

***ANDOVER CITY COUNCIL WORKSHOP MEETING – SEPTEMBER 26, 2023
MINUTES***

The Workshop Meeting of the Andover City Council was called to order by Mayor Bukkila, September 26, 2023, 6:00 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
 Director of Public Works/City Engineer, David Berkowitz

DISCUSS LEGACY AT PETERSEN FARMS EASEMENTS

Mr. Janish presented the staff report and reviewed an emergency vehicle access for the Legacy at Petersen Farms development and whether or not this easement should be public or private.

Darren Lazan, Landform Professional Services, shared they have proposed a private easement on two properties until it was determined needed and then would be made public. He explained this gives them the easement so if the two lots the easement was on between were sold they would still hold the easement to facilitate an emergency vehicle access. He added it was never intended for them to hold this as a private easement long term. He asked for clarification from the Council on this easement.

Councilmember Butler asked about there being four lots at the end of the 170th Avenue cul-de-sac and how the Council will be able to know that the developer will not come back and ask for way more lots in this area.

Mr. Lazan stated they have not done surveys of this area. He noted they could squeeze five lots in this area but no more than that. He explained with a standard 500-foot cul-de-sac, with lot width requirements, around 12 homes will fit in the end of the cul-de-sac in an urban setting. He noted a 500-foot cul-de-sac in a rural area generally would fit four homes. He stated the fire code allows for 30 homes on a single dead-end roadway.

Mayor Bukkila stated she does not get into private easements with developers outside of the standard easements. She stated if the City is looking at a PUD and the whole area had constantly

been referred to together, but now it is being cut up and dissected, she would never give up a portion of control that she would have to fight to get back later. She explained if another developer comes in to work on the next phase of the project, they may not see things the same way and may want to do things differently. She stated this could prevent the next developer from maximizing the site. She shared that she would like to preserve these decisions for the future and by releasing this to a private easement, the City loses this control.

Mr. Lazan stated he would normally agree; however, this has to do with preserving the right for someone else to one day get a waiver to go to the maximum cul-de-sac length so that they can put a paved road through his park to get more lots through this area. He shared that the way this is now with the current easements he has given away control of his open space park. He noted he does not think it is fair for the City to ask him to provide a paved easement that will allow the public to do a paved trail so that someday someone else can come in and get a waiver from the maximum length and then build through this area.

Councilmember Butler shared that this feels like this limits the City's ability to plan for future development and is inconsistent with past practice.

Councilmember Barthel added he likes the easement being public; however, if it came back some day and they only decided to add two homes in this area, he would not see a need for the easement and would have no problem giving it back. He stated if it came back and they were wanting to put way more homes in this area then he would still want the City to have control of the easement.

Mr. Lazan asked if they get this under control and they come back to amend the PUD back down to two homes or four homes without an emergency access if they would be able to get their easement back.

Mayor Bukkila stated she would not grant a decision, as this would be changing the PUD without public input.

Mayor Bukkila stated this is something that would have to be brought back and be presented to the public at a regular council meeting to allow the public to weigh in on this.

Mr. Lazan explained Staff is currently holding these easements until there is a resolution.

Mr. Janish asked Mr. Lazan if he was proposing to come in with the PUD amendment prior to the recording of the final plat then the Council could then say that they do not need to provide a public emergency vehicle easement through the area.

Mr. Lazan said yes.

Mayor Bukkila added this is asking the Council to commit to something without having the ability to confer with Staff to see if this is even a good idea. She stated she is not willing to agree to this without the ability to vet this prior.

Mr. Lazan asked if they would be able to hold the easements from recording until plat. He noted then they would have the ability to consult with Staff with this.

Mayor Bukkila stated the Council is here tonight to discuss the private or public easement preference. She asked where the Council leans on maintaining a public easement.

Councilmember Nelson stated he is in favor of the public easement because it is consistent with what the City has done in the past. He shared his confusion about this as he was not prepared to look at these other options this evening. He agreed with Mayor Bukkila that they would need to look at and discuss these other options with the Staff and the public.

Mr. Lazan explained the discussion of this easement being public or private was in response to Mayor Bukkila at the last discussion saying that she does not want this to box the developer in and then come back and ask for more help later. He shared that he reserved a private easement in this area so that it could be made public. He asked if the Council wants the public easement now or if he has shown them that he has maintained this space, and he will make this easement public whenever they determine an emergency vehicle access is necessary.

Councilmember Butler stated he would like this to be a public easement as this was his interpretation of the previous discussion.

Councilmember Nelson agreed.

Councilmember Barthel agreed.

Councilmember Engelhardt agreed.

Mayor Bukkila agreed.

Jason Osberg, JD Holding, shared that the only reason that they are discussing the public versus private easement is because of the length of the cul-de-sac. He stated they are discussing phase four with the Petersen family and they need to know if they are looking at two or three lots to meet the 500 feet requirement or if they are looking at this with an emergency access. He added they are looking at what this PUD amendment will look like.

Mayor Bukkila stated she is not going to design this area for the developer. She noted this is all about the developer and what they propose and the Council decides on that.

Mr. Lazan stated they can bring some more information back to the Council on this item.

Council consensus was that they are in favor of a public easement in this area.

***DISCUSS PRELIMINARY LAYOUTS/23-18, NIGHTINGALE ST. NW & CROSSTOWN
BLVD. NW ROUNDABOUT & 23-19, NIGHTINGALE ST. NW & VETERANS MEMORIAL***

BLVD. ROUNDABOUT

Mr. Berkowitz presented the Staff report concerning the roundabouts at Nightingale Street and Crosstown Boulevard and Nightingale Street and Veterans Memorial Boulevard.

Andrew Plowman, WSB Engineering, discussed the layout, design, and funding of these roundabouts.

Mr. Berkowitz stated they would like to do a full closure of this area to work on this project and start the project in May so that it can be finished by Labor Day.

Councilmember Nelson asked how many feet these roundabouts will be.

Mr. Plowman shared that it would be 145 feet, which is a compact roundabout.

Mayor Bukkila asked about the reroute if they were to completely close off this area and what the impact would be.

Mr. Berkowitz reviewed where things would be rerouted and how this would impact the area. He noted local traffic would still be allowed.

Mayor Bukkila shared a concern with the closure and if they would need to make some temporary parking option modifications throughout the neighborhood.

Mr. Berkowitz explained how they have done this in the past. He noted when they have worked on other roads which resulted in a lot of people parking on the street, it led to traffic calming because it slowed people down.

Councilmember Nelson added the traffic may also increase through the YMCA parking lot and north drive.

Mayor Bukkila stated she does not want to see any ‘convenience time’ lended to the contracts on this project considering the impact.

Mr. Berkowitz stated this has a very tight timeframe.

Mr. Plowman stated he has seen roundabouts like this be able to be built in just a few months.

Councilmember Nelson asked how long it would take for both of these roundabouts.

Mr. Berkowitz stated the middle of May to the end of August timeline is very realistic. He added they can also have a hard deadline of needing this to be completed by Labor Day and they can share this with the contractors in a pre-bid meeting. He noted there will likely be a lot of bidders on this project that want the job.

Councilmember Butler shared that he has seen a big variety for projects like this on how well signed the detour is. He asked if they can focus on MnDOT level signage for detours.

Mayor Bukkila agreed.

Mr. Plowman shared that other communities have put speed bumps or other restrictions in place to slow down detour traffic.

Mr. Berkowitz cautioned against speed bumps as this would set a precedent. He noted the best way to do this is to deal with it as you go. He added if enforcement becomes a large issue then they can put a squad car out in the area.

Councilmember Butler noted the importance of detour signs for those who are from outside of the City.

Mr. Berkowitz stated there will be a robust detour plan with signage to City facilities.

Mr. Plowman shared that they will show some of this information at the open house for the project.

Mayor Bukkila noted the importance of public education of these roundabouts and why they are putting them in at these intersections.

Councilmember Butler shared that he put a piece in his newsletter article about roundabouts and he received a lot of positive feedback on it.

Mayor Bukkila shared the idea of using the center of the roundabout.

Mr. Berkowitz stated that this could be a distraction.

Mr. Plowman added you would also not want this to be something where people would want to take a picture of it as this could also be a safety concern.

Councilmember Nelson asked if there will be a light in the middle of the roundabout.

Mr. Plowman stated there will be lights at the approaches to the roundabout, not in the middle. He added there may be some uplighting for landscaping in the middle but no overhead light.

Councilmember Butler asked about the mill and overlay section between the two roundabouts. He asked if they are allowed under State law to reduce the speed limit between the two roundabouts.

Mayor Bukkila stated this was supposed to allow them to be able to do this and she hopes that it will reduce the speed through the area.

Mr. Plowman shared that cities can set their own speed limits but counties cannot.

Mr. Berkowitz added there has been a statute change and they are working through the details of it now to see what the process would be to allow cities to change their speed limits.

Mr. Plowman noted they can do a speed study after the roundabouts have been built.

Mr. Berkowitz explained the goal of these roundabouts is for traffic control and safe pedestrian crossings. He stated in roundabouts you must drop down to 20 MPH to go through.

Mr. Plowman explained the geometry of designing these roundabouts and shared that with the other roundabouts he has built, the speed is not a concern. He noted they would post a speed limit sign after the speed study had been done.

Mr. Berkowitz discussed the finishes and aesthetics of the design. He asked what colors the Council would like the truck apron to be.

Councilmember Nelson asked why this needs to be a different color.

Mr. Plowman explained it is so that this does not just look like a bunch of concrete and has some actual definition and contrast. He noted this can be a safety feature so that people are aware that the roundabout is there.

Mayor Bukkila suggested earth tones color for this that is distinctive enough for people to realize that this is not a driving lane or a sidewalk.

Councilmember Nelson suggested green as it would appear like grass.

Mayor Bukkila stated she would not like grass in the middle of the roundabout as it would have to be watered, mowed, and maintained.

Councilmember Barthel stated he does not care what color the truck apron is as long as it is not an expensive option and it is protected from fading.

Mr. Berkowitz suggested a dark gray color for the truck apron with a white in the middle.

Mayor Bukkila asked Mr. Berkowitz to come back with some photo examples.

Councilmember Nelson asked what colors are most often seen with the roundabouts that hold up the best with fading and are able to be contrasted from the regular pavement.

Mr. Plowman stated darker tan or darker gray colors have worked out pretty well. He noted there was a roundabout that was put in in 2007 or 2008 which still looks pretty good. He stated he can bring back some photo examples.

Mr. Berkowitz discussed other options for the middle of the roundabout, such as river rocks and

other landscaping with the potential for some City branding.

Council consensus was reached to direct staff to bring back photos and examples for designs of these roundabouts.

2024 BUDGET DEVELOPMENT DISCUSSION/UPDATE

Mr. Dickinson presented the Staff report and gave updates on the budget, highlighting staffing, personnel, union contract, and other contractual departments and how these items will affect the budget. He discussed the employee health insurance plan and whether they would like to stay on a national network plan or a local access network.

Mayor Bukkila asked if remote workers who travel and could be outside of the local network is part of the thought process in sticking with a national network plan.

Mr. Dickinson said no and that it is more about identifying who the members are and where they are planted throughout the country. He noted families are able to keep their children on the health insurance until they are 26 and when kids go to college or move, they would likely be outside of the local network. He added some insurance companies are offering discounts for offering an option for tele-health.

Mr. Dickinson noted last year's tax rate was 30.945% and with this year's rate increase it would go to 32.097%. He stated this will likely be one of the lower increases in Anoka County.

Mayor Bukkila stated Andover needs to do what they need to do for their City.

Mr. Dickinson stated the budget seems to be in a pretty good shape and there is also a possibility of some savings off the placeholder numbers that are currently in the budget.

2024 SPECIAL REVENUE, DEBT SERVICE, CAPITAL PROJECTS, ENTERPRISE & INTERNAL SERVICE FUNDS BUDGET DISTRIBUTION & DISCUSSION

Mr. Dickinson presented the Staff report concerning the special revenue funds, the debt service funds, the capital project funds, and the enterprise funds.

Mayor Bukkila suggested renaming the seal coating fund as it seems to be a false notion that the City continues to do seal coating when then is not what it is used for.

Mr. Dickinson said this is tied to the fee schedule so he would have to make those modifications there as well.

Councilmember Nelson asked if Andover ever received funding from the opioid fund.

Mr. Dickinson said yes and they will start interjecting those funds into the budget when they know

what they are. He noted they have only tapped into these dollars for activities that will work towards zero drug usage at public facilities. He added Andover got these funds due to their population, they did not need to do anything else or sue to get these funds. He estimated Andover would likely get around \$110,000 over the course of the distribution.

Councilmember Engelhardt asked how much flexibility there is in the risk management fund for internal services.

Mr. Dickinson stated there is a lot of flexibility as this fund is very volatile. He noted the insurance rates were good this year related to workers comp, general liability, facility and auto.

Councilmember Nelson asked when the TIF is completed for Arbor Oaks.

Mr. Dickinson stated he is not sure but can get the information on this. He noted they can do one of two things with that TIF district once the initial obligation is complete, they can either de-certify the district and the dollars will then come to the City or they can find a new project within the redevelopment district.

DISCUSS SOCIAL MEDIA POLICY

Mr. Dickinson presented the Staff report and reviewed the social media policy that dates back to 2016. He noted this policy is more of a guide. The City used various social media platforms.

Mayor Bukkila stated she does not see a need for labeling different platforms. She noted this was brought forward to be revisited and to make sure that the Council is aware of the policy. She added there have been issues with this in the past. She explained sometimes putting things out on social media can be a reputation builder or killer. She stated a certain amount of social media repetition on a topic, such as water contamination, can gain a negative reputation for the City as a whole. She shared that when she is trying to navigate through public negativity or concerns, she calls Mr. Dickinson to have the City push out the information and she will then share the information.

Mr. Dickinson added one of the important things with community pages is that they need to be very cautious if a political individual posts something that is contrary to where the City is going. He noted if this happens there may be other political individuals in the City may want to post to counter this and now there are political individuals opposing each other which could lead to an open meeting law violation. He added if something is shared, it needs to be shared as a City message. He stated the residents look at the Council as portraying the City position. He noted anything can be shared or posted on personal social media pages as long as it does not go on a community social media page.

Councilmember Engelhardt agreed with this. He stated social media is a valuable tool; however, there are so many bad things that can happen. He shared an example that happened recently of someone in the area asking about the SROs online. He noted posts on social media can get amplified so quickly.

Mayor Bukkila agreed the SRO topic blew up on social media which is when she encouraged Mr. Dickinson to prepare a public statement on this as the correct information needed to get about this. She stated she wants to try to control the social media environment to let the work be the focus and not the attention.

Councilmember Engelhardt shared that there is a ‘fire’ on social media that is starting to burn surrounding the election functions.

Councilmember Butler stated this is a good reminder to keep posts and comments on social media to just answering a question with a factual response or correcting a factual misunderstanding and referring it back to the Council and Staff.

Mr. Dickinson added if there is a topic that is being widely talked about then they should contact him to get a message out to the public.

Councilmember Butler stressed the importance of correcting the record and keeping people focused on the right things. He noted that in the absence of information people tend to assume the worst. He added he also has to stay away from posting and commenting on social media when the Council disagrees on something.

Mayor Bukkila stated she takes the spectator seat when it comes to these sorts of things as she wants people to have freedom of speech without the Council or City coming in and stepping on their comments as they are entitled to their opinion.

Councilmember Butler noted that there are a lot of people who comment on the main community page who are good about encouraging other residents to call City Hall to get their questions answered.

Mr. Dickinson added more of this is going to happen relative to the water issues, so they need to ensure that the right message is getting out to the public. He stated the issues that are coming up are greater than the municipality can take care of, so communication also needs to go to the MPCA and the Department of Health web pages.

Mayor Bukkila encouraged staying away from the Andover community page unless there is a certain urgency to respond. She stated she will post this policy on Facebook.

Council consensus was reached in agreement with the policy.

OTHER TOPICS

Mr. Berkowitz showed a roundabout design on Highway 65 which Anoka County is seeking letters of support. He noted the County wants to start the process to apply for some funding to start design and environmental review right away on this. He noted the money will not be available until 2028 and the construction would likely not take place until 2032.

Mr. Dickinson noted this is an important intersection to Andover as it is at Bunker Lake Boulevard and Highway 65.

Mr. Berkowitz added this is an overpass with the roundabouts below. He explained the traffic flow of this. He explained this roundabout will actually serve as the on-ramp onto Highway 65.

Mr. Dickinson asked the Council how they want Staff to do a letter of support. He asked if they would like Staff to write them from their perspective or have Staff bring these to the Council and they would endorse and sign.

Mayor Bukkila stated they would like to see the letter if their names or the City will be on it.

Mr. Dickinson discussed the Anoka Rum River Dam and how they are looking for \$11,950,000 in bonding money for operation and safety improvements as well as a lot to facilitate the river pool. He shared that the city of Anoka is looking for a letter of support for this.

Mayor Bukkila shared that she is conflicted when it comes to supporting recreational activity in a different city.

Councilmember Butler stated he believes that a former Councilmember had worked on this and argued that if they do not make improvements then there may be a push to get rid of the dam itself which would impact the utility of the river for Andover.

Mayor Bukkila noted she does not have a problem from the functional aspect; however, when they are talking about supporting a recreational river surfing component, she does not know how much of the cost goes to this as it is not essential for the function of the dam.

Councilmember Barthel asked who benefits from the hydroelectric aspect of this.

Mr. Dickinson stated the Anoka utilities, and the electric grid would benefit.

Mayor Bukkila asked if the hydroelectric aspect helps offset some of Anoka's expenses, what does this funding source do for Andover. She stated she would need more information before she could get behind this in support. Mr. Dickinson stated he would gather more information and get back to the Council.

Mr. Dickinson shared that there are some city road issues occurring that were not on the CIP list but need to be put on the list, the road failure is moving rapidly.

Mr. Berkowitz stated there are four cul-de-sacs in the Meadows at Round Lake development. He shared that they tried to get a contractor in to do something with these roads and the bid was \$85,000 for four cul-de-sacs. He noted it would not look good if they fix these roads and do not assess people.

Mayor Bukkila asked if these are full reconstructions or just mill and overlay.

Mr. Berkowitz stated it is in between. He stated he would like to roll this into an assessment with the larger project of the Hills of Bunker Lake. He explained they will need to determine where to stop the reconstruction.

Mr. Dickinson noted this is being brought forward as it wasn't on the CIP just approved.

Mayor Bukkila asked if the costs will also need to be added to the CIP and if this will affect what the taxes are.

Mr. Dickinson stated it will not change the taxes based on the dollar amount and with proper fund balance management.

Councilmember Nelson asked how far back they will need to do the reconstruction of these roads and cul-de-sacs.

Mr. Berkowitz stated the cul-de-sacs are the main priority and they would make an evaluation of where they are going to stop based on the cul-de-sacs.

Mr. Dickinson stated they will weigh the costs on where to stop the reconstruction on the entrance to the cul-de-sacs.

Councilmember Engelhardt asked if there was a difference in material used on these roads that caused a difference in wear.

Mr. Berkowitz stated the seal coat that was put down has basically disintegrated as these roads were paved in 1997.

Mayor Bukkila added the Council is in agreement to consider the proposal with the other CIP projects.

Mr. Berkowitz stated they will put this in a feasibility report and bring it back to the Council.

Councilmember Engelhardt shared that he was off of Crosstown Boulevard today at 138th Avenue and he saw that this area is still torn up.

Mr. Berkowitz stated it is still gravel as they are on the waiting list for the contractors to pave this, it's a small area so not highly attractive for contractors.

Mr. Dickinson gave an update on the Red Oaks neighborhood. He shared that they have been working with the MPCA and the Department of Health and they have agreed to work with the City to get a consultant out to the project area to assist with determining the best way into the house and how to make the water connection. He noted they have a contractor under contract and

will be sending a letter out to the residents telling them the contractor that the City is working with as well as letting the residents know what information the City will need from the residents. He added this letter will share with the residents that they will need them to sign off granting the City access to be able to make these connections and set appointments to get the evaluation done. He stated the City contractor is Rice Lake Contracting who was the contractor that built the water treatment plant.

Mayor Bukkila added the neighborhood has already received communication to open the mail that comes from the City about this, she stated the neighborhood has an active social media group.

Mr. Dickinson added the neighborhood will also be doing phone notification to make sure that they call all of their residents to make sure they know all of the information.

Councilmember Nelson asked if there is anything in the letter that the residents have to sign and return to the City.

Mr. Dickinson said yes and they have to sign to give permission for the contractor to come to make the connection.

ADJOURNMENT

Motion by Barthel, Seconded by Nelson, to adjourn. Motion carried unanimously. The workshop meeting adjourned at 8:37 p.m.

Respectfully submitted,

Ava Rokosz, Recording Secretary