

***REGULAR ANDOVER CITY COUNCIL MEETING – JUNE 7, 2016
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, June 7, 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
Fire Chief, Jerry Streich
Others

PLEDGE OF ALLEGIANCE

PRESENTATION OF FIRE FIGHTER BADGES

Fire Chief Streich introduced 13 new Andover fire fighters joining the “A Team” who have completed 300 hours of training. When these hours are completed they are awarded a badge, symbolic of those who died before them and those that have earned the badge before them. The badge is a smaller version of the original suit of armor. The fire fighters in attendance represented class 6 and 7 of the Anoka County Fire Academy.

MAYOR’S WATER CHALLENGE CONTEST

Aisha Sow and Kina Msuya were present and recognized for their partnership with Mayor Trude and the City as part of the national Mayor’s Water Challenge program. The students briefly described their efforts in the school and community. Over 4,000 cities entered the competition and Andover pledged to save more environmental resources than any other City participating in the U.S., between the populations 30,000-100,000. An award was presented to the City and plaques were also presented to the students.

RESIDENT FORUM

No one wished to address the Council.

AGENDA APPROVAL

An additional agenda item was added: Presentation – Mayor’s Water Challenge Contest.

Supplemental information was added to Consent Item #6 – Approve Resolution Conveying Land to the State of Minnesota – WDE Site.

Scheduling of the “Bradley Launch” Dedication was added as #17a.

Motion by Holthus, Seconded by Goodrich, to approve the Agenda as amended above. Motion carried unanimously.

APPROVAL OF MINUTES

May 17, 2016, Regular Meeting: Approved as amended. Staff was directed to finalize changes.

Councilmember Bukkila requested a correction to Page 12, line 36, to insert “daycare” provider.

Councilmember Holthus, requested the following corrections:

Page 1, after line 39 sentence added “wanted to have the item on an agenda at a work session”.

Page 4, line 26, “does” take up

Page 6, line 10, add “school” bus stop

Page 8, line 6, “neighbors have similar concerns and are anxious about this dog”

Page 8, line 9, add “school” bus stop

Page 8, line 15, ask should be “asked”.

Mayor Trude requested the following corrections:

Page 2, line 9, place lines 9 and 10 with, “Ms. Thanghe abruptly interrupted the councilmembers as they began to answer her questions. Asking how she could change their opinions and stating she thought most residents want to have chickens. Councilmembers explained this decision had been thought through. Ms. Thanghe interrupted stated she did not feel she was being taken seriously and thought she was being laughed at”.

Page 2, line 34, add, “Ms. Thanghe continued to speak loudly at the Council after leaving the microphone and as she walked around the City Council Chambers Mayor Trude called her out of order and Ms. Thanghe left the City Council Chambers. Mayor Trude inquired if anyone else wished to speak and no one did”.

Page 6, line 25, requested the City Attorney to review and provide input to staff.

Page 6, Line 38, should read, “Ms. Langmade asked if she could bring the dog inside for everyone to meet. Mayor Trude stated it does not show good judgement to bring a dangerous dog to a public place”.

Page 11, line 42, something wrong with that sentence, want to submit that sentence, state “a dangerous dog”

Page 13, line 23-26, delete

Councilmember Bukkila questioned the deletion of those lines in the minutes. Mayor Trude stated she had discussed it with the City Clerk

Councilmember Bukkila stated she did not feel that whether or not the resident was at the podium or not should determine whether something is in the record when it was stated in a public forum. She stated the resident was still engaged with the Council at the time this occurred. Mayor Trude indicated it was a side bar conversation that she did not hear, the resident was out of order, and she had asked the resident to be seated.

Motion by Trude, Seconded by Knight, to table review of the minutes and have it researched by staff. Motion failed with 2 ayes, 3 nays (Bukkila, Holthus, Goodrich).

Mayor Trude proposed that the comments be stricken.

Motion by Bukkila, Seconded by Goodrich, to not strike the comment.

Mayor Trude asked Mr. Baumgartner or Mr. Dickinson to weigh in stating she believes it sets a bad precedence. Mr. Dickinson stated that the dialogue was audible on the tape. He continued by stating he could not speak to the Council with certainty whether or not any off microphone dialogue was included in past minutes and usually questionable items are brought to the Council for a final decision.

Mayor Trude called the question.

Motion carried 4 ayes, 1 nay (Trude).

Councilmember Bukkila referred to the first two corrections suggested by Mayor Trude for Page 2, stating additional comment was made and the question is how you describe something in current tense in the past tense. She asked how do we describe a behavior, with a parenthesis.

Councilmember Holthus asked whether it was appropriate to put in a statement after the meeting has been finished.

Mayor Trude asked again to table consideration of the minutes.

Councilmember Bukkila stated she is only taking issue with the first two corrections and then clarified she would like to review the first correction only at this time.

Motion by Bukkila, Seconded by Holthus, to review the Mayor's corrections on Page 2, line 7. Motion carried 4 ayes, 1 nay (Trude).

Mayor Trude restated she would like the tape reviewed.

Councilmember Holthus felt the word "abruptly" is editorializing.

Councilmember Holthus referenced the second sentence relating to councilmembers. Mayor Trude re-read the sentence. Councilmember Holthus agreed.

Mayor Trude read another correction. Councilmember Bukkila stated she would leave that out and it was okay to call her out of order. Mayor Trude recounted what had occurred. Councilmember Holthus stated that “loudly” would be editorializing.

Motion by Bukkila, Seconded by Holthus, to approve the Minutes as amended above removing what was determined as editorializing. Motion carried unanimously.

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Approve Final Plat – Country Oaks North Second Addition – SW Land, LLC (See Resolution R055-16)
- Item 4 Accept Vehicle Maintenance Access Easements – Country Oaks North Second Addition – SW Land, LLC
- Item 5 Accept Vehicle Maintenance Access Easement – Creekside Meadows – Shadow Ponds, LLC
- Item 6 Approve Resolution Conveying Land to the State of Minnesota – WDE Site (See Resolution R056-16)
- Item 7 Approve Plans & Specs/Order Advertisement for Bids/15-44/14327 7th Ave NW/CenterPoint Energy (See Resolution R057-16)
- Item 8 Accept Grant/Minnesota Department of Health/13-42A/Wellhead Protection Plan Phase II
- Item 9 Approve Naming of Park Property/Country Oaks North 2nd Addition
- Item 10 Approve Kelsey Round Lake Park Master Plan/15-11
- Item 11 Approve Hold Harmless & Easement Encroachment Agreement/16386 Inca St. NW
- Item 12 Award Bid/16-13/Crosstown Boulevard NW Trail Improvements (See Resolution R058-16)
- Item 13 Order Improvement/Approve Plans & Specs/Order Advertisement for Bids/16-14, Bunker Lake Blvd. NW Sidewalk Improvements & 16-8, 2016 Curb, Sidewalk & Pedestrian Ramp Repairs (See Resolution R059-16)
- Item 14 Accept Contributions/Various Contributors/Fire Dept. Safety Camp (See Resolution R060-16)

Motion by Holthus, Seconded by Bukkila, to approve the Consent Agenda as read. Motion carried unanimously.

REVIEW CONCEPT PLAN/PLANNED UNIT DEVELOPMENT – 16437 CROSSTOWN BLVD NW

Mr. Carlberg reviewed a concept plan for a 13 lot single family rural residential planned unit development as requested by Metrowide Development, LLC. The City Council was asked to review the proposed concept plans and informally advise the applicant on adjustments to the proposed project to conform to local ordinances and review criteria. Councilmember Bukkila asked for a description of a by-pass lane. Mr. Berkowitz stated it allowed a driver to turn left more easily.

It was noted the recommendations by the Planning and Zoning Commission included balancing the size of the lots and further consideration of access points to the east. It was suggested the developer work with staff. Mr. Carlberg noted this was a low-impact design development (LID).

Mr. Lazan, the developer, presented the revised concept design. He reviewed the process and what brought about his involvement. He reminded the Council these were concepts and are being revised based on additional input they are receiving. He stated he believes that a connection to the south is important. The project is 30 acres in total and has great resources. The property in the center has some of the best environmental resources where the road would normally go, which drew them to a LID approach. Examples of other LID projects were shown for review, which included how storm water can be treated and incorporated into landscaping.

Councilmember Holthus asked to review a photo with the disturbed area. It was noted that it was already disturbed with very few trees. Mr. Lazan replied they have identified what is already disturbed and plan to make it work as a building site if they can without disturbing additional areas. On the east side it backs up to a wetland and open space that would remain.

Councilmember Holthus asked if there are concerns about the public ditch and if there might be needed modifications to this plan based on additional information on the wetland.

Mayor Trude asked if that was the only significant change since the packet. Mr. Lazan stated the lots are 2.5 acres or larger and no smaller than 1.5 acres, and those smaller lots are adjacent to open space.

Councilmember Holthus asked how lot 6 would be accessed. Mr. Lazan responded that every lot would have a culvert under the driveway. Mr. Berkowitz stated the cul-de-sac can be left short. In this case the developer puts up an escrow that the City would keep until it is developed. All costs to re-do the street would be in escrow. Escrow is 150% so developers do not usually like to do that for a long time.

Mr. Lazan commented the presentation is a preliminary concept and that it is a really small section of road.

Mayor Trude inquired about zoning. Mr. Lazan noted the development is zoned R-1 and that it took some time and effort to look at the ordinances. He quoted the definition under the purpose of a PUD purpose. He explained that is why they “landed” on pursuing a PUD. He continued that he needed flexibility to fit the homes within the landscape and preserve trees. As the plan

was presented at the Planning & Zoning Commission meeting, 1.5 acres is the smallest lot. Mr. Lazan stated at a subsequent meeting he could illustrate where they need flexibility with the lots along with a narrower roadway. He went on to say there are no issues with access to the south, however there are significant challenges with an access to the east, requiring 300 – 500 feet of road to nowhere. He said they are not interested in helping the neighbor develop \$100,000 lots, even though the adjacent landowner says he has no interest in development. Mr. Lazan respectfully asked for consideration on the east side. He stated the number of lots, the LID, swales, etc. all have extra costs so they have proposed an additional lot to help cover the additional costs. There is already a lot of public interest in building homes on the lots. Mr. Lazan stated Mr. Kytonen and Mr. Carlberg have been very helpful.

Mr. Carlberg stated staff does support the concept of a LID as well as supporting the standards. Under city code, staff is required to evaluate the adjacent property. Mr. Lazan responded the better access point is to the south.

Mr. Lazan indicated their goal is to submit a preliminary plat on June 21st and then fall timing for construction. He was excited to announce that Hanson Builders would be the builder for the development. Hanson Builders would take all the lots and would control and manage the project going forward.

Dean Hanson, Hanson Builders, recalled when Hanson Boulevard was a dirt road. He stated he had a preference for building amongst trees while most builders do not want to do it. He said he enjoys a challenge and it is a skill that their company has. He believes the development supports a “move-up” buyer and that it is an exciting property.

Mayor Trude asked Mr. Hanson to share with the Council what kind of homes he builds. He replied the typical home they build would range in price from \$650,000 - \$950,000 and have a 4 car garage.

Councilmember Knight asked about the pole barn shown in the materials. Mr. Lazan stated it would be removed.

Mayor Trude referenced estate zoning. Mr. Lazan stated the homeowners would be able to customize the homes the way the owner wanted. He continued that it would be a quiet neighborhood and that most of the new owners would likely be current Andover residents.

Mayor Trude asked if the development would be a cohesive looking neighborhood. Mr. Lazan replied they will have architectural control, but no two homes would be identical and even the smallest lot is bigger than what they typically build on. He said there is a lot of space and plenty room for well and septic systems.

Mayor Trude asked about the rain gardens. Mr. Lazan stated there would be rain gardens along with wild flowers and wild grasses planted and that both looked good. Mayor Trude asked if the development would look well-manicured and then thanked Mr. Lazan for his time.

Councilmember Bukkila stated she liked the idea of having concrete ribbon curbs on the road and the right turn lane on Crosstown Boulevard not impeding traffic. Her greatest concern is what to do with enforcement on the size of the lots, pointing out there is an “equator” in the City where residents can do this, and cannot do that (e.g. park RVs, bow hunting, ride ATVs). She stated this has caused division in other neighborhoods and sees this as a potential neighborhood dispute and would like to see it be “all or none” within the development. Mr. Lazan replied diversity is both a benefit and a concern. Covenants will be used as a restriction to control the whole neighborhood. The covenants will be filed on the deeds, in addition to City ordinances that can be enforced. Items addressed in the covenants, for example, could be motor homes. The thought would be to make covenants in the development uniform relative to the 1.7-acre size lot, creating an even playing field, so even if ordinances allow something, covenants would restrict.

Councilmember Bukkila commented a homeowner’s association takes over after the builder is out and that the majority of the lots would be of a larger size.

Mr. Carlberg stated there is only 1 lot where residents could do those rural kinds of things. That lot is 2.6 acres. Mr. Lazan stated there could be ATV restrictions so that there is no recreational use or it can only be used to haul wood.

Councilmember Bukkila stated whatever is determined it should not be her battle to fight after the developer is gone. She is also concerned that parking issues are addressed.

Mr. Berkowitz clarified Andover has other streets that are 24 feet wide with ditches and staff is familiar with that width in the community. Councilmember Bukkila stated she did not want to go backwards. Mr. Berkowitz replied new streets are 30 feet wide and where you have large lots, supporting the roadway is important. He confirmed this road size is going to become the new standard if the City moves forward. He clarified the standard lane is 12 feet and that staff supports the ribbon curb and feels that 12 feet is a reasonable width.

Councilmember Bukkila asked what happens when a resident has a party. Mr. Lazan responded that guests would park on one side of the street and utilize their long driveways.

Councilmember Bukkila stated she supports parking on one side of the street. Mr. Lazan responded that estate lots have more opportunity to park on driveways which are much longer without parking on the lawn.

Councilmember Holthus stated she liked the changes from Concept 1 to Concept 2. She appreciated the more uniform size of the lots and liked the idea of a PUD. She also supports the effort to save trees. She had concerns about the narrower street and that she had seen the developments and they do have longer driveways and then referenced her own driveway. She appreciated the answer on the county ditch and expressed her excitement in seeing the preliminary plat when it is completed.

Councilmember Knight asked about parking of camping trailers. Mr. Lazan said campers are often parked on sold surface pads, driveways, and not in the front yard. They would provide surface pads, and because the street volume is low trailering in the neighborhood would be fine.

Councilmember Bukkila stated parking large items on large property is okay and the law enforcement does not want to pick winners and losers

Mayor Trude referenced Bruce Lee's photo studio with its driveway 2 – 3 times in length. She stated estate homes have attractive garages matching the home and screening from trees. She is happy to see low impact development and has been hoping for a development like this in Andover. Lots without trees do not sell fast noting that the City does not have any lots left like that in Andover. She is pleased there would not be 4 different builders involved in the development and noted buffers are already there between the lots. She stated her belief that she did not want to pursue a street to the east.

Councilmember Goodrich stated he liked what he saw and had watched the Planning & Zoning Commission meeting. He thought it was a good conversation and appreciated the input given by the neighbors that spoke. He stated he would like to see curb as was discussed and appreciated the plans for the swale. He was supportive of parking on one side of the street. Keeping the forested areas is a key feature. Because he likes to think long term he would still like to consider a road to the east or at least like to see a design with that option. He is not concerned with some of the lots being smaller.

Councilmember Knight asked if there would be ponding on the lots themselves. Mr. Lazan stated the runoff from the lot would be treated in the swales and other than natural wetlands there would be no open ponding.

Mayor Trude noted there would be rain gardens as well, so no clear-cutting is needed.

Mr. Carlberg asked for direction from councilmembers about the access to the east.

Mayor Trude, Councilmembers Holthus and Knight all stated they are not interested in an access to the east. Councilmember Bukkila stated it was a low priority for her.

Mayor Trude asked for any other comments. Hearing none, she recommended that next steps be taken and summarized the comments previously shared by councilmembers. Shawn Lidberg, 545 Constance Boulevard NW, who owns the property to the south, expressed his concern for the small footprint of Lot 6 that backs up to his property. He stated he is very familiar with the natural area. In addition, he has concerns about ditch 53 and a possible road to the east and 10 foot setbacks from the south property line. Mr. Carlberg commented the development will still have to meet the setback requirements. Mr. Lidberg continued that he would like to see vegetation maintained as a barrier and it seems impossible to have vegetation

maintained with a 4,800 square foot house on that particular property (Lot 6). He is more concerned as a homeowner that there would be a house without a barrier.

Mayor Trude stated on paper it is hard to tell the proportions of the lots and that showing the development more to scale would be helpful.

Mr. Lidberg stated he believes there is not enough room for the septic system. Mayor Trude responded by encouraging him to stay in contact with Dave Carlberg. She followed up by asking him about the cul-de-sac. Mr. Lidberg expressed he felt there is plenty of vegetation where the cul-de-sac is. Mayor Trude stated his concerns are well noted and if the vegetation was gone, they will need work on being a good neighbor.

No others wanted to speak on the matter from the Council or audience.

Mayor Trude reiterated the recommendations made by the Councilmembers during the previous discussion.

CONSIDER PARK IMPROVEMENTS PROPOSAL FROM SW LAND, LLC/COUNTRY OAKS NORTH 2ND ADDITION

Mr. Berkowitz reviewed the improvements that were recommended by the Park and Recreation Commission for Maple View Park located in Country Oaks North 2nd Addition. It was noted the developer will have the option to pay the fees in 2016 or the fees will be assessed to each of the properties. In this case it may take another 5 years to collect the remainder of the park dedication fees.

The new name of the park was noted.

Motion by Goodrich, Seconded by Knight, to approve the recommended improvements. Motion carried unanimously.

Mr. Wold stated the parking lot was paved on the day of the meeting and was already completed. No additional trees will need to be cut down for the improvements and the work will be done this summer. He described the buffering to the housing. He confirmed that everything has now been paved. Additional lots remain.

Mayor Trude thank Mr. Wold for working with the Park and Recreation Commission and complimented him on their home construction.

SCHEDULE JOINT MEETING WITH PARK & RECREATION COMMISSION

Mr. Dickinson requested the Council schedule a Joint Workshop Meeting to discuss the 2017-2021 Capital Improvement Plan (CIP) and the Park Advertising Policy. The Council discussed the draft agenda and available dates.

Motion by Bukkila, Seconded by Holthus, to schedule a Joint Workshop Meeting with Park & Recreation Commission on June 27, 2016, at 7:00 p.m. Motion carried unanimously.

SCHEDULE “BRADLEY LAUNCH” DEDICATION

Mr. Dickinson requested the Council schedule the “Bradley Launch” dedication.

The Council discussed available dates.

Motion by Knight, Seconded by Holthus, to schedule the “Bradley Launch” dedication on June 21, 2016, at 6:00 p.m. Motion carried unanimously.

Mayor Trude instructed staff to send invitations to the Park and Recreation Commission and to invite Mrs. Strootman.

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.

(Meetings) Mr. Dickinson shared he had been to a meeting of the Crooked Lake Association to discuss recent hybrid milfoil treatment that is going to be deployed. A funding request will come forward on this during the budget process as the cost is higher than in the past. It is anticipated that a lake assessment will be done to find out the effectiveness later in the season. Mr. Dickinson has also been in meetings with community partners, including the County, neighboring communities and with the school district. He is excited about the potential to collaborate with the school district.

(Legislature) Mr. Dickinson reported nothing came to fruition related to funding for City projects in the legislative session and there will be an inevitable wait for the next legislative session. He was not sure about whether Highway 10 funding or WDE clean up had been inserted into the final bonding bill. This will be something to watch.

(New Homes) Mr. Dickinson stated there have been 40+ new homes built so far this year and 37% of all permits are now being processed online. He indicated this does save time at the counter, however he still worries about credit card use.

(Public Works) Mr. Berkowitz indicated spring construction is going well and street reconstruction is going exceptionally well this year. Within a few weeks of grinding up the pavement, they are able to put down new pavement, which is better for residents. The watermain to CenterPoint Energy is now going forward, and sidewalks are being put in on both Bunker Lake Boulevard and Crosstown Boulevard. The new Parks Maintenance Supervisor has started work at the City. Jason Grode has a lot to learn and that training is going well. The sports

season is in full force and mowing and maintenance is happening. The installation of a playground set at Forest Meadows has occurred and Timber Trails Park reconstruction has begun. Pot hole patching is an ongoing project for the City along with street sweeping and mowing.

Mayor Trude asked about the trail bid for the high school. Mr. Berkowitz said the completion date for that project is the end of August before school starts.

(Development) Mr. Carlberg stated the Andover Animal Hospital construction is planned to start in the next couple of weeks. The Estate of Arbor Oaks, a 66-unit senior housing project, is expected to move forward with construction beginning at the end of June or early July. Grey Oaks is progressing with plans for 19 detached townhomes for those 55 or older.

MAYOR/COUNCIL INPUT

(Special Meetings/Events) Mayor Trude announced that at the Anoka Chamber meeting she learned about a special event coming up on Thursday, June 9th, mid-day. It is a special launch of the construction of the 12 efficiency apartments being planned to support young adults gaining their independence, through Hope for Youth. Community members can join the effort by donating Home Depot gift cards.

ADJOURNMENT

Motion by Bukkila, Seconded by Knight, to adjourn. Motion carried unanimously. The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

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