

ANDOVER CITY COUNCIL WORKSHOP MEETING – SEPTEMBER 27, 2022
MINUTES

The Workshop Meeting of the Andover City Council was called to order by Mayor Sheri Bukkila, September 27, 2022 at 6:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Valerie Holthus, Jamie Barthel, Ted Butler, and Randy Nelson

Councilmember absent: None

Also present: City Administrator, Jim Dickinson
Public Works Director/City Engineer, David Berkowitz
Utilities Manager, Steve Weinhold
Fire Chief, Dennis Jones
Assistant Fire Chief, Ernie Scherger
Others

(CONTINUED DISCUSSION) TOBACCO LICENSING/SALE OF TOBACCO RELATED PRODUCTS

The Council is requested to receive a presentation and discuss changes to the sale of tobacco related product. Councilmember Butler stated residents brought the number of vape shops in Andover to his attention. He started looking into the City's tobacco ordinance and how to discourage youth from using tobacco products.

Dr. Thomas Kottke, Cardiologist with HealthPartners, stated their mission is to limit access to nicotine products for youth. He explained the negative effects of nicotine on the brain of youth. He stated City Council is doing the right thing by limiting access.

Councilmember Holthus stated she would like to see a limit on licenses in the City. She works in a secondary school and said there are students that are addicted to nicotine. She feels the City needs more stops in the path of access, especially for middle schoolers.

Councilmember Nelson stated the number one cancer death in the U.S. is lung cancer for males and females. He says the key is to limit flavored tobacco and have a steeper fine for selling to minors.

Councilmember Butler stated many communities have either eliminated flavored tobacco or restricted it to 21+ tobacco shops.

Councilmember Barthel would like to see a limited number of licenses. He said there must be stricter punishments for selling to minors.

Mayor Bukkila stated limiting licenses is within the City's purview. She believes limiting products is a legislative action at the State level. Mayor Bukkila stated the products need to be secured at the point of sale.

Councilmember Butler listed his suggestions for changes to the tobacco ordinance.

- Limit number licenses, grandfather existing licenses, if license is revoked then it would go away until the City is at the set number of licenses.
- Restrict or ban the sale of flavored tobacco.
- If a license is revoked, do not allow a license at the same address for a set time period.
- Set a distance restriction from schools and daycares.
- Fees and fines are lower than allowable by State Statute and should be increased.

Mr. Baumgartner noted selling tobacco to a minor is a petty misdemeanor according to State Statute. The State allows for a city to adopt a stricter ordinance. He explained the City can set the penalty for selling to minors at a misdemeanor. The penalty would be a maximum of 90 days in jail and/or a \$1,000 fine. Mr. Baumgartner stated the higher penalty may improve attention to detail and reduce the sale of tobacco to minors. He explained the City can charge the seller criminally and the license holder civilly.

Mayor Bukkila asked if the City searches for petty misdemeanors when doing a background check on a license application. Mr. Dickinson stated the background checks catch misdemeanors and higher.

Mayor Bukkila stated the Council is brainstorming ideas on limiting tobacco sales and needs homework and feedback from staff. She would like the penalty for tobacco sales to minors be consistent with selling alcohol to minors.

Lucy Farber, with Advocates for Better Health, explained what actions other cities have taken to limit the sale of tobacco.

The Council discussed effects of changing the ordinance on undeveloped parts of the City. If a gas station wanted to open in a new development area, it would not be able to sell tobacco if the City

limited the number of licenses. Mr. Baumgartner suggested dividing the City into quadrants and setting a limit on licenses within each quadrant.

The City Council had a robust discussion regarding changes to the tobacco ordinance and requested staff to return with a draft ordinance at a future workshop.

DISCUSS CORRIDORS OF COMMERCE POTENTIAL PARTICIPATION

The City Council is requested to discuss participation in the Corridors of Commerce (COC) funding request for a third lane on Highway 10 called “strategic congestion mitigation lane between Hanson Boulevard and Round Lake Boulevard”. The City of Coon Rapids and Anoka County approached the City to apply for funding to add the third lane. Mr. Berkowitz stated Andover residents would benefit if this additional lane is completed. The Council reached consensus to move forward with the application.

DISCUSS/REVIEW WATER UTILITY EMERGENCY RESPONSE

The City Council is requested to discuss and review the Emergency Response for the Water Boil Advisory that was issued on Sunday, August 28, 2022. Mr. Berkowitz stated there was a failure in the communication between the system and the water tower causing a loss in pressure. Staff contacted the MN Department of Health and they recommended a water boil advisory. The water boil was lifted within 24 hours. Mr. Berkowitz explained the water infrastructure is a protected system and infrastructure detail is not shared with the public.

He stated Anoka County used Hiplink to inform the public about the water boil. He stated the media was extremely helpful. The City used aggressive communication methods through signs, message boards, social media, County communication, and local media. Staff delivered notes to senior facilities, daycares, local businesses, and placed signs in gas stations.

Mayor Bukkila stated the failure happened at 5:00 a.m. and the notification occurred at 10:00 a.m. She asked for an explanation of the timeline. Mr. Weinhold stated staff were alerted through an alarm around 5:10 a.m. He was able to log in and get the pumps working at 5:25 a.m. Mr. Weinhold reviewed the steps staff took to rectify the situation. Mr. Berkowitz stated the City needed to identify the problem, find the solution, and notify the public. He stated the outgoing communication needed to be accurate and consistent to maintain credibility. Staff created a map, set up phone lines, and called in staff to operate the lines. All staff that were asked to come in, came in.

Mr. Dickinson explained the City’s response and mobilization efforts from his experience. He

stated communication was approved for dissemination by 9:45 a.m. Mr. Dickinson stated staff identified the problem, crafted a message, had staff ready to answer phones, while Public Works staff were resolving the water emergency. Mr. Berkowitz stated the MN Department of Health on-call staff were extremely helpful. She drove from Rochester to pick up a water sample to test it.

The Council and staff reviewed lessons learned and recommended changes:

- The problem could have been caused by a lightning strike or by Verizon putting their antennae back on the water tower.
- Staff have set a time limit of 30 minutes for the control system to monitor the water tower, if there is no change it will sound an alarm and pumps will activate.
- Tower 2 is on a fiber line. Tower 1 is on the radio system.
- The City plans on expanding fiber network to the wells. The City will own their own network.
- When all is done, there will be four backups.
- Considering running conduit along the water main when they are installed.
- Recommendation for more phones for the main number to roll into.
- Have a command center at City Hall.
- Review and update emergency plan.
- The Emergency Operations Plan is updated every five years.

Councilmember Butler commended staff for pitching in and solving the situation. He asked about the outbound communication to residents and if the City should get a communication tool to push out notifications to residents. Mr. Dickinson stated the City has emails of residents through the utility billing system, however, would need residents to authorize the City to contact them for emergencies. Council direction was to explore additional methods of communicating with residents during emergency situations.

Mayor Bukkila asked staff to provide regular updates to Council.

161st AVENUE NW AND TULIP STREET NW RECONSTRUCTION/21-39/ASSESSMENT DISCUSSION

The City Council is requested to discuss the proposed 161st Avenue and Tulip Street NW construction project and the proposed assessment method. Staff recommended using the front footage method for assessment fees for Tulip Street. Staff recommend assessing the resident facing 161st Avenue at the same rate as residents on Tulip Street. City property will also be assessed at the same rate as residents. The Council reached consensus to use front footage for the assessment method.

2023 BUDGET DEVELOPMENT DISCUSSION/UPDATE

Fire Chief Jones provided an update on the Duty Crew Model and the Fire Department response times. He stated at times they may not have support from the Sheriff’s Department due to active incidents and response times for EMS has increased. He noted it is a State-wide systemic problem. Chief Jones stated the busiest times are 0500 – 2300. With duty crews on site, the response time from call to getting in the truck is 1 min 50 seconds. Without duty crew, firefighters come from home and arrive to the fire station which greatly increases response time.

Chief Jones stated they haven’t been able to fill all the duty crew hours. He noted weekends are the hardest to fill. Paid on-call staff has decreased by 27% but calls have increased. Chief Jones explained the shortage of firefighters is a nation-wide problem. He shared the challenges of recruiting and retaining firefighters. Councilmember Holthus asked what incentives there are for residents to become firefighters. Chief Jones said the range of pay is \$13 - \$20 per hour. He noted the retirement benefits are an incentive, but it takes long term service to reach it. Staff will write up information to share on social media to recruit firefighters. Council will help promote firefighter positions.

Mr. Dickinson stated they are working hard to implement the duty crew model, but it has been challenging. Chief Jones informed the Council that firefighters are at risk at getting burnt out. Alternatively like other communities a 12 career officer model at Station 1 is what would be needed if the duty crew won’t work. He noted there is a shortage of staff available to inspect businesses, review plans, and perform essential duties. However, they will attempt the duty crew model.

2023 SPECIAL REVENUE, DEBT SERVICE, CAPITAL PROJECTS, ENTERPRISE, AND INTERNAL SERVICE FUNDS BUDGET DISTRIBUTION AND DISCUSSION

Mr. Dickinson moved this item to the next Council Workshop.

AUGUST 2022 COMMUNITY CENTER UPDATE

Mr. Dickinson provided a brief update on the Community Center.

OTHER BUSINESS

None

ADJOURNMENT

Motion by Butler, Seconded by Barthel, to adjourn. Motion carried unanimously. The meeting adjourned at 8:53 p.m.

Respectfully submitted,

Shari Kunza, Recording Secretary