

**REGULAR ANDOVER CITY COUNCIL MEETING – JANUARY 19, 2016
MINUTES**

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, January 19, 2016, 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
Community Development Director, Dave
Carlberg
Director of Public Works/City Engineer,
David Berkowitz
City Attorney, Scott Baumgartner
Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

No one wished to address the Council.

AGENDA APPROVAL

Supplemental information was added for agenda item 14 -- Hold Public Hearing/Order Plans & Specs/16-2/2016 Street Reconstruction -- to make the written request by Darrel and Phyllis Page part of the public record. An additional agenda item, 17A, was included in order to add a meeting for the Local Board of Appeal & Equalization to the City Council schedule.

Motion by Bukkila, Seconded by Knight, to approve the Agenda as amended above. Motion carried unanimously.

APPROVAL OF MINUTES

January 5, 2016, Regular Meeting: Correct as written.

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

January 5, 2016, Closed Session: Correct as written.

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

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Approve Debt Service Payments
- Item 4 Approve Resolution & Master Partnership Contract/MnDOT (See Resolution R007-16)
- Item 5 Approve Resolution/Supporting Central Anoka County Regional Trail Master Plan Amendment (See Resolution R008-16)
- Item 6 Approve No Parking Resolution/Woodland Creek Townhomes (See Resolution R009-16)
- Item 7 Order Improvement/Order Plans & Specs/16-12/Timber Trails Park Reconstruction (See Resolution R010-16)
- Item 8 Approve Roadway, Trail & Drainage & Utility Easement Offers/16-13/Crosstown Blvd. NW Trail Improvements
- Item 9 Approve 2015 Pay Equity Compliance Report
- Item 10 Approve 2016 Massage Establishment/Therapist License
- Item 11 Approve Application for Exempt Permit/Guardian Angels of Elk River Inc.
- Item 12 Approve Therapeutic Massage Establishment License

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

ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT

Commander Halweg presented the January 2016 Monthly Report to the Council.

Commander Halweg reviewed the nature of the arrests that had taken place in the previous month along with other significant incidents. There were nine DWI arrests for the month, about 5 higher than last year. In addition, there were three domestic assault arrests for the month. A suspicious vehicle was identified, and during a subsequent search, several prescription pills were located and a hand gun was recovered with the serial number removed. During a traffic stop, after observing a moving violation, a search revealed 110 grams of methamphetamines and \$900 in cash along with drug paraphernalia. Commander Halweg confirmed that this amount would be considered to be at a dealer level for prosecution. He recognized Deputy Nick Duren for the arrest. On February 16, 2016, there will be a "Meet the Deputies Night" at the City Council meeting. He then introduced Sergeant Derek Shultz who works on Tuesday evenings and may present at a future meeting in Commander Halweg's absence. He concluded by announcing that the annual Polar Plunge, in support of the Special Olympics will be held on Saturday, February 27, 2016, at Crooked Lake. He stated that there are many ways to be involved including assisting with the event along with making donations.

Mayor Trude thanked the Sheriff's Office for their good work.

HOLD PUBLIC HEARING/ORDER PLANS & SPECS/16-2/2016 STREET RECONSTRUCTION

Mr. Berkowitz explained that the Prairie Meadows development is identified in the City's 2016 - 2020 Capital Improvement Plan (CIP) for reconstruction in the summer of 2016. This development consists of 169th Lane NW between Round Lake Boulevard NW and Tulip Street NW, Quay Street NW between 169th Lane NW and 170th Lane NW, and the paved portion of 170th Lane NW west of Quay Street NW. The proposed project includes reclaiming the existing bituminous surface, replacing bituminous curb with concrete curb and gutter, minor storm drainage improvements, and paving a new bituminous surface.

There is one large lot that has been identified to have two assessments belonging to Darrel and Phyllis Page, due to the size of the lot and the potential to subdivide. The City Council in the past has opted to defer the second assessment for such lots on an escalating scale to 15 years and then a declining scale to 25 years where at that time if the lot is not subdivided the assessment expires.

The total estimated cost for the project is \$432,000 with \$108,000 as the portion to be assessed. The assessment hearing would take place in October of 2016, with an estimated assessment of \$ 7,200 per lot for 15 units. Construction would be from May – August. If bids come in the same or lower than the estimate, work will proceed, if higher than the estimate, staff will come back to the City Council. Assessments can be paid with no interest within one month of the hearing. If not, payments would be made from 2017 – 2026 in the amount of \$909.93 per year.

Motion by Knight, Seconded by Holthus, to open the public hearing at 7:17 p.m. Motion carried unanimously.

No one addressed the Council.

Motion by Holthus, Seconded by Goodrich, to close the public hearing at 7:18 p.m. Motion carried unanimously.

Mayor Trude indicated that in time there will be additional information about the actual costs and with oil prices low it is hoped that a low bid can be obtained for the work.

Motion by Bukkila, Seconded by Knight, to approve the plans & specs for the 16-2/2016 Street Reconstruction. Motion carried unanimously. (See Resolution R011-16)

***CONSIDER CONDITIONAL USE PERMIT AMENDMENT – MODIFY
TELECOMMUNICATIONS TOWER – 16157 ROUND LAKE BLVD. NW***

Mr. Carlberg stated that AT & T Wireless is seeking to add three additional antennas to the existing telecommunication tower located at 16157 Round Lake Boulevard NW. Currently AT & T has nine antennas on the tower. Andover City Code 9 -12 allows telecommunication towers over thirty -five feet (35') in height by Conditional Use Permit (CUP). City Code 9 -12 also states that any change to a tower requires an amended CUP.

The communications tower was built in 1990. A CUP was granted at that time for the 200 foot tower. A building permit is required in this case and the structural integrity will be reviewed by a structural engineer to make sure additional antennas can be supported by the structure.

Mr. Carlberg reviewed the staff report with the Council and recommended approval.

Mayor Trude asked about the engineering review on the weight load of the antenna. Mr. Carlberg reconfirmed that it is part of the building permit process. He continued by stating that adding additional antennas to existing towers is preferred rather than constructing additional towers.

Councilmember Goodrich asked who owns the tower. Mr. Carlberg stated that it is owned by American Tower Corporation. Councilmembers Goodrich and Holthus followed up by asking about the lifespan of tower and the timing of the inspection. Mr. Carlberg stated that the engineering inspection would follow the building permit. Councilmember Bukkila asked if there is a regular inspection schedule. Audra Kohler came to the podium, on behalf of AT & T. In response to question about the tower inspections, they are completed every 3 – 5 years to make sure towers remain in excellent condition. Mayor Trude noted the engineering seal on the presented documentation.

Motion by Goodrich, Seconded by Knight, to approve the Conditional Use Permit for three additional antennas on the telecommunications tower at 16157 Round Lake Boulevard NW. Motion carried unanimously. (See Resolution R012-16)

***CONSIDER AN INTERIM USE PERMIT – LAND RECLAMATION – 16563 HANSON
BLVD. NW***

Mr. Dennis Kuiken is seeking an IUP to store up to 3,500 cubic yards of soil on a 33 acre site he owns at 16563 Hanson Boulevard NW. The soil is part of the Country Oaks North 2nd Addition grading and excavation for the extension of 167th Avenue NW to Hanson Boulevard NW. This project will begin in February 2016. No more than 3,500 cubic yards of soil will be placed on Mr. Kuiken's property. The soil will be used as topsoil for sod as part of his Norlex Turf business. Mr. Kuiken requested the IUP be approved for two years, expiring on January 19, 2018. As part of the IUP request, Mr. Kuiken is required to obtain a permit from the Lower Rum

River Watershed Management Organization. Although Mr. Kuiken requested a two year IUP, the City Engineering Department is recommending that the IUP expires on November 1, 2017, to ensure Mr. Kuiken can remove the excess soil and restore the area prior to the winter freeze.

Mr. Carlberg reviewed the staff report with the Council and is recommending approval.

At the Planning and Zoning Commission meeting there was discussion as to how the soil would be hauled to the site. A condition was added to the approval, that the soil must be hauled on private property to the site and therefore no hauling will be done on Hanson Boulevard.

Mayor Trude inquired about the condition the site would be returned to once the IUP expired. Mr. Carlberg confirmed that the permit provision requires that the site be restored, but not to a buildable condition and in this case it would be governed by the Lower Rum River Watershed Management permit.

Mr. Berkowitz further commented that the City does not insist it is in buildable condition, but it must be brought back to the same condition it was in prior to the IUP being issued.

Mayor Trude reiterated her concern that the property not be unsightly to the community once the usage is completed.

Mr. Baumgartner stated that he felt that there was enough implied in the processes and that the January 6, 2016 staff report of Mr. Berkowitz could be referenced and made part of the IUP as well. He continued by confirming that Mr. Carlberg said that there are safeguards in place through the Lower Rum River Watershed Management Organization.

Mayor Trude stated she is comfortable with that opinion. The applicant confirmed that he has funds in escrow with the Lower Rum River Watershed Management Organization that will be returned to him once the site is restored.

Councilmember Bukkila said that she had concerns about the large “mountain” that was a result of prior CUPs on this property and asked for clarification on the height, feeling it is a potential distraction. Mr. Carlberg stated that it would be about 1/3 of the height of the previous CUP. The applicant indicated that the height of the soil would be about 8-10 feet tall and that the Watershed would govern the restoration.

Councilmember Goodrich inquired about erosion control. Mr. Carlberg stated that the applicant is required to seed the pile if it is not touched for 14 days and establish vegetation. This is required by the permit process.

Mr. Berkowitz indicated that in addition a silt fence would need to be used to keep the soil contained.

Motion by Bukkila, Seconded by Knight, to approve an interim use permit at 16563 Hanson Boulevard NW. Motion carried unanimously. (See Resolution R013-16)

SCHEDULING

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

The Council discussed the draft agenda and available dates.

Motion by Holthus, Seconded by Goodrich, to schedule a February EDA Meeting on February 2, 2016, at 6:00 p.m. Motion carried unanimously.

Mr. Dickinson requested the Council schedule the Local Board of Appeal & Equalization Meeting as detailed in the staff report.

Motion by Knight, Seconded by Bukkila, to schedule the first Local Board of Appeal & Equalization Meeting for April 18, 2016, at 7:00 p.m. with a follow up date of April 26, 2016 if needed, at 6 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.

(Special Election) Mr. Dickinson thanked city staff and election judges that have helped with the activity surrounding the Special Election. There was not a large voter turnout for the Primary Election.

(Youth First) There is work occurring on the 2016 budget for Youth First. Mr. Dickinson shared that there is a kitchen project going on that has been funded by the TPC Rose Organization that will help with life skills education.

(Recycling) Mr. Dickinson reminded residents that recycling day is the second Saturday of the month. He noted that the trucks that haul appliances and electronics still get filled up each month.

(Andover Youth Hockey) Mr. Berkowitz stated that the Andover Youth Hockey event was rescheduled from last weekend due to the cold weather and will now be held January 28-30.

(Tree Removal) Mr. Berkowitz stated that the City is able to continue to work on tree removal due to the lack of snow. He noted that staff does contact residents before trees are actually cut down.

(Road Construction) Reconstruction design work by the Engineering Department keeps them very busy at this time of the year in preparation of the 2016 construction season.

(Bunker Lake Boulevard) Mayor Trude stated that a resident shared information with her that had been posted about a signal light being added at Sycamore Street right at the entrance to the Wave Pool at Bunker Hills Park and next to the rail road tracks. Mr. Berkowitz said MnDOT is working on a signal justification report and that it will need to be reviewed by MnDOT before it could move forward. There is a strong indication it will be a reality. There have been a lot of revisions to that project already based on resident input. Mr. Berkowitz stated that the coordination of the timing of the lights will be important. This is not a unique situation for MnDOT. Tree removal on that contract will occur early, with trees being removed in that corridor beginning in March of 2016. Alternate routes will ease the flow of traffic north on Hanson Boulevard. There will likely be quite a bit of congestion.

(Community Development) Mr. Carlberg reported that the commercial site plan application has been submitted for the new 13,000 square foot office building to be constructed at the old Stop-N-Shop location on Crosstown Drive and Bunker Lake Boulevard. Next week it is expected that the commercial site plan application will be received for the Shoppes at Andover the at the Hanson Boulevard and Bunker Lake Boulevard intersection. Residents should be very happy about these two projects.

Mayor Trude thanked the staff for their work on the newsletter, noting that it is very well read.

MAYOR/COUNCIL INPUT

(Kelsey Round Lake Park Master Plan) Next week there is a City Council Workshop on the Kelsey Round Lake Park Master Plan. It is a joint meeting between the Park and Recreation Commission and the City Council. Mayor Trude stated that she has regularly received emails from residents on the topic. She also noted that Councilmember Holthus had written an article about the topic for the newsletter.

(Commission Interviews) Mayor Trude stated that interviews are occurring this week for Commission positions. Decisions will be made about who will begin terms in February.

(Fire Relief Association) Councilmember Bukkila stated that the Fire Relief Association held their annual meeting this past Saturday and will be coming to the Council with information on their updated bylaws. She noted that the members spent quite a bit of time working with the State Auditor and consulting on legal matters. They have also elected new officers.

(Captain's Promotion Ceremony) Mayor Trude and Councilmembers Bukkila and Holthus, attended the Captain's Promotion Ceremony on January 6, 2016 at Fire Station #1. There is now new fire station management amongst our 55 paid on-call firefighters. She expressed her appreciation for those who are stepping up to serve.

(Polar Plunge) Councilmember Holthus invited the Mayor and fellow Councilmembers to join her on a bowling team along with a member of the Special Olympics on February 19, 2016 from 5:30 p.m. – 8:00 p.m., to raise money for the Polar Plunge.

ADJOURNMENT

Motion by Holthus, Seconded by Goodrich, to adjourn. Motion carried unanimously. The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

