Meeting Minutes*

***Motion*** by Barthel, Seconded by Nelson, to approve the November 15, 2022 Regular Meeting minutes as presented. Motion carries unanimously.

**CONSENT ITEMS**

- Item 2 Approve Payment of Claims
- Item 3 Accept Feasibility Report/Order Public Hearing/21-39/161<sup>st</sup> Ave. NW & Tulip St. NW/Street Reconstruction (See Resolution R088-22)
- Item 4 Approve Change Order #1/22-18, Pine Hills North & South Parking Lot Paving and 22-22, Dog Park Parking Lot & Trail Paving (See Resolution R089-22)
- Item 5 Approve Lease Agreement Summary - Connexus Energy
- Item 6 Accept Contribution/Andover Lions Club Inc./Andover Community Center (See Resolution R090-22)
- Item 7 Approve City Administrator Review
- Item 8 Approve 2023 Tobacco Licenses
- Item 9 Approve 2023 Liquor Licenses
- Item 10 Approve 2023 Kennel Licenses
- Item 11 Approve 2023 Massage Therapy Licenses
- Item 12 Approve 2023 Used Vehicle Sale Licenses
- Item 13 Approve 2023 Contract/TimeSaver Secretarial Service
- Item 14 Approve Application for Exempt Permit

**Motion** by Nelson, Seconded by Barthel, to approve the Consent Agenda as read. Motion carries unanimously.

**PUBLIC HEARING – 2023 PROPERTY TAX LEVY AND 2023 BUDGET**

The City Council is requested to hold a Public Hearing on the 2023 Property Tax Levy and Budget giving residents the opportunity to comment. City Administrator Dickinson presented background information on the formation of the budget. He explained the City is proposing a property tax levy of \$17,073,084. He explained that due to the rise in property values, the City's tax rate will decrease by 14.40% but the gross tax levy will increase by 6%. Mr. Dickinson reviewed budget guidelines and Council goals.

Mr. Dickinson explained property taxes go to the City, County, School Districts, and Special Taxing Districts. He noted 80% of the City's revenue comes from property taxes. Mr. Dickinson stated 43% of the budget goes to Public Safety, 29% to Public Works, and 27% to General Government. Mr. Dickinson stated the budget funds current operations, does not include any new positions, funds road improvements and maintains infrastructure.

**Motion** by Butler, Seconded by Nelson, to open the Public Meeting at 7:25 p.m. Motion carries unanimously.

No one came forward for the Public Hearing.

**Motion** by Barthel, Seconded by Nelson, to close the Public Hearing at 7:25 p.m. Motion carries unanimously.

**Motion** by Barthel, Seconded by Nelson, adopt Resolution R091-22, adopting the City of Andover 2023 Budget and 2023 Property Tax Levy to be Certified to the County Auditor. Motion carries unanimously.

Mayor Bukkila thanked Mr. Dickinson and staff for their efforts putting the budget together. She explained the Council has spent many meetings working on the budget. Mr. Dickinson stated staff and Council started working on the budget in March.

#### ***REVIEW/ADOPT 2023 DEBT SERVICE LEVY CHANGES***

The City Council is requested to review and adopt the 2023 Debt Service Levy changes. City Administrator Dickinson stated the Anoka County Property Records and Taxation Division requires a City Council resolution changing bonded indebtedness levies for 2023 that would have been certified to Anoka County as part of prior years' bond sales. He announced the Debt Service Levy is current and up to date with County records.

**Motion:** by Butler, Seconded by Nelson, to adopt Resolution No. R092-22 updating Certified Bonded Indebtedness for 2023. Motion carries unanimously.

#### ***CONSIDER RESOLUTION OF THE CITY OF ANDOVER IN SUPPORT OF ANOKA COUNTY JOINT LAW ENFORCEMENT COUNCIL'S RENEWAL OF LEGISLATION FOR FUTURE PUBLIC SAFETY PROJECTS***

The City Council is requested to consider a resolution in support of Anoka County Joint Law Enforcement Council's Renewal of Legislation for Future Public Safety Projects. City Administrator Dickinson stated a levy will expire in 2023 and there is interest in extending it. Mayor Bukkila stated there are no projects slated for the levy, however, the Joint Law Enforcement Council is looking into items that benefit the entire County. She stated she is in full support of the levy. Mayor Bukkila explained the County requested the line item be moved from under their portion of property tax statements and listed under special tax districts. Councilmember Butler stated he supports the levy but does not support the location of the item on property tax statements. Mayor Bukkila stated the intent is to show support for the levy and not where it is placed.

**Motion:** by Nelson, Seconded by Barthel, to adopt Resolution No. R093-22 supporting Anoka County Joint Law Enforcement Council’s Renewal of Legislation for Future Public Safety Projects. Motion carries unanimously.

***DISCUSS/REVIEW TOBACCO ORDINANCE***

The City Council is asked to review the draft ordinance, receive a brief presentation, and provide direction to staff relative to the next steps the City of Andover should undertake related to the Sale of Tobacco Related Products. City Administrator Dickinson explained the City has discussed this item at three workshops and staff have incorporated that input into the ordinance. He stated the goal is to adopt the ordinance at the last meeting in December. Mr. Dickinson summarized the changes and the Administrative Hearing Process.

City Attorney Baumgartner recommended having a separate section in City Code on the Administrative Hearing Process so that any other City license/code that mentions an Administrative Hearing can refer to Chapter 3 instead of repeating it throughout Code.

Councilmember Nelson thanked Mr. Baumgartner for the questions he has asked and the updated Ordinance, reflecting the wants of the residents.

Councilmember Butler asked for clarification about Section 3-2-3 and if it allows the City Council for discretion to not renew a license if an establishment had violations. Mr. Baumgartner stated when the City has reached the cap and there is a new applicant, the City can issue the license to an existing applicant if there haven’t been any violations. He stated it supports existing good businesses and allows the Council to deny a license if the applicant has violations.

Mayor Bukkila commented that the Council increased administrative penalty fines. She explained this puts pressure on the establishment to have better screening of customers and staff training. Mr. Baumgartner stated it is pro-active and holds the establishment accountable. He stated the City welcomes businesses and requests they be responsible business owners. He pointed out the suspension periods added to the penalty.

Mayor Bukkila stated the Administrative Hearing process is much more expedient than going to District Court. Mr. Baumgartner explained the appeals process gives the Council the last word before it goes to the District Court.

Councilmember Butler stated the vast majority of tobacco businesses have been operating

responsibly but there has been a situation where a business had multiple violations which prompted the change in the ordinance.

Mr. Baumgartner asked if the Council wanted to adopt the Administrative Hearing Ordinance as a separate section of the City Code. The Council reached consensus to adopt the Administrative Hearing Ordinance.

### ***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.

***(Administration)*** Mr. Dickinson stated Administration has been working on the budget and gathering info relative to the Red Oaks neighborhood. The City has been working with the MPCA and the MPCA will be sending out a newsletter to the neighborhood with updates. The City is working on year-end items. Mr. Dickinson updated the Council on development projects. The City has 100 new single home permits year to date. Public Works is working on 2023 projects. He stated the City and Anoka County applied for funding for roundabouts and 4 roundabouts have been approved with funding. Mr. Dickinson stated the Fire Department is recruiting new firefighters.

Mayor Bukkila asked Mr. Dickinson to share information about recruiting firefighters so they can share it throughout the community.

Mayor Bukkila stated people either love or hate roundabouts. She explained the major intersections in Andover are County roads with high speeds. She stated pedestrian crossings at those intersections is dangerous and expensive. Mayor Bukkila noted roundabouts slow down traffic and allows for safe pedestrian crossing. She appreciated the effort to secure the grants.

Councilmember Barthel asked how the roundabout on Prairie Road was being funded. Mr. Dickinson stated it is funded by the developer.

Councilmember Barthel asked when would ground break happen for the Red Oaks neighborhood if the City received emergency funding in February. Mr. Dickinson stated best case scenario is October and if the State doesn't approve funding until May, it will be a 2024 project.

Councilmember Holthus asked how many families in Red Oaks neighborhood still have bottled water. Mr. Dickinson did not know the exact number but added that three additional homes now

require bottled water. Councilmember Holthus asked if the City was providing water to those homes. Mr. Dickinson explained the State is funding the bottled water. He noted the MPCA is investigating the source of contamination and that has not yet been identified. Mr. Dickinson explained they are testing north and south of Bunker Lake Boulevard and the results have not been provided.

***MAYOR/COUNCIL INPUT***

***(Post-Election Review)*** Councilmember Nelson observed the post-election review at the Anoka County Government Center. He stated the Secretary of State, County Commissioners, and the media were present. He commended Michelle Hartner, the Deputy City Clerk, for the review.

***ADJOURNMENT***

***Motion*** by Barthel, Seconded by Nelson, to adjourn. Motion carries unanimously. The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Shari Kunza, Recording Secretary  
*TimeSaver Off Site Secretarial, Inc.*

**REGULAR ANDOVER CITY COUNCIL MEETING MINUTES – DECEMBER 6, 2022**  
**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 Accept Feasibility Report/Order Public Hearing/21-39/161 <sup>st</sup> Ave. NW & Tulip St. NW/Street Reconstruction (R088-22).....	2
Item 4 Approve Change Order #1/22-18, Pine Hills North & South Parking Lot Paving and 22- 22, Dog Park Parking Lot & Trail Paving (R089-22).....	2
Item 5 Approve Lease Agreement Summary - Connexus Energy.....	2
Item 6 Accept Contribution/Andover Lions Club Inc./Andover Community Center (R090-22)	2
Item 7 Approve City Administrator Review.....	2
Item 8 Approve 2023 Tobacco Licenses.....	2
Item 9 Approve 2023 Liquor Licenses.....	2
Item 10 Approve 2023 Kennel Licenses.....	2
Item 11 Approve 2023 Massage Therapy Licenses.....	2
Item 12 Approve 2023 Used Vehicle Sale Licenses.....	2
Item 13 Approve 2023 Contract/TimeSaver Secretarial Service.....	2
Item 14 Approve Application for Exempt Permit.....	2
PUBLIC HEARING – 2023 PROPERTY TAX LEVY AND 2023 BUDGET (R091-22).....	2
REVIEW/ADOPT 2023 DEBT SERVICE LEVY CHANGES (R092-22).....	3
CONSIDER RESOLUTION OF THE CITY OF ANDOVER IN SUPPORT OF ANOKA COUNTY JOINT LAW ENFORCEMENT COUNCIL’S RENEWAL OF LEGISLATION FOR FUTURE PUBLIC SAFETY PROJECTS (R093-22).....	3
DISCUSS/REVIEW TOBACCO ORDINANCE.....	4
ADMINISTRATOR’S REPORT.....	5
(Administration).....	5
(Post-Election Review).....	6