

**REGULAR ANDOVER CITY COUNCIL MEETING – JANUARY 17, 2017
MINUTES**

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, January 17, 2017, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Mike Knight, Sheri Bukkila, Valerie Holthus and James Goodrich
Councilmember absent: None
Also present: City Administrator, Jim Dickinson
Community Development Director, Joe Janish
Director of Public Works/City Engineer, David Berkowitz
Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

No one wished to address the Council.

AGENDA APPROVAL

The Anoka County Sheriff's report was amended with new data.

Motion by Holthus, Seconded by Knight, to approve the Agenda as amended above. Motion carried unanimously.

APPROVAL OF MINUTES

January 3, 2017, Regular Meeting: Correct as written.

Motion by Holthus, Seconded by Bukkila, to approve the minutes as presented. Motion carried unanimously.

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Receive Assessment Roll/Waive Public Hearing/Adopt Assessment Roll/15-44/14327 7th Ave. NW/CenterPoint Energy Site Water Main Extension (See Resolution R007-17)
- Item 4 Approve Trail, Drainage & Utility Easement/17-18/South Access to Woodland Creek Wetland Restoration
- Item 5 Approve Tree Clearing Quotes/16-40, Smith's Green Acres Ditch Cleaning & 17-18, South Access to Woodland Creek, Wetland Restoration
- Item 6 Approve Application for Exempt Permit
- Item 7 Consider Amended Conditional Use Permit Time Extension Request – Bulk Storage of Liquid Fuels at 14327 7th Avenue NW – CenterPoint Energy
- Item 8 Approve Debt Service Payments

Motion by Knight Seconded by Holthus, approval of the Consent Agenda as read. Motion carried unanimously.

ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT

Commander Brian Podany gave the monthly Sheriff's Report. He noted fraudulent credit cards and stolen Amazon packages from doorsteps were issues in December and recommended that residents consider using lockers for package delivery. There has also been a spike in thefts in and around athletic clubs such as the YMCA. He also drew attention to the upcoming Polar Plunge fundraiser.

HOLD PUBLIC HEARING/ORDER PLANS & SPECS/170-02, 2017 STREET RECONSTRUCTION & 17-11, 168TH LANE NW RECONSTRUCTION

Mayor Trude explained how this portion of the meeting would be run. She also clarified that those with curb would pay for curb and those without would not pay for curb.

Mr. Berkowitz introduced the topic and clarified the color-coding being utilized in the meeting materials/map that were projected visually as follows:

The Lund's Evergreen Estates 2nd — 5th Additions, as well as 168th Lane NW from Round Lake Boulevard NW to Verdin Street NW are identified in the City's 2017-2021 Capital Improvement Plan (CIP) for reconstruction in 2017. The projects would include reclaiming the existing bituminous surface, replacing bituminous curb with concrete curb and gutter, replacing existing concrete curb and gutter on the west half of 168th Lane NW, storm drainage improvements, and paving a new bituminous surface. This has been a very effective reconstruction method since the City began the process back in 1996. These projects include three separate roadway sections; therefore, three separate assessment rates have been determined based upon the roadway improvements in front of each adjacent property (existing ditches to remain, existing bituminous curb replaced with concrete curb, existing concrete curb being replaced). The proposed assessment rates associated to the map are as follows:

Red Area \$ 7,800.00 (Replace Concrete Curb & Gutter)

Green Area \$ 7,740.00 (Replace Bituminous Curb with Concrete Curb & Gutter)
Blue Area \$ 4,140.00 (Rural Section with No Curb)

A neighborhood informational meeting was held with residents on November 15, 2016, to discuss the project, and answer preliminary questions and receive comments. It was noted that staff have received emails and phone calls from a number of residents. These comments were reviewed by the Councilmembers.

The project is to be funded from a combination of special assessments and City funds. Twenty-five percent of the total project costs, based upon a standard roadway section, would be assessed to the benefiting properties. The remaining costs would be funded through the City's Road and Bridge Fund and through Municipal State Aid Funds (168th Lane NW improvements only).

Assessments are estimated at: Red Area \$7,800; Green Area \$7,740; and, Blue Area \$4,140.

The project timeline was presented. Annual payments at 4.5% interest over 10 years were estimated to be: Red Area \$985.75; Green Area \$978.17; and, Blue Area \$523.21.

Motion by Holthus, Seconded by Bukkila, to open the public hearing at 7:27 p.m. Motion carried unanimously.

Mayor Trude reminded residents to be respectful in their remarks. She indicated that questions would be taken and then held for response once all questions have been asked and the public hearing had been closed.

Dave Hamers, 3110 - 168th Lane, noted the big difference between the green area and blue area and wondered why residents would need to pay for curb. He reminded the Council the curb was originally installed on a day when there was 30 inches of snow and asked why the concrete company would not repay the City for the curb costs. He also asked who was paying for the cops to go to Washington, DC. Mayor Trude indicated that this item was off topic for the public hearing.

Kirk Allen, of 16733 Wren Street, stated design and building of roads and is “up my alley.” He asked about possible cost savings by utilizing vertical drainage with the abundant sand in the area, indicating that vertical drainage would cost less and require less maintenance in the future.

Mary Jo Roberg, 2569 - 168th Lane NW (green area), asked if there is a way to address the scope of the project, safety, and environmental issues. She also expressed concerns regarding the loss of square feet of property, decreases in property values, and traffic closer to her home. She stated she has small children. She further requested consideration for how the project may affect wetlands, wildlife or flooding to property or if environmental impact studies had been considered. She also feels that it will not benefit their neighborhood and that widening the roadway will instead benefit others.

Ken Madden, 16476 Bittersweet Court (blue area), expressed his concern regarding the 25% assessment, indicating that many roads in Andover will need to be redone in future years. He expressed disagreement with the comment made at the previous meeting that if a new road is installed in front of your house, it will help the resident and their property values. Mr. Madden stated others use this road to go through the City. He wondered if the bonds that were “falling off” could be used to help the City with road projects and his belief was that expanding the Community Center is “ridiculous.” His major concern is the assessment amount to the individuals. Mayor Trude clarified that the City pays a proportional amount for larger lots as well.

Pat Gillesby 2627 167th Lane (green area), asked for clarification about the contractor quotes and estimates. She felt the residents are being asked to sign a “blank check.”

Amy Noban, 16626 Wren Court, asked if an assessment was like a property tax and if it would be tax deductible. If not, she wondered if it would be possible to change it so it could be tax free. She cited the 2017 budget which is designated 25% parks and 25% roads. She also wanted to know how long the City has been assessing at 25% and what was that history.

Ben Herberg, 16878 Crocus Street, stated his primary concerns are cost and safety. He specifically asked about painted shoulders and if there could be consideration for shifting the roadway to one side so there could be a bike path on the other side. He also wondered about the dirt road that “butts up” to their road and why it does not get tarred. He inquired as to what happens when a homeowner sells their property if they do not pay in a lump sum, but chose to make payments over 10 years.

Teresa Meyer, 2774 167th Lane, (green area) lives on a corner lot, she would like to choose what the project is. She also wanted to know how the assessment would be handled if there is a sale of the property.

Jeff Johnson, 16729 Crocus Street, (green area) asked a rhetorical question, “Can you control gas prices?” He asserted that if an individual uses premium gas in their vehicle, they get minimum benefit for the additional expense of the gas. He compared that to the minimum benefit residents would receive for having gutters installed where they had not been before. He stated he did not want to pay on the concrete gutters for the next 10 years.

Shannen Schmiegl, 2731 167th Lane (green area), stated she agreed with Mr. Madden. She explained staff needed to do “a little more homework and a little more listening to residents, taking more into consideration,” such as kids walking to Rum River Elementary. Mayor Trude asked her to identify the problems with the project. She replied that she felt it was “biting off too big of a piece and expecting us to swallow it,” and that residents should be more involved in the project. She expressed safety is a big issue and the project is moving forward too quickly.

Margaret Dupont 2679 167th Lane, stated she agreed with Ken Madden and Shannen Schmiegl, that the City should “shelf” the project and change the actual assessment policy. She asked the

Council to consider taking a look at the policy and making road reconstruction be part of the overall City budget and suggested having all residents pay.

Pat Boys, 2492 166th Avenue, stated he is new to the neighborhood and had spent a lot of time in Minneapolis where the roads are worse than what Andover is dealing with. He inquired about the scale that is used to measure the deterioration of the roads. He suggested if the project does move forward the City should look at paving the parking lot at the park.

Sheila Dewitt, 2603 166th Avenue, (blue area), commented that 10-11 years ago, road reconstruction was going to be free to the people in the blue area. She was new to the neighborhood that year. Streets have been repaired over the last 15 years. She expressed her belief that the project should go through while oil prices are low because a few years back it would have been much higher.

Jeff Anderson, 2777 167th Lane, stated his concern that 25% is unreasonably high for the value that residents receive. House values have gone down and he believes the money will go into lost equity. He also expressed his concern for the safety of children walking to school and that he had to ask the school district to move the bus stop into the neighborhood, off of the busy road.

Jeff Roberg, 2569 168th Lane (green area), asked about the construction materials and longevity and questioned whether the City would have the same issues with concrete going forward. With curbs generating run-off, he felt that water would take the path of least resistance, and wondered what the City would do about it if it floods a resident's property. He expressed concerns about the trail to the Rum Rive School and potential increase in speeding on the street because it is not a school zone there.

Ken Madden returned to the podium and pointed out that there have been foreclosures and a lot of new people moving into the area and that an assessment might be a hardship on those residents.

Mayor Trude asked for a show of hands of those in each of the areas, in the red area there were three represented, the green area had the most in attendance, and the blue area had seven in attendance.

Motion by Holthus, Seconded by Goodrich, to close the public hearing at 8:00 p.m. Motion carried unanimously.

The staff and the Council then responded to resident's questions.

Mr. Dickinson began the responses by stating assessments are not tax-deductible on income tax returns. He also confirmed that property taxes are tax deductible. In addressing the interest rate passed on to residents who chose not to pay the fee in one lump sum, rates are currently 4.5% and will be lowered if possible. The City has expanded the length of the terms from 8 to 10 years for this assessment. The City tends not go out to 15 years. As for the bonds falling off, Mr. Dickinson stated that would be a policy related decision for the Council to discuss during

budget preparation time. He also indicated these assessment hearings are not easy for anyone - City staff, City Council or residents. He went on to state residents at the property will get a benefit to their property and that 25% is on the low end, and that some cities assess residents up to 100%, and some are as low as 20% and yet some cities assess nothing. Andover is on the lower side of the assessment percentage range. Some parts of the project are not assessed at all to property owners and those costs are paid for 100% by the City. In the case of the City of Andover, the City is paying 75% of the assessable costs. The broader community, which also includes these neighborhoods contributed to that via the property tax levy.

Mr. Dickinson went on to explain that a feasibility study is done based on history, experience and the current marketplace. Once bids are in, it goes back to the City Council for review and further action. Residents are very rarely assessed for an amount higher than the estimate.

Mr. Berkowitz clarified early in the season the City can get lower bids because contractors are “hungry” for projects. It is also the City’s practice to estimate conservatively. Although there are no guarantees and City staff try to get it out early for bid, these projects are based on similar projects in the past. Contractors are also called for pricing estimates.

Mr. Dickinson reiterated they look to add to or enhance the neighborhood through a project and a resident can appeal the assessment at the end of the project. That is one of the reasons that only 25% is used as the assessment rate.

Mr. Dickinson stated a resident may be able to assign their assessment in a sales transaction to the new homeowner. The title company would generally require that the assessment be squared up in some way and it is between the buyer and the seller.

Mr. Berkowitz, in explaining the difference between the red and blue areas, stated in the blue area drainage is handled by ditches and the water drains off the road and goes to the low areas as it currently does. In the red area, there is concrete curb and water goes to a pond, therefore curb is needed to channelize the water, so there is curb that needs to be replaced. As for the question, why pay for deteriorating concrete, City staff does not know for sure why the curb failed, or if it had anything to do with the Halloween snow storm of 1991. As for a vertical drainage option, creating a development that utilized ditch systems would require regrading of everyone’s yard for 15 feet in and then there would be concern about utilities that are buried. Generally putting in a ditch is not very popular, that would have to be unanimous by residents for the Council to consider it, but it is not a bad idea. As for environmental impacts, the City has rules and regulations that are required for treatment of storm water. Water must be treated before it goes into lakes, rivers, etc. Additional storm sewer treatment may need to be added. The City is looking at putting in 11-foot drive lanes and a 5-foot shoulder, not a bike lane, to provide a safe way for pedestrians. There will be striping in the shoulder area and parking will not be allowed.

Mayor Trude asked City staff if they have observed higher levels of speed where the recent road reconstruction took place. City staff stated they did not know, as they had not heard complaints. Mr. Dickinson will talk to law enforcement about enforcement if the project moves forward.

Mayor Trude indicated the concern would be about speed, and safety of the children and that she would like a report back.

Mr. Berkowitz stated there is currently no plan for a speed study, but it could be done and the speed could be lowered, but it goes to MNDOT to decide. There is also potential for the speed to go up. There are speed laws related to rural residential driveways that might be considered. The City could use its influence to try to convince MNDOT to reduce the speed down to 35 m.p.h.

Mr. Berkowitz continued by addressing potential flooding, indicating there was design criteria originally done to meet the need to address storm water run-off, which needs to be treated before it goes downstream.

As for bike lanes, Mr. Berkowitz stated they need to go both ways, so it takes more room. The main consideration is to create a separation between bikes and traffic.

If residents are interested in paving of a dirt road, they would have to petition the City and there would be a 50% assessment.

The benefit of concrete curb is to get the water off of the road and channelize it. Not many contractors put bituminous back when reconstruction happens. When tires sit on bituminous curb, you can get gouges and ruts on a hot day, although it is half the price of concrete.

Mr. Dickinson stated policy matters are up to the Council. Twenty-five percent of the overall budget, set aside for roads, is the maintenance part of the budget. Over one million dollars a year in property tax levies is for road reconstruction in the community. Staff looked at quality and quantity to reduce future maintenance. Mr. Berkowitz continued by stating the 25% assessment has been in effect since 2006. Since 1998, concrete curb and gutter has been required in new developments. It is required in existing developments unless there are ditches. The Council spent 9 months back in 2005 developing the new policy on assessments, which would become 25% instead of 100%.

As for gutters, concrete can be laid at a flatter grade. In the last few years, Mr. Berkowitz stated the City has gone to a higher quality of concrete. When water sits [without draining] on black top it degrades much more quickly. If a road is rated a “4,” it is in pretty tough shape, requiring repeat maintenance. Water drainage will not change [with reconstruction, and if so] the City will provide additional water treatment as needed. Plans will be made to work within the existing right-of-way, however it is possible that water treatment may require more easement.

Mayor Trude talked about how the school district buses every child and bus passes have been given and then taken away [for those living closest to schools]. She said the Council has been aware, for a year, of children’s safety issues related to this project. Every neighborhood will have a large bill for road reconstruction when it is their turn. The Council and staff have researched and every city has pretty much gone to a shared assessment policy. A number one priority for the City is roads. If you pay \$7,000, the City and other residents pay \$21,000. Rural residents feel that they contribute more, but really those on smaller lots contribute more. Some

would like to get rid of assessing, but then the City would fill the Chambers with those on small lots. About half the City lives on a small lot and half live on a large lot. The City can help by doing good projects and good work by watching and monitoring the roads where residents live. The Council and staff know it is a burden for residents. That is why this project may look at more years for repayment of the assessment and that decision does not need to be made at tonight's meeting. If oil prices go up, the assessment could be more.

Councilmember Goodrich thanked the residents for coming out to the meeting, stating these are the toughest decisions for the Council and that they are not to be made lightly. What they have found is that infrastructure can collapse and then there is a big bill all at once for residents and the City. He reassured residents that the Council does not rubber stamp these decisions and that their ideas and patience are appreciated.

Councilmember Holthus asked about the risks if the project was delayed, if there would be increased costs, and if there would be decreased property values.

Mr. Berkowitz stated the budget needs to be balanced as they go and the City would need to do twice as much road construction next year.

Councilmember Holthus expressed concerns related to pooling water next to bituminous curbing. She also expressed appreciation for all of resident's time and their concern for their neighborhood and coming to the evening's meeting. She liked the idea of paving the parking lot at the park while the streets are being done and asked staff to consider that.

Councilmember Knight told residents the road improvements would help them keep their home's value so you can sell your home if you want to and streets are part of that. It is important how it looks out front.

Councilmember Bukkila stated assessments are always a point of contention and that it is okay to question, but it is not okay to be angry and residents have a right to ask questions and doubt Council decisions. When she was first on the Council, she said she saw big price tags for reconstruction projects. If all lots were the same size, assessments could be divided among the occupants, and because City residents do not want to be like each other [some living in rural areas and some living in urban areas] that system is not equitable. This system [25% assessment] came before her and was reviewed by her. She explained there is no way to keep everyone happy all the time. She reminded residents that Councilmember's homes all lost their value too and that it is really difficult to say, "this is your reasonable portion." "Anybody but me" is an easy solution and she cautioned residents to remember the farmer with 120 acres [who will have larger bills]. Living in the urban area is generally cheaper because lots tend to be smaller in size. She went on to say that those who have more road and land get to "play" and those on smaller lots do not. Councilmember Bukkila stated she does not have another solution and reflected that the only time anyone is interested in the issue of assessments is in the moment when they will be assessed.

Mr. Ken Madden stated he would be willing to work with the Council to help come up with a

more fair solution.

Mr. Berkowitz stated the notification went out to residents in September via a letter, but in the newsletter 2 years in advance. He later retracted, indicating that every two-years reconstruction is identified in the Capital Improvement Plan (CIP).

Councilmember Bukkila reiterated for 10 years there has been no other solution. She does not feel that she should “seize up” road projects while they figure out a solution and that residents are asking a lot. There is no easy solution and no one else has come up with a solution. It is very difficult and this is not the “end of the road.” [Once the Council votes to move forward] staff can order the plans and specs to get the actual bids in, to get the actual prices, and then it comes back to the Council for approval and there is still another opportunity to say “no go.”

Mayor Trude gave background information and examples as to how residents had influenced policy related to roads, stating that the Council tries to adjust and change. She commented there are trade-offs living on rural or urban lots and there are many roads done each year. She thinks the policy is working and that it is very important that residents were in attendance because the City wants a partnership with neighborhoods and residents. Neighborhoods come back to the City and say they are happy with the roads when they are done. Staff is available to answer questions by phone. If residents were to bring a petition and stop it, the money would go for a road in another neighborhood.

Motion by Bukkila, Seconded by Goodrich, to approve Resolution No. R008-17, ordering the improvement of project nos. 17-02, 2017 street reconstruction & 17-11, 168th Lane NW reconstruction and direction preparation of final plans and specifications. Motion carried unanimously.

RECESS

Mayor Trude recessed the regular City Council meeting at 9:02 p.m. while the Council Chambers cleared.

RECONVENE

The City Council reconvened at 9:12 p.m. without Councilmember Bukkila being present.

HOLD PUBLIC HEARING/ORDER PLANS & SPECS/17-13/UNIVERSITY AVE NW OVERLAY

Motion by Goodrich, Seconded by Knight, to open the public hearing at 9:15 p.m. Motion carried 4 ayes, 1 absent (Bukkila).

Mayor Trude noted there were not any residents in the Council Chambers that wished to speak on this item.

Motion by Goodrich , Seconded by Knight, to close the public hearing at 9:16 p.m. Motion carried 4 ayes, 1 absent (Bukkila).

Councilmember Bukkila returned to the Council chambers.

Mr. Berkowitz outlined the project which is identified in the City's 2017-2021 Capital Improvement Plan. It is an overlay of University Avenue NW from 157th Avenue to Constance Boulevard. This is a shared border roadway with the City of Ham Lake. The City of Ham Lake is taking the lead on the plan preparation and contract administration for the project. The project will include milling a portion of the existing roadway and paving a 2" thick bituminous surface. This project is anticipated to extend the life of the roadway 15+ years before reconstruction would be considered. This project will be jointly funded (50/50 split) between Andover and Ham Lake. The total estimated project costs are \$104,800, of which the City of Andover is responsible for \$52,400. In accordance with the City of Andover's Roadway Reconstruction Assessment Policy, 25% of the City of Andover's share of the project costs, or approximately \$13,100, is proposed to be assessed to the benefitting properties. There are seven parcels that will be impacted by the proposed assessments with this project. The estimated assessment rate per unit is \$1,880. The actual assessment rate will be determined once the project has been completed and will be based upon actual bid prices and project quantities. Staff sent letters to the impacted residents in lieu of scheduling a neighborhood informational meeting for this project. There were no calls, questions or comments from the impacted residents on this project once the letter or public hearing notice was sent out. Bids will be received in March, with construction taking place this summer.

Andover's share of the project costs would be funded from the City's Road & Bridge Fund, with 25% of Andover's total project costs for the improvements assessed to the benefitting properties as identified in the City's Roadway Reconstruction Assessment Policy. The total estimated assessable costs are \$13,100.00. The City costs are estimated at \$39,200. The estimated assessment rate for seven parcels is \$1,880/unit.

Mayor Trude stated this is also a Minnesota state aid road, which helps to stretch the road budget. Mr. Berkowitz stated the City is not using state aid for this project in order to save the dollars for bigger projects.

Motion by Knight, Seconded by Holthus, to approve Resolution No. R009-17, ordering the improvement of project no. 17-13, University Avenue NW overlay and directing preparation of final plans and specifications. Motion carried unanimously.

CONSIDER INTERIM USE PERMIT/STOCKPILE/PRESERVE AT OAK VIEW/HANSON BUILDERS INC.

Motion by Holthus, Seconded by Knight, to remove this motion off the table from the previous City Council meeting and bring it back for discussion. Motion carried unanimously.

Mr. Janish stated the applicant provided additional information to staff after the last meeting. City staff is continuing to recommend that the slope stays at 3:1 for the stockpile and there was discussion with the applicant about the vegetation and silt fencing. Staff is open to considering other erosion control methods such as “bio logs.”

Mr. Janish re-capped on January 3, 2017, the City Council tabled the Interim Use Permit (IUP) request by Hanson Builders, Inc. with the intent to continue the discussion regarding the slope of the stockpile at the January 17, 2017, City Council meeting. On January 4, 2017, the applicant submitted a letter to the City. City staff also reviewed and referred to the OSHA requirements for sloping and benching that were mentioned in the applicant’s letter. The OSHA regulations are specifically for maximum allowable slopes for trenches to ensure safety during open excavations.

The proposed IUP is specifically for the stockpiling of soils. City staff visited the site on January 3rd and January 6th. Photos are available for review. City staff continues to recommend a slope no less than 3:1 for the proposed project. The requirement of a 3:1 slope is similar to requirements from previously approved IUP’s for stockpiles that exist within newly created residential developments. A permit from the Coon Creek Watershed District is not required; however, City staff recommends that erosion control measures need to be provided around the stockpile. Vegetation should be established in undisturbed/inactive areas of the stockpile to prevent erosion.

The City Council was asked to review the request and consider the recommendation of approval by the Planning and Zoning Commission. Also, City Council is asked to review and to determine the required slope for the stockpile and amend the resolution accordingly.

What the slope ratio would be, and “appropriate erosion control devices,” are considerations for amending the resolution. Mr. Janish called attention to photos included in the materials noting that the stockpile is 15 to 18 feet high. He stated the developer reported the steep portion of the stockpile was knocked down after the previous Council meeting.

Mr. Darren Lazan, Landform came to the podium, representing Hanson Builders. He started by commenting to the Council on how well they handled the assessment discussion and noted assessments to his own property are 100%.

Mr. Lazan met with City staff last Friday stating agreement on a number of items and a commitment to responsiveness on complaints going forward. He stated the source of the question today is the slope component and it is their opinion that 3:1 is overly cautious. He believes the difference between storing dirt for one to two years is different than what they are asking to do and that this is an active stockpile. Their goal is to consolidate instead of having 13-15 stockpiles [on individual lots] and to minimize road hauling. He concluded by stating at the end of the day the question is not what is possible, but what is practical. They have a skid steer on site, but not a bulldozer to move large amounts of dirt.

Mayor Trude commented she likes that the dirt is all in one space and wondered if they could “meet in the middle.”

Mr. Lazan stated the slopes were too steep at the time just prior to the last meeting and that had been remedied. He commented 2:1 is the best that could be done because the stockpile is frozen. He stated they would agree to 2:1.

There was discussion about 3 sides of the stock pile remaining with the builder taking soil out of the center [of the pile]. Mr. Lazan asked for flexibility to go to 2:1 in the center as equipment has to come and go. Mr. Berkowitz expressed his desire to be consistent, knowing the decision would be setting a precedent.

Councilmember Bukkila asked if they would be bringing additional dirt in. Mr. Lazan replied they may need to if more walkouts are built. If buyers build full basements, then they likely will not need any more dirt.

Mr. Lazan also explained they will need room in the front [of the stockpile] for black dirt, so there really is not additional room. If the stockpile gets used up, yes, they would haul more in.

Mayor Trude stated she is having a hard time understanding the hardship of the 3:1 slope. Mr. Lazan confirmed it is related to day-to-day use and not having large equipment on site to reshape the pile to 3:1 on a daily basis.

Councilmember Holthus asked when the stockpile would be gone. Mr. Lazan indicated it would be gone next summer, that is if all of the lots are bought and built out in 2017.

Mayor Trude commented the issue seemed to be big graders and a small development.

Councilmember Bukkila stated she did not understand the difference between 2:1 to 3:1 slopes, related to the burden on the builder/developer.

Mr. Lazan stated he had offered 1.5:1 and sediment control per their permit. He noted the OSHA policy cited is used for trenches, not stockpiles.

Mayor Trude asked if there would be fencing between the street and the stockpile. Mr. Berkowitz replied there would not be a fence there.

Mr. Dickinson stated the resolution in the packet should be amended to include “appropriate erosion control devices” since that has been agreed to.

Mr. Dickinson also suggested the resolution be amended to state the active stockpile area will be at a slope of 2:1 for no longer than a period of 30 days, all other areas of the stockpile will remain at 3:1

Motion by Goodrich, Seconded by Knight, to approve Resolution No. R010-17, granting an Interim Use Permit for storage of soil for the property legally described as: Block 2, Lot 3, Preserve at Oak View. The resolution was amended to state the active stockpile area may be maintained at a slope of 2:1 for no longer than a period of 30 days, while other areas must remain at a slope of 3:1 and accept the amendment about “appropriate erosion control devices.” Motion carried unanimously.

SCHEDULE FEBRUARY EDA MEETING

Mr. Dickinson requested the Council schedule an EDA Meeting to discuss topics as detailed in the staff report.

The Council discussed the draft agenda and available dates.

Motion by Bukkila, Seconded by Goodrich, to schedule an EDA Meeting on February 21, 2017, at 6:00 p.m. Motion carried unanimously.

SCHEDULE FEBRUARY WORKSHOP MEETING

Mr. Dickinson requested the Council schedule a Workshop Meeting to discuss topics as detailed in the staff report.

The Council discussed the draft agenda and available dates.

Motion by Knight, Seconded by Holthus, to schedule a Workshop Meeting on February 28, 2017, at 6:00 p.m. 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.

(Meetings) Mr. Dickinson briefly updated the Council as to various meetings he has been attending and the political issues he has been following, including the Governor’s bonding proposal that does include funding for the WDE site. He reported local politicians are supportive. He attended the Youth First board meeting with the new City board member and is excited about the meeting he had with the new Anoka-Hennepin Community Education Director as they discussed how to work together on projects going forward.

(Staff) Mr. Dickinson indicated a new receptionist had been hired part-time and the recycling coordinator position had been filled with an internal candidate.

(Youth Hockey Tournament) Mr. Berkowitz stated the event was a success and thanked the Anoka County Sheriff’s department for doing a good job.

Mayor Trude stated she had received great reports from the community on the good conditions of the ice.

(Home Show) Mr. Janish highlighted the North Suburban Home Show coming up on March 11th.

MAYOR/COUNCIL INPUT

(Heart Safe Community) Mayor Trude highlighted upcoming CPR/AED training opportunities.

(Commission Interviews) Mayor Trude stated there had been several candidates interviewing for the open positions. She was excited about the energy she saw in the candidates and wondered if there might be more opportunities to utilize more volunteers in the community.

ADJOURNMENT

Motion by Bukkila, Seconded by Knight, to adjourn. Motion carried unanimously. The meeting adjourned at 9:48 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

REGULAR ANDOVER CITY COUNCIL MEETING MINUTES – JANUARY 17, 2017
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