

***REGULAR ANDOVER CITY COUNCIL MEETING – SEPTEMBER 19, 2023
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Bukkila, September 19, 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
 Director of Public Works/City Engineer, David Berkowitz
 City Attorney, Scott Baumgartner
 Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

No one came forward to address the Council.

AGENDA APPROVAL

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

APPROVAL OF MINUTES

September 5, 2023, Regular Meeting

Motion by Nelson, Seconded by Butler, to approve the September 5, 2023, Regular meeting minutes as presented. Motion carried unanimously.

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Receive August 2023 City Investment Reports
- Item 4 Receive August 2023 General Fund Budget Progress Report
- Item 5 Receive August 2023 Community Center Update
- Item 6 Accept Fire Prevention and Safety Grant (FP&S) Award (See Resolution R060-23)
- Item 7 Approve Change Order #1/21-39/161st Ave. NW & Tulip St. NW Reconstruction (See Resolution R061-23)
- Item 8 Approve Request to Waive Tournament Fee for The MN Softball Military Appreciation Tournament
- Item 9 Approve Appointment – Building Permit Technician

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

ANOKA COUNTY SHERIFF’S OFFICE MONTHLY REPORT

Commander Paul Lenzmeier provided a monthly report including 1,217 calls for service; however, the lowest number of thefts year to date with only 12 thefts reported for the month of August. He stated there were 7 DWI arrests for the month. He noted the deputies are being very proactive out in the field in regard to these DWIs and added that one of the deputies just returned from the Drug Recognition Evaluator Course, making three DREs out on the streets. He noted there were 327 traffic stops with 48 traffic arrests. He shared a significant call that came in on August 13th, just before 6:00 a.m., when a homeowner discovered three males wearing ski masks in his garage when he woke up. He added that the homeowner was able to get the license plate information for the vehicle that the males escaped in and it was an un-reported stolen vehicle. He shared that the State Patrol had a pursuit with the vehicle but it was lost in St. Paul. He encouraged residents to remain vigilant in protecting their properties and themselves. He shared that the deputies also went out in August for tobacco compliance checks at all 16 businesses. He noted that only one business failed the compliance check and added that the deputies will be doing liquor license compliance checks in the coming weeks. He shared that the Sheriff’s Office Open House is this Thursday. He stated they have been in a good place with hiring and only have a short list of open positions remaining. He noted they should be fully staffed in the next six months.

Councilmember Nelson asked how many more deputies will be needed to be fully staffed. Commander Lenzmeier stated they will only need three more deputies. He explained there will also be some promotions in that time period and would like to bring on five new deputies.

Councilmember Nelson asked if there are any upcoming retirements. Commander Lenzmeier noted this accounts for upcoming retirements.

DISCUSS/REVIEW UPDATED 2024 LAW ENFORCEMENT PROPOSAL

The City Council is requested to consider rescinding the August 15th approval of the 2024 Anoka County Sheriff’s Office Contract and consider approval of the updated contract.

Mr. Dickinson reviewed the Staff report and updates to the 2024 Anoka County Sheriff's Office contract concerning the removal of school resource officers. He shared that the updated contract has been reviewed by administration, the Sheriff's Office, and the attorney.

Councilmember Nelson asked if they could look at doing a liability waiver that was drafted in a way that would specifically address this. Mayor Bukkila stated that would be contradictory of State law. Mr. Baumgartner reiterated this would be asking law enforcement not to enforce the law and asking the County Attorney to not prosecute under the law. He noted this would do nothing in terms of civil liability against the officers.

Mr. Baumgartner shared that he has looked at this many different ways to try to get it to work and there seems to be no solutions outside of the governor addressing this in a special session.

Mr. Dickinson stated the decision sits at the County level to bring them back. He noted Anoka County is the insurer for this. He added that most of the State is insured through the League of Minnesota Cities Insurance Trust. He stated Andover is looking to Anoka County to make the best decision from a self-insurance perspective.

Mayor Bukkila added they are not escaping the liability aspect as they are members of the insurance trust. She noted if court cases come from any of the cities that are still moving forward with their SROs then Andover will still pay for this expense with premiums.

Mr. Dickinson shared that since school has started for this year, three metro law enforcement organizations have pulled out of schools due to incidents within the school.

Mayor Bukkila shared her appreciation for the Anoka County Sheriff's Office's flexibility with this contract. She noted her concern with not having anticipated assuming over \$100,000 in their budget to maintain these officers. She stated the budget had already been set for the 2023 year and now they are acting on the law after the fact. She noted this update helps achieve the objectives set and sets the City up to be able to restore the program when this law is changed. She added she does not see the governor bringing this forward for a special session.

Mr. Baumgartner asked for clarification on the language of the new contract and if the Sheriff's Office will now be providing two full-time deputy-sheriffs to be assigned to community-oriented policing. He asked if this is what would be replacing the SRO roles. Mr. Dickinson replied yes.

Mayor Bukkila cautioned against using the language 'SRO' as this language has been redacted.

Motion by Barthel, Seconded by Nelson, to rescind the approval from August 15, 2023 for the 2024 Anoka County Sheriff's Office Law Enforcement Contract. Motion carried unanimously.

Motion by Butler, Seconded by Nelson, to approve the updated 2024 Anoka County Sheriff's Office Law Enforcement Contract. Motion carried unanimously.

PUBLIC HEARING - 2024-2028 CAPITAL IMPROVEMENT PLAN

The City Council is requested to hold a Public Hearing to give the public an opportunity to comment on the proposed 2024-2028 Capital Improvement Plan.

Mr. Dickinson reviewed the Staff report concerning the public hearing for the 2024-2028 Capital Improvement Plan. He noted the Capital Improvement Plan is available on the City website as well as by request. He explained the process of the Capital Improvement Plan. He shared that the focus for the 2024-2028 Capital Improvement Plan is water, streets, fire, and other infrastructure basics.

Mayor Bukkila asked where the Capital Improvement Plan document can be found on the website. Mr. Dickinson stated it is on the website within the Finance Department. He added that he can put it on the front page of the website for the first month.

Councilmember Nelson asked how the \$6,100,000 for the Red Oaks Neighborhood goes into the budget for the water when it is going to be reimbursed. Mr. Dickinson explained there will be an expenditure then a revenue that will come in later. He noted they reflect the expenditure but it will not affect the taxpayers as it is funded through the State.

Motion by Butler, Seconded by Nelson, to open the public hearing at 7:24 p.m. Motion carried unanimously.

Rhonda Ganske, 2159 153rd Lane, came forward and commented on the rural reserve area analysis and sanitary sewer that is proposed for 2024 and 2025. She stated this item has a budget of \$4,520,000 which includes \$2,770,000 in sewer revenue bonds and \$1,600,000 in assessments. She shared it is important to find out if the citizens of Andover actually want this area developed, especially if they are going to be asked to pay such a high amount for this to happen. She added this was discussed at the February 28, 2023 Council Workshop meeting and it was stated then that the 1,000 acres in this area contain a high percentage of wetlands and floodplains. She continued and stated that Tim Kelley from the Coon Creek Watershed District shared that they have run three scenarios and two of the scenarios show no significant changes in the developable land and the third scenario may allow for an additional 40 acres of developable land with strategic ponding. She shared that she thinks the citizens of Andover should be able to vote as to whether they would like this rural reserve to be developed. She stated if the goal is to improve the Coon Creek water management and floodplain, she suggested finding other options that could be presented to the citizens that could have a lower price tag.

Motion by Butler, Seconded by Barthel, to close the public hearing at 7:27 p.m. Motion carried unanimously.

Mr. Dickinson explained these assessments Ms. Ganske referred to would be to developers, not to the residents. He explained these assessments are items for the City to get its infrastructure out there to be able to serve an area. He noted this goes through a rigorous process from an

environmental perspective and infrastructure perspective.

Mayor Bukkila reiterated that developers pay for development and this is a financial mechanism for the developers to stretch out these payments in a plan and agreement with the City to put the infrastructure in place.

Motion by Barthel, Seconded by Nelson, to adopt Resolution No. R062-23 adopting the City of Andover 2024-2028 Capital Improvement Plan. 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 reviewed the Administrative Staff report. He noted there have been 49 building permits for single-family homes; however, lot inventory is low. He noted there are many meetings he will be attending on behalf of the City including QCTV, North Metro Mayors, and Metro Cities Policy Committee meetings. He stated fiber companies have recently been showing interest in projects in Andover. He noted there may be some complex proposals and items coming forward over the next year. He added he has not heard from the residents that there is an issue with high-speed internet in the City. He shared that calls for code enforcement are up currently. He noted they have been spending their time on the budget and the Capital Improvement Plan.

(Public Works/Engineering Department Report) Mr. Berkowitz reviewed the Public Works and Engineering Department report. He gave an update on the roundabout on Prairie Road and shared that the construction continues with an anticipated completion date at the end of October. He shared that at the next workshop meeting they will be discussing the roundabout designs for Nightingale Street and Crosstown Boulevard, as well as Nightingale Street and Veterans Memorial Boulevard. He stated the discussion will start with the Council and will then transition into public outreach. He added they are working through the assessment process of the nearly 1,200 homes that have been impacted by roadway improvements. He stated this is coming in under the feasibility study for all of them. He noted they will hold a public hearing on this on November 8th. He noted they are working on finishing the CIP items for 2023, including Fire Station #2 where work will start in the next few weeks. He added they are now working forward in anticipation of 2024 projects. He explained one of the big water projects for 2024 is to loop the system out Crosstown Boulevard to Prairie Road and around to Andover Boulevard. He noted there are requests for proposals out now for this project and they are working towards getting a consultant online to start this design. He gave an update on the Legacy at Petersen Farms development and noted there is a pre-construction meeting scheduled for this week and they anticipate grading to start in the coming weeks. He noted the Fields at Winslow Cove development now has curb down and pavement should be going down in the next few weeks. He shared they are continuing to pothole patch whenever it is warm enough. He added they are still out mowing every week as well. He noted the yield of water on the municipal water system has been very high and shared the push for water conservation to extend water use restrictions through the end of September.

Councilmember Nelson asked if well #7 was now complete. Mr. Berkowitz said yes and explained the walls were deteriorating and had to be replaced by the Public Works workers.

Councilmember Nelson shared that the Public Works workers did a great job with this project as children can now not get on top of the well. He noted this could have been a huge liability if a child had climbed onto the roof, then fell off. He added the well looks fantastic.

MAYOR/COUNCIL INPUT

Mayor Bukkila thanked the residents who were able to attend the Fire Department's Open House. She noted they also had the Movie in the Park at Sunshine Park on Saturday evening and shared that she hopes there will be more events like this next summer. She added the North Metro Mayor's Association meeting is tomorrow evening and they will be having discussions regarding the SRO programs that are affecting the cities. She reiterated that the Sheriff's Office Open House will be held on Thursday.

Councilmember Nelson reiterated the Fire Department Open House was an awesome event and hopes the residents will also attend the Sheriff's Office Open House.

ADJOURNMENT

Motion by Butler, Seconded by Barthel, to adjourn. Motion carried unanimously. The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Ava Rokosz, Recording Secretary

REGULAR ANDOVER CITY COUNCIL MEETING MINUTES – SEPTEMBER 19, 2023
TABLE OF CONTENTS

TOC \h \u \z \t "Heading 1,1,Heading 2,2,Heading 3,3,"

RESIDENT FORUM	1
AGENDA APPROVAL	1
APPROVAL OF MINUTES	1
CONSENT ITEMS	1
Item 2 Approve Payment of Claims	2
Item 3 Receive August 2023 City Investment Reports	2
Item 4 Receive August 2023 General Fund Budget Progress Report	2
Item 5 Receive August 2023 Community Center Update	2
Item 6 Accept Fire Prevention and Safety Grant (FP&S) Award (R060-23)	2
Item 7 Approve Change Order #1/21-39/161 st Ave. NW & Tulip St. NW Reconstruction (R061-23)	2
Item 8 Approve Request to Waive Tournament Fee for The MN Softball Military Appreciation Tournament	2
Item 9 Approve Appointment – Building Permit Technician	2
ANOKA COUNTY SHERIFF’S OFFICE MONTHLY REPORT	2
DISCUSS/REVIEW UPDATED 2024 LAW ENFORCEMENT PROPOSAL	2
PUBLIC HEARING - 2024-2028 CAPITAL IMPROVEMENT PLAN	4
ADMINISTRATOR’S REPORT	5
MAYOR/COUNCIL INPUT	6
ADJOURNMENT	6