

***REGULAR ANDOVER CITY COUNCIL MEETING – APRIL 4, 2023
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Bukkila, April 4, 2023, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Jamie Barthel, Ted Butler, Rick Engelhardt, and Randy Nelson

Councilmembers absent: None

Also present: City Administrator, Jim Dickinson
Community Development Director, Joe Janish
City Attorney, Scott Baumgartner
Fire Chief, Dennis Jones
Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

James Anderson, 150th and Avocet Street NW, came forward and requested the Council to do a survey and a permit with the DNR to study the removal of deer in the City. He asked for it to be put on the agenda for the next meeting. He and his neighbors have concerns about the overpopulation of deer. He shared he had 13 deer in his yard at one time. He has sent emails to four of the Councilmembers and would like a response.

Mr. Dickinson shared he was forwarded an email from a resident with similar concerns. He explained that City staff works with Anoka County to gauge deer population, since the County has more experience with it.

Mayor Bukkila asked if the DNR is involved with the process. Mr. Dickinson said they are not; they hire someone to do a deer population count. The only time the DNR does their own count is before hunting season.

Mayor Bukkila shared this issue has come up before, especially with deer-related car accidents. She shared they can examine the issue as a City in conjunction with the County, but they would not plan to do a survey as Mr. Anderson requested.

Mr. Anderson returned to the podium and asked how the City plans for road, sewer, water projects. He asked if they take money from taxes received and put the money in funds for future

City projects. Mr. Dickinson shared water projects are paid for by users of the system. They also devise fees to be able to do future improvements. Replacements are borne by utility and don't go into the assessment process. He explained that projects are only funded by those who use the City's water. Rural residents who have their own wells are not charged.

Fire Chief Jones came forward on behalf of Andover Fire Department and Relief Association to thank Mayor Bukkila for her dedicated service as a board member on the Andover Firefighters Relief Association board. He gave Mayor Bukkila a plaque as a token of appreciation.

Mayor Bukkila thanked Chief Jones and shared her appreciation for all that he and the Fire Department does.

AGENDA APPROVAL

Motion by Nelson, Seconded by Barthel, to approve the Agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

March 21, 2023, Regular Meeting

Motion by Nelson, Seconded by Engelhardt, to approve the March 21, 2023, Regular meeting minutes as presented. Motion carried unanimously.

CONSENT ITEMS

Item 2 Approve Payment of Claims

Item 3 Acknowledge & Accept Bid Results/ 23-3, 2023 Crack Sealing/23-5, 2023 Pavement Markings/23-7, 2023 Trail Maintenance/23- 10, 2022 Parking Lot Maintenance (See Resolution R027-23)

Item 4 Approve Plans & Specs/Order Ad for Bids//23-11A Through 23-11L/23-15/Prairie Rd. NW & 23-16/Andover Blvd. NW/2023 Mill & Overlay (See Resolution R030-23)

Item 5 Award Bid/21-39/Tulip St. NW & 161st Ave. NW Reconstruction (See Resolution R031-23)

Item 6 Award Bid/23-2, 2023 Street Reconstruction/23-8, 2023 Curb, Sidewalk & Ped Ramp Repairs & 23-17, 2023 Full Depth Reclamation (See Resolution R032-23)

Item 7 Approve JPA with Anoka County/21-39/Tulip St. NW & 161st Ave. NW Reconstruction

Item 8 Award City Contract for Ash Injections/22-49/EAB Management Program

Item 9 Approve MSA Designation of Old Constance Designating New Municipal State Aid Route (See Resolution R033-23)

Item 10 Accept Resignation/Retirement of Wayne Goodrich Maintenance Worker

Item 11 Approve Used Vehicle Sales License

Item 12 Approve 2024 Budget Development Guidelines

Item 13 Approve Revised City of Andover Emergency Operations Plan

Item 14 Approve Ordering Equipment

Motion by Butler, Seconded by Barthel, to approve of the Consent Agenda as read. Motion carried unanimously.

CONSIDER CONDITIONAL USE PERMIT (CUP) AMENDMENT FOR THE PLACEMENT OF ADDITIONAL ANTENNAS ONTO THE EXISTING WATER TOWER ON THE PROPERTY LOCATED AT 1685 CROSSTOWN BLVD. NW, (PID#:22.32.24.41.0006) SUBMITTED BY NEW CINGULAR WIRELESS, PCS, LLC % STEVE WARD (APPLICANT)

AT&T is seeking to install 6 additional antennas on the existing city water tower #2 located at 1717 Crosstown Boulevard NW, next to City Hall. Currently the water tower has antennas on the tower. A conditional use permit is required to locate an antenna above 35 feet in height. The water tower top is 169 feet tall. The proposal would have an antenna tip height of 176' 5". The current height of equipment on water tower #2 is 184'. The City Council is requested to consider the Planning and Zoning Commission's recommendation of approval.

Community Development Director Janish shared that the antennas would be added to the handrail at the top of the tower, and that all equipment would be located within the water tower itself, with the exception of the antennas. He explained it is being reviewed that radio frequency will not interfere with what is on the tower already and that the handrails will be able to support the antennas. They are not expecting a major traffic generator with this project, and the antennas are not expected to affect the surrounding land. The Planning and Zoning Commission held a public hearing on this topic and made a positive recommendation for Council approval.

Mr. Dickinson commented that the City Code requires colocation for proposals, so putting all antennas in one spot is more ideal than having them scattered throughout the City. If approved, there will be a lease that will come through that will generate income for the City.

Councilmember Nelson asked if there is a chance of any damage being done to water tower #2 during the installation process of the antennas. Mr. Dickinson shared on the inside there is conduit that is already provided and a location at the base, so the installation process should be smooth.

Mr. Nelson asked about the height and weight of the antennas. Mr. Dickinson shared he doesn't know how much they weigh off the top of his head but a structural engineer will evaluate that and the rail around the tower before the City will permit and before construction can begin.

Mayor Bukkila clarified this is the CUP process not the actual contract. Mr. Dickinson confirmed that this process is just to allow the antennas to be added to the tower. More details will come with the lease process.

Councilmember Engelhardt asked if an analysis has been done for interference with other existing cellular or water functions. Mr. Janish said that the Federal Communications

Commission (FCC) requires an analysis to be conducted and reviewed by professional consultants, which will be billed back to the applicant.

Councilmember Engelhardt asked if the analysis will go into the review application or approval of the CUP. Mr. Janish explained it's part of the FCC's responsibility. Mr. Dickinson added and confirmed that they contract with specialized engineers who do those types of analyses on a regular basis.

City Attorney Baumgartner shared that the lease with AT&T would be structured so there is a priority ranking to interference, 9-1-1 being the highest priority. It would be written into the lease that the cell company has to make adjustments if any interference is identified. He explained that the FCC governs and regulates transmissions, radio waves, and broad megawatts. Mr. Baumgartner explained he adds a priority ranking to interference in leases to regulate local cell services.

Councilmember Nelson asked if the FCC is also in control of electromagnetic fields, including 5G cell networks. Mr. Baumgartner confirmed the FCC regulates that as well.

Motion by Butler, Seconded by Barthel, to approve Resolution R034-23 for the Conditional Use Permit (CUP) Amendment for the placement of additional antennas onto the existing water tower on the property located at 1685 Crosstown Boulevard NW. Motion carried unanimously.

RESCHEDULE JULY 4, 2023 COUNCIL MEETING

The first Council meeting in July falls on Independence Day. The City Council is requested to reschedule the meeting.

Councilmember Barthel suggested meeting on Wednesday, July 5, 2023. Others agreed.

Motion by Barthel, Seconded by Nelson, to move the July 4, 2023 Council meeting to July 5, 2023 at 7:00. 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.

(Administrative Staff Report) Mr. Dickinson shared administration participated in a couple tours, one for a prospective developer in the community and one for a building that is currently going up - Aurora Vista. They have meetings coming up with the Metropolitan Council Regional Planning Group and the South Andover Superfund Site group. At the Capitol, they are continuing to push for Red Oaks funding, not yet sure if there will be a bonding bill or a cash projects bill. They are working on getting funding for transportation and care facilities, and are working on keeping local control at the City level for zoning and planning decisions related to development. He pointed out that \$5.5 million of road projects were approved tonight in the

consent items, in addition to about \$3 million for the mill & overlay project. It will be a busy year for construction. He explained that some complaints were received from residents about the timing of getting snow cleared over the weekend, and explained reasons for the slower snow removal process.

(Community Development Department Report) Mr. Janish shared they are working through Commercial Site Plans, had tours of new and potential developments as Mr. Dickinson mentioned, and have been meeting with developers and looking at potential sites for future projects. He shared that road enforcements are starting to pick up now that the snow is melting.

Councilmember Nelson asked if the City of Andover will get the results of the five-year review through the US Environmental Protection Agency. Mr. Dickinson said the results will be published on the EPA's site.

MAYOR/COUNCIL INPUT

Mayor Bukkila shared Andover was named a 2022 Tree City USA by the Arbor Day Foundation by meeting the program's four requirements. She thanked staff for their efforts in maintaining their tree canopy within the City.

Councilmember Nelson shared he got two emails from residents for staff efforts in filling some large potholes. He thanked Mr. Berkowitz on behalf of the residents.

Mr. Dickinson shared he would pass along the thanks and added they know there are more spots that need work. They make a daily run to get hot mix so they can fill the potholes.

Mayor Bukkila added the process for getting hot mix involves sitting in line for 3-4 hours depending on when City staff gets there. She asked residents to keep reporting potholes but to remain patient for them to be filled.

Mr. Dickinson shared soon other hot mix plants will open but currently St. Paul is the only location open.

ADJOURNMENT

Motion by Barthel, Seconded by Nelson, to adjourn. Motion carried unanimously. The meeting adjourned at 7:36 p.m.

Respectfully submitted,

Kristina Haas, Recording Secretary

REGULAR ANDOVER CITY COUNCIL MEETING MINUTES – APRIL 4, 2023
TABLE OF CONTENTS

PLEDGE OF ALLEGIANCE.....1

RESIDENT FORUM..... 1

AGENDA APPROVAL..... 2

APPROVAL OF MINUTES..... 2

CONSENT ITEMS.....2

Item 2 Approve Payment of Claims.....2

Item 3 Acknowledge & Accept Bid Results/ 23-3, 2023 Crack Sealing/23-5, 2023 Pavement Markings/23-7, 2023 Trail Maintenance/23- 10, 2022 Parking Lot Maintenance (R027-23)..... 2

Item 4 Approve Plans & Specs/Order Ad for Bids//23-11A Through 23-11L/23-15/Prairie Rd. NW & 23-16/Andover Blvd. NW/2023 Mill & Overlay (R030-23)..... 2

Item 5 Award Bid/21- 39/Tulip St. NW & 161st Ave. NW Reconstruction (R031-23)..... 2

Item 6 Award Bid/23-2, 2023 Street Reconstruction/23-8, 2023 Curb, Sidewalk & Ped Ramp Repairs & 23-17, 2023 Full Depth Reclamation (R032-23)..... 2

Item 7 Approve JPA with Anoka County/21-39/Tulip St.NW & 161st Ave. NW Reconstruction..... 2

Item 8 Award City Contract for Ash Injections/22-49/EAB Management Program.....2

Item 9 Approve MSA Designation of Old Constance Designating New Municipal State Aid Route (R033-23)..... 2

Item 10 Accept Resignation/Retirement of Wayne Goodrich Maintenance Worker.....2

Item 11 Approve Used Vehicle Sales License.....2

Item 12 Approve 2024 Budget Development Guidelines.....2

Item 13 Approve Revised City of Andover Emergency Operations Plan.....2

Item 14 Approve Ordering Equipment.....2

CONSIDER CONDITIONAL USE PERMIT (CUP) AMENDMENT FOR THE PLACEMENT OF ADDITIONAL ANTENNAS ONTO THE EXISTING WATER TOWER ON THE PROPERTY LOCATED AT 1685 CROSSTOWN BLVD. NW, (PID#:22.32.24.41.0006) SUBMITTED BY NEW CINGULAR WIRELESS, PCS, LLC % STEVE WARD (APPLICANT) (R034-23)..... 3

RESCHEDULE JULY 4, 2023 COUNCIL MEETING.....4

ADMINISTRATOR’S REPORT..... 4

MAYOR/COUNCIL INPUT.....5

ADJOURNMENT..... 5