

***ANDOVER CITY COUNCIL WORKSHOP MEETING – FEBRUARY 28, 2023  
MINUTES***

The Workshop Meeting of the Andover City Council was called to order by Mayor Pro Tem Jamie Barthel, February 28, 2023 at 6:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Ted Butler and Randy Nelson

Councilmember absent: Mayor Sheri Bukkila and Rick Engelhardt

Also present: City Administrator, Jim Dickinson  
Public Works Director/City Engineer, David Berkowitz  
Community Development Director, Joe Janish  
City Attorney, Scott Baumgartner  
Others

***DISCUSS CITY COUNCIL RELATIONS***

The City Council is requested to receive a presentation and participate in a discussion with the City Attorney regarding Council roles and responsibilities. Mr. Baumgartner addressed conflicts of interest and the consequences to the individual elected official and to the City. Mr. Baumgartner stated he is a resource for questions regarding conflicts of interest. He presented a Conflict of Interest form the City Council can complete to determine if there is a conflict of interest.

Mr. Baumgartner reviewed the Open Meeting Law and exceptions to it. He explained a quorum, posting of potential quorums, and discussion of City business. Mr. Baumgartner addressed public perception and how the City can avoid the perception of impropriety by posting a possible quorum. He gave examples of Open Meeting Law violations and noted the law applies to City Boards and Commissions. Mr. Baumgartner explained serial meetings and replying to all on emails. He identified the types of communication that fall under the Open Meeting Law: talking in person, telephone conversations, email, texting, and social media. Mr. Baumgartner addressed closed meetings and reasons for them. Mr. Baumgartner recommended Councilmembers take the online training on Open Meeting Law through the League of Minnesota Cities.

***DISCUSS OPPORTUNITY FOR DITCH 37 RELATED TO THE RURAL RESERVE***

The Council is requested to hear a presentation for a potential opportunity for Ditch 37 in the Rural Reserve. Mr. Berkowitz introduced Tim Kelly with the Coon Creek Watershed District. Mr. Kelly identified the portion of Ditch 37 in the Rural Reserve. Mr. Kelly stated Coon Creek is impaired in water quality, recreation, and flood plain. He stated the development of the Rural Reserve could help with water management and reducing the flood plain, as well as helping the City with economic development.

Mr. Kelly stated the Coon Creek Watershed District ran three scenarios, two of which showed no significant changes in developable land. He explained that one Scenario may allow for an additional 40 acres of development with strategic ponding. Mr. Kelly stated the Watershed is doing some work through a grant, however, this various scenario projects are outside of the scope of the grant but may be worth creating a subwatershed plan.

The City Council discussed the benefit of investing in Coon Creek research . Mr. Kelly explained the City can determine if an additional 40 acres is significant enough to invest in the Coon Creek. The second item is how much water the Coon Creek can filter and help improve water quality.

Mr. Janish stated the City can inform developers that a pond is needed in a certain location to gain an additional 40 acres of developable land. Councilmember Butler asked how much this would cost. Mr. Kelly stated the cost is unknown and depends on how much information the City wants to gain.

Mr. Berkowitz stated now is the opportunity to piggyback on the Coon Creek Watershed’s project. He stated once an established cost is determined, it would come before the Council. Mr. Kelly stated if the City is interested, the engineers would conduct a more detailed study and present development options.

The Council reached consensus there may be interest to move forward with conducting a study.

***RURAL RESERVE DISCUSSION***

The City Council is requested to discuss a proposal for a study of the Rural Reserve to assist City staff, residents, and developers on how the area can be developed. Mr. Janish identified the location of the Rural Reserve area. He stated developers are interested in developing the Rural Reserve and families are interested in selling. Mr. Janish stated the difficulty is that there is not a plan for how the Rural Reserve will be developed and development will trigger an Alternative Urban Areawide Review (AUAR) which will take 1½ – 2 years to complete. Mr. Janish explained City staff reached out to a consultant to create a list of recommended studies that can be completed today and retain

value in the future and to be incorporated into an environmental study.

Mr. Janish identified the following studies as relevant: Development Scenario Planning, Traffic Study, Sanitary Sewer System Analysis, Water System Analysis, and a Stormwater Management and Surface Water Study. He stated staff are looking for direction from the City Council on how to proceed. Mr. Dickinson stated the City could create a fee to recoup the cost of the studies from future development.

Councilmember Barthel asked if the Rural Reserve would become part of the MUSA. Mr. Berkowitz stated the land is not currently in the MUSA. Mr. Janish explained that someday in the future, the City has identified the Rural Reserve as being developed and bringing that area into the MUSA. Mr. Dickinson stated the Met Council has design capacity to include the Rural Reserve.

Mr. Janish stated the benefit of conducting the studies is that the City would have more control about how the area is developed. Mr. Berkowitz explained the Land Use (Development Scenario Planning Study) will drive development.

The City Council reached consensus to proceed with the Development Scenario Planning for the Rural Reserve.

***DISCUSS COMMUNITY SURVEY***

The City Council is requested to receive a presentation from staff on a community survey and provide direction to staff on how to proceed. Mayor Pro Tem Barthel recommended tabling the survey until the full Council is present. He stated he is not necessarily in favor of a survey due to the cost. Councilmember Butler stated if the Council moves forward with a survey, he recommends the statistically valid method and in addition, allowing any resident to participate in the survey through an online public survey.

Mr. Dickinson stated it is recommended to conduct a survey before or after the summer season. He stated the survey is in the 2023 Budget. He is not opposed to pushing it out and moving the survey discussion to the spring.

Mayor Pro Tem Barthel recessed the meeting at 7:30 p.m. The Council reconvened at 7:37 p.m.

***PRE-AUDIT DECEMBER 2022/JANUARY 2023 COMMUNITY CENTER UPDATE***

The City Council is requested to receive an update on the Community Center. Mr. Dickinson summarized the Community Center's programs and facility use. He updated the Council on usage

statistics. Mr. Dickinson reviewed the Community Center’s financial status and stated there were no significant deviations. He stated the Community Center has been hiring retirees and finds them trainable and stable. Mr. Dickinson noted that most of the senior programs have been moved from City Hall to the Community Center, reducing the need for a key checkout although a group still meets at the Senior Center on Mondays and Fridays. He stated most meeting groups have been relocated to the Community Center.

***PRE-AUDIT DECEMBER 2022 GENERAL FUND BUDGET PROGRESS REPORT***

The City Council is requested to receive the pre-audit General Fund Budget progress report for 2022. Mr. Dickinson reviewed the pre-audit numbers with the Council. He noted an increase in Licenses and Permits revenue due to large commercial and multi-family development projects. Mr. Dickinson explained there was a decrease in Investment Income, however, should expect it to increase in 2023. He stated there were no other significant deviations.

***JANUARY 2023 GENERAL FUND BUDGET PROGRESS REPORT***

The City Council is requested to receive General Fund Progress Report for the month of January. He stated there were no significant surprises with the Progress Report.

***OTHER TOPICS***

Mr. Dickinson stated there is a question regarding a quorum for the next Council meeting and staff is prepared to notify the public.

Councilmember Nelson asked if there was a zero percent or low interest program. Mr. Dickinson stated the County has a program through ACCAP.

Councilmember Nelson asked if there was going to be a celebration at the Veterans Memorial Wall around Memorial Day. Mr. Dickinson stated there is a large event at Bunker Hills Park and would suggest the City look at doing an event on a different day. Mayor Pro Tem Barthel suggested an event coinciding with Fun Fest. Mr. Dickinson stated he will look into options for that.

Mr. Dickinson stated the City Council will have an upcoming workshop at the Community Center.

***ADJOURNMENT***

*Andover City Council Workshop Meeting  
Minutes – February 28, 2023  
Page 5*

***Motion*** by Butler, Seconded by Nelson, to adjourn. Motion carried unanimously. The meeting adjourned at 8:05 p.m.

Respectfully submitted,

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