

***REGULAR ANDOVER CITY COUNCIL MEETING – SEPTEMBER 20, 2016  
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, September 20, 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

City Planner, Stephanie Hanson

City Attorney, Scott Baumgartner

Others

***PLEDGE OF ALLEGIANCE***

***RESIDENT FORUM***

Jan Anderson a resident of The Farmstead in Andover stated she has lived there happily until yesterday. She indicated she had brought pictures with her of her neighborhood. The photos she displayed showed trees that had been cut down and she indicated the median had been removed as well. Ms. Anderson stated heavy machines came and destroyed 10 beautifully shaped trees and there was not any communication with the residents at The Farmstead about the plans. She commented she was at the meeting “in defense of the trees because they are now silent.” Ms. Anderson read a poem she had written. She expressed that the lesson for the future is the importance of communication and community and that both were lacking in this case. She believes even if residents are not the property owners they should be listened to. She concluded by stating the trees grew for 18 years and were taken down in 18 minutes.

Mayor Trude stated she would have presumed that residents would have been communicated with by the property owner. Ms. Anderson stated she did communicate via email to the President of Presbyterian Homes.

Mr. Dickinson said the commercial property owner went through all of the proper processes. They made their application, submitted their plan and got permits. The plan showed that there would be additional parking added along with additional plantings. He confirmed the owner met or exceeded the City Code in all of their planning, for example with landscaping and curbing.

Mayor Trude summarized the change in landscaping followed the code and acknowledged that the loss of the trees is unfortunate.

Councilmember Holthus commented about how sad it is to see the trees gone from the landscape. Ms. Anderson replied by commenting on the birds being silenced.

***PRESENTATION***

Mayor Trude displayed a “Friend of the League” plaque to honor the City Council which was given to the City in recognition of its engagement with its citizens by the League of Women Voters. She read the inscription to the public in attendance at the meeting.

***AGENDA APPROVAL***

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

***APPROVAL OF MINUTES***

*August 23, 2016, Workshop Meeting:* Correct as amended.

Councilmember Bukkila requested the following correction:

On page 3, line 29, the last word of the sentence is MPCA. She asked if “Minnesota Pollution Control Agency” could be spelled out rather than the acronym.

Councilmember Holthus requested the following correction:

On page 3, line 35, insert the word “of” after “taken care.”

***Motion*** by Knight, Seconded by Goodrich, to approve the minutes as indicated above. Motion carried unanimously.

*September 6, 2016, Regular Meeting:* Correct as amended.

Councilmember Goodrich requested the following correction:

On page 4, line 38, add two points “in front of the Planning and Zoning Commission two times and citizens have had multiple opportunities to voice their concerns and not ending up with more homes than we would have if we had platted this development.”

Mayor Trude requested the following correction:

On page 6, lines 22, 23 and 24, to correct the bold face and follow the normal format for the motion.

Councilmember Bukkila requested the following correction:

On page 5, line 11, strike the first sentence of line 11 and then replace she with “Councilmember Bukkila.”

Mayor Trude requested the following correction:

Add a sentence to identify that the escrow would continue indefinitely and that she desired to add a review time.

Councilmember Holthus requested the following correction:

On page 4, line 12 and 13, “add temporary cul-de-sac” at the end of the sentence.

**Motion** by Holthus, Seconded by Bukkila, to approve the minutes as indicated above. Motion carried unanimously.

### ***CONSENT ITEMS***

Item 2 Approve Payment of Claims

Item 3 Appoint Judges for the General Election (See Resolution R080-16)

Item 4 Approve Change Order #1/16-12/Timber Trails Park Reconstruction/Irrigation Well/Pumping System (See Resolution R081-16)

Item 5 Receive Assessment Roll/Order Public Hearing/16-2/2016 Street Reconstruction (See Resolution R082-16)

Item 6 Receive Assessment Roll/Order Public Hearing/16-11/173<sup>rd</sup> Lane NW Reconstruction (See Resolution R083-16)

Item 7 Accept Building Permit Technician Resignation

Item 8 Accept Facility Maintenance Supervisor Retirement/Resignation

Item 9 Accept Grant Award from GameTime/14-24/Andover Lions Park Playground

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

### ***ANOKA COUNTY SHERIFF’S OFFICE MONTHLY REPORT***

Commander Brian Podany gave the monthly Sheriff’s report. The City Council congratulated Commander Podany on his new position and his first meeting in his new role.

### ***PUBLIC HEARING VACATION OF EASEMENT – GREY OAKS – RC DEVELOPMENT***

Ms. Hanson explained RC Development is seeking to vacate a drainage and utility easement over, under, and across portions of Lots 2, 3, 4, and that part of Lot 1, Grey Oaks. The dedication of the drainage and utility easement is part of the Grey Oaks original plat. Subsequently this portion of Grey Oaks is being re-platted as Grey Oaks 4th Addition. As part

of the Grey Oaks 4th Addition plat there have been slight changes to the boundaries of the drainage and utility easement and the easement will be re-dedicated to the City.

Ms. Hanson stated the Engineering staff has reviewed the request and has determined the vacation of the drainage and utility easement will not affect storm water drainage for the Grey Oaks development and therefore supports the vacation request. The Council is asked to hold a public hearing and approve the proposed vacation of easement.

Ms. Hanson reviewed the staff report with the Council.

Councilmember Knight asked how many lots there are in the development. Ms. Hanson replied 19.

**Motion** by Holthus, Seconded by Bukkila, to open the public hearing at 7:30 p.m. Motion carried unanimously.

A resident of a neighboring property expressed concern about how the vacation of easement could affect the drainage in the area. Ms. Hanson replied the small change will not affect the drainage and that essentially they will vacate this easement and then re-dedicate it to the City as a drainage and utility easement. It will be re-dedicated under the Grey Oaks 4<sup>th</sup> Addition when the final plat is approved. It is simply a re-dedicated due to the new design. The resident commented that it helps to see the color drawings that were displayed.

**Motion** by Holthus, Seconded by Knight, to close the public hearing at 7:34 p.m. Motion carried unanimously.

**Motion** by Bukkila, Seconded by Knight, to approve the Vacation of Easement for the Grey Oaks development. Motion carried unanimously. (See Resolution R084-16)

***PUBLIC HEARING VACATION OF EASEMENT – 15989 CRANE ST. NW – WILLIAM GRAPE***

Ms. Hanson stated the property owner is seeking to vacate 28 feet of the existing rear yard drainage and utility easement across parts of the residential lot located at 15989 Crane Street NW within the Chesterton Commons North Second Addition subdivision. The property owner is requesting the vacation of easement to increase the usable area in the rear yard for the installation of an in-ground pool. The pool will be located in the rear yard as shown in the Easement Vacation Exhibit. This property is at a high point so water only goes across the yard. The City does not typically take drainage and utility easements for similar situations anymore.

Ms. Hanson stated the City of Andover Engineering Department completed a review of the proposed vacation of drainage and utility easement. The Engineering Department does not find any issues from this proposal and are comfortable with the easement being vacated. The Council

is asked to hold a public hearing and approve the proposed vacation of drainage and utility easement.

Ms. Hanson reviewed the staff report with the Council.

**Motion** by Holthus, Seconded by Knight, to open the public hearing at 7:37 p.m. Motion carried unanimously.

No one indicated a desire to address the City Council.

**Motion** by Holthus, Seconded by Knight, to close the public hearing at 7:38 p.m. Motion carried unanimously.

**Motion** by Bukkila, Seconded by Knight, to approve the Vacation of Easement for 15989 Crane Street NW. Motion carried unanimously. (See Resolution R085-16)

***CONSIDER FINAL PLAT AND HOMEOWNER'S ASSOCIATION DOCUMENTS – GREY OAKS FOURTH ADDITION – RC DEVELOPMENT***

Ms. Hanson stated the City Council is asked to approve the final plat for Grey Oaks Fourth Addition. The proposed final plat creates 19 buildable single family lots.

Ms. Hanson stated the City Attorney has reviewed and approved the association declaration documents. Mr. Baumgartner's comments were available for review. Additional association documents are still being prepared.

Ms. Hanson stated the developer has worked with City staff and the City Attorney on the review and approval of the final legal documents for the required Vehicle Maintenance Access Easement and the required Trail and Sidewalk Easements. All legal documents must be approved by the City Attorney prior to the release of the final plat. The Council is asked to adopt the resolution approving the final plat with conditions.

Ms. Hanson reviewed the staff report with the Council.

Mr. Dickinson reminded the Council there are several requirements that are yet to be met before the plat is released.

Councilmember Knight inquired about the age requirements of owners in the documents. Ms. Hanson referred to condition #5 of the preliminary plat resolution.

City Attorney Scott Baumgartner, working with the developer's attorney highlighted the age requirements that are proposed in the updated documents. Documents require one resident to be 55 years of age or older.

Mayor Trude stated she had a question about the long-term maintenance of driveways and sidewalks. Mr. Baumgartner reviewed the documents. Mr. Horst Graser, the developer, came to the podium and acknowledged the concern.

Mr. Baumgartner responded that in the new and final version of the documents the added language “of each lot” would address this issue and that the driveways and the lawn maintenance of each lot is the responsibility of the association.

Mayor Trude continued by stating it is not clear to her who will do the seal coating. Mr. Baumgartner responded the homeowner is responsible for redoing the driveway.

Mr. Graser clarified that the maintenance of the guest parking lot and sidewalks including sealcoating, marking, snow removal and any other general maintenance is the responsibility of the association.

**Motion** by Bukkila, Seconded by Knight, to approve the Final Plat for the Grey Oaks Fourth Addition, as amended to include City Attorney approval of articles of incorporation and by-laws for the association. Motion carried unanimously. (See Resolution R086-16)

Mr. Graser thanked the Council for their insight and staff for their timeliness in processing their application.

Mayor Trude expressed enthusiasm about the interest in the lots that had been expressed already and the ability to still break ground yet this fall.

### ***SCHEDULE EDA MEETING***

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

The Council discussed the draft agenda and available dates.

**Motion** by Bukkila, Seconded by Knight, to schedule an EDA Meeting on October 18, 2016, at 6:00 p.m. Motion carried unanimously.

### ***SCHEDULE OCTOBER WORKSHOP***

Mr. Dickinson requested the Council schedule an October Workshop 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 Workshop Meeting on October 25, 2016, at 6:00 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.

**(Staff Activity)** Mr. Dickinson has been meeting with consultants to prepare for future projects. The Metro Cities Committee's Revenue and Taxation Committee has finalized its work with a focus on impacts related to fiscal disparities. QCTV meetings have included work on budget preparation with Mr. Dickinson as its Treasurer. Election interest is growing and there have been questions from residents on topics such as budget creation and fiscal disparities.

Councilmember Knight suggested the newsletter could be a place to explain "fiscal disparities."

Mr. Dickinson has also met with the new CFO of the metro area YMCA and they are getting prepared for upcoming issues to be discussed. Preparations are beginning for early voting that will start on the upcoming Friday. Training is happening for other City staff members so that Ms. Hartner is not the only one that can handle early voting.

**(New Homes)** Mr. Dickinson reported 76 new homes have been permitted to date. In addition the developer is hoping to build all 19 units of the Grey Oaks Fourth Addition over the winter. He reported that a permit can be pulled right away. So the total new homes in Andover will be close to 100 this year. The typical value that staff is seeing in single family homes is around \$400,000. The City has nine homes in the parade of homes and they are all in the range of \$400,000 - \$500,000.

**(Community Development)** Acapulco Restaurant is now open. The AT&T store will be open shortly, and Dunkin Donuts has pulled their permit. The Vet Clinic is nearing completion and the ReMax building will be adding side finishes in the next couple of weeks.

**(Recycling Day)** Six hundred residents participated in the City's Recycling Day, it was very successful.

### **MAYOR/COUNCIL INPUT**

**(Staff)** Mayor Trude highlighted the opening for a Community Development Director and mentioned two resignations due to moving into retirement or new opportunities.

**(Donations)** Mayor Trude noted that Game Time is donating \$12,000 to the Lions Park Project. Mr. Dickinson indicated \$2,000 will be announced from another local business at the next meeting.

**(Heart Safe)** Mayor Trude has completed the letter to apply for the Heart Safe Community designation. The City has met several of the criteria with 900 heartbeats and there are still a

number of events coming up. Next Thursday Girl Scouts trained and the YMCA aquatic staff are training people at public events at the Community Center.

**(Parade of Homes)** Mayor Trude reminded residents that the Parade of Homes continues for another week.

**(Fundraiser)** Councilmember Holthus mentioned the fundraising event at the Courtyards of Andover for the high school girls volleyball team.

***ADJOURNMENT***

Motion by Knight, Seconded by Holthus, to adjourn. Motion carried unanimously. The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

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