

**REGULAR ANDOVER CITY COUNCIL MEETING – FEBRUARY 7, 2017
MINUTES**

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, February 7, 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
City Natural Resources Technician,
Kameron Kytonen
Director of Public Works/City Engineer,
David Berkowitz
City Attorney, Scott Baumgartner
Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

Rex Hamann, 14201 Crosstown Boulevard stated he had an issue with the City’s current park and tree management program, specifically, the cutting down of trees in Red Oaks West Park that he walks through every day. He stated last summer a tree with a six-inch trunk was knocked down by vandals right across the path, so that anyone wanting to use the trail had to crawl under the tree. The City’s tree crew came out and cleaned it up and also took another tree next to it. He also noted that 1-2 weeks ago, there were additional trees in that park marked for trimming or removal. He contacted Mr. Kameron Kytonen with the City who met with him on site and pointed out the splits and potential dangers. As a follow up, Kameron gave him a courtesy call about the big oak at the head of the trail known as the “Halloween tree,” also marked for removal. Mr. Hamann stated he likes that tree a lot, noting it is well off the trail, but the branches are over the trail. He said he was “pretty impassioned and probably wasn’t very nice about it” [in speaking to Mr. Kytonen]. After speaking with the Mayor, he stated he decided to express himself about the program to the City Council. Mr. Hamann shared points about trees including: park aesthetics matter, old trees are a treasure, safety is important, safety must be balanced, and concerns about overzealous management. He also noted trees that look good are not always structurally sound and he believes that trails have an inerrant danger [to those that use them]. In summary, he expressed that he believes there is some overzealousness in the removal of trees in the City and he believes the removal of the tress will drastically alter the state of the park and that legacy oaks are not a renewable resource. He then presented the odds of a tree

falling and injuring someone in a public space. He expressed his concern over the slight chance of a tree falling versus preservation of trees. He implored the Council to think about tree management in the City in this light.

John and Rita Burgeson, 4345 157th Avenue stated they live next to Fox Meadows Park. They expressed concerns about the well that is planned for that park. They took issue with the report by the City that the soil was “fine.” Mr. Burgeson indicated the U of M will do a soil test for \$17. They expressed additional concerns about the well and ground water usage stating that they had calculated millions of gallons more usage than the City was projecting. They did not get a response from City staff about the differences in calculation when they inquired. They assert that if millions of gallons more are used, the DNR fine is only a couple of hundred dollars and that is not material to the City. They have concerns about chemicals being released into the ground water and vapor drift concerns.

AGENDA APPROVAL

Mr. Dickinson noted supplemental materials were distributed. Additions were as follows:

- 10A Accept Resignation/Park & Recreation Commission Member Lewnau; and,
- 10B Approve Appointment/Park & Recreation Commission

Mayor Trude asked that item number 10, “Approve Implementation of Facility Condition Assessment & Maintenance Software,” be removed from the agenda and discussed at a future Council workshop and not be acted upon at tonight’s meeting.

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

APPROVAL OF MINUTES

January 10, 2017, Special Meeting: Correct as amended.

Mayor Trude requested a correction on page six, line 9. Mr. Dickinson confirmed the minutes accurately reflected what the applicant stated. In light of that, Mayor Trude asked that “2 years on the Commission” be added in brackets “[]” to accurately reflect the applicant’s service on the Commission.

January 11, 2017, Special Meeting: Correct as written.

January 17, 2017, Special Meeting: Correct as written.

Motion by Bukkila, Seconded by Knight, to approve the January 10, 2017, January 11, 2017, and January 17, 2017, Special Meeting minutes as indicated above. Motion carried unanimously.

January 17, 2017, Regular Meeting: Correct as amended.

Mayor Trude requested a correction on page six, line 41 to put a comma “,” after the word “speed.” Councilmember Holthus indicated she would like to hear more from staff on this topic.

Motion by Holthus, Seconded by Goodrich, to approve the January 17, 2017, Regular Meeting minutes as indicated above. Motion carried unanimously.

CONSENT ITEMS

Item 2 Approve Payment of Claims

Item 3 Approve Seventh Amendment to JPA/Street Maintenance Program

Item 4 Approve Plans & Specs/Order Ad for Bids/14-15/Fox Meadows Park Well Construction
(See Resolution R011-17)

Item 5 Approve Plans & Specs/Order Ad for Bids/17-13/University Ave NW Overlay (See
Resolution R012-17)

Item 6 Accept 2017 Residential Recycling Agreement with Anoka County

Item 7 Approve MOU Anoka County Fire Protection Council

Item 8 Approve Application for Exempt Permit

Item 9 Accept Donation/Anoka County Sheriff’s Office & Safe Kids Anoka County/Andover
Community Center (See Resolution R013-17)

Item 10A Accept Resignation/Park & Recreation Commission Member Lewnau

Item 10B Approve Appointment/Park & Recreation Commission

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

NPDES (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM) PRESENTATION & PUBLIC MEETING/17-1

Mr. Berkowitz introduced Kameron Kytonen, City of Andover Natural Resources Technician and Rebecca Howe from the Coon Creek Watershed District.

Mr. Kytonen reviewed the information with the Council. He introduced Rebecca Howe who has been the Regulatory Affairs Coordinator at the Coon Creek Watershed District for the last 3 years, and was with the City of Elk River prior to that. Ms. Howe stated she appreciated the opportunity to present to the Council and go over what the Watershed District does: provide for the health and safety, sustainable use of water, prevent unacceptable damage and balance economic development. In addition, it administers: stormwater rules and regulations, permits, erosion control inspections, the Wetland Conservation Act and shoreland management. Stormwater is becoming a bigger issue for everyone and taking care of it is the law. Everyone needs to work together to protect water quality. For every acre under construction, a dump truck and one-half goes into the water system, unless there is erosion control. Sediment and sand are the number one pollutants in the Coon Creek Watershed District. These circumstances can lead

to flooding on the streets and neighboring properties. Hard surfaces increase runoff. Some of the results are: nuisance growth of weeds and algae, flooding, navigation issues, increased taxes to repair systems, lower property values, and poor fishing. She noted anything that is not rain or snow generally goes untreated (e.g. paint, grass clippings). She recommended that glass clippings be left on the lawn and swept off the street. She works together with Mr. Kytonen at sites to get compliance. She is also involved in training opportunities for builders and gives turf maintenance workshops for landscapers and City staff. She concluded with the reminder that anything that goes into the street does not get treated.

The public was invited to comment.

Karen Godfrey, 3451 174th Lane NW, stated she was glad to see that best practices were being established to protect groundwater. She thanked the Council for reporting complete information on the City's website and for being transparent and noted that program standards were being met or exceeded. She shared two questions: How are these measures impacting the quality of the groundwater runoff and quality of water itself; and, what is the overall cost of the remediation and how much is offset by the enterprise funds received. She noted there is not one fine listed from Andover, showing that there is a lot of working together and heading things off early. She commended the City.

Mayor Trude thanked Ms. Godfrey for her citizenship and mentioned the successful national award-winning water conservation project led by Andover High School students.

Mr. Kytonen stated he will follow up with Ms. Godfrey on her specific concerns.

Mr. Berkowitz noted building permits are getting more into best management practices. Mr. Dickinson added that storm water utility fees are about \$425,000 and that is the funding source for this program. When the streets are swept and ditches are cleaned, expenses for that comes out of that fund. Mr. Dickinson noted there is a link in the budget to the storm water items.

Mayor Trude called attention to a citizen comment letter received from Helen Hemp. She had expressed an issue of concern. Councilmembers acknowledged reading it. Ms. Hemp lives at 4755 160th Lane NW. Her specific concern is about water collecting in her location and staff is interested in addressing that. Mr. Berkowitz stated they had committed to filling in the sump and addressing drainage concerns.

Councilmember Knight asked about plastic bag recycling. Mr. Dickinson stated he had brought this issue up to the City's recycling coordinator as he has received resident questions on this topic. Councilmember Knight had read about a place in the ocean the size of Rhode Island filled with plastic bags. It was confirmed that the City does have recycling at the recycling center and at other places in the City such as Target.

SCHEDULE LOCAL BOARD OF APPEAL & EQUALIZATION MEETING

Mr. Dickinson requested the Council schedule the Local Board of Appeal & Equalization Meeting as detailed in the staff report.

Motion by Knight, Seconded by Bukkila, to schedule a the Local Board of Appeal & Equalization Meeting on April 17, at 7:00 p.m. Motion carried unanimously.

SCHEDULE MARCH WORKSHOP

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 Holthus, Seconded by Bukkila, to schedule a Workshop Meeting on March 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 reported on meetings he had attended such as a Met Council Task Force meeting where they are completing the discussion on the sewer availability charge. In addition, a bill was introduced just today to establish the Committee. One of the purposes of the discussion was for managing debt service. They would like to make the computation simple so it is easy to explain and understand. He stated in the quest for ultimate fairness, it [the computation] has lost its simplicity.

Mr. Dickinson has been in touch with legislative contacts and items of interest are watched. From an economic development perspective he would like to drum up developer interest in investing in the Andover community.

(Parks) Mr. Berkowitz stated staff is working on several projects including Fox Meadows Park, and approval of the well plan. Once the bid comes in, then they can move the project design forward. Residents that have drainage concerns related to that project should come in and discuss it with the engineering staff so that it can be incorporated into the planning. The plat for Country Oaks North Third Addition should be coming before the Council in the next few months, and work will begin on the trail project along Crosstown Boulevard.

Staff is doing some tree clearing on the City trails and roadways, addressing branches that are within the City right-of-way. This is a good time of year to do tree maintenance, when they are not in full foliage. Plans are beginning for spring/summer.

Councilmember Holthus expressed concerns about cutting down the “Halloween Tree”, referred

to during resident forum.

Mr. Dickinson noted the “Halloween Tree” leans over the trail, is considered a hazardous tree and he would recommend from a liability perspective that the tree be removed.

Councilmember Holthus commented she hears questions all the time about why do we cut this tree down or that tree down. She noted that Connexus and Great River are also doing some tree removal now.

Mr. Berkowitz stated the City has an obligation to protect the right-of-way and it is interesting that trees are owned by citizens until they fall down. One concern is there needs to be a clear zone area, allowing streets to be passable by school buses, public works and public safety equipment.

There was additional conversation on tree trimming and that it be discussed at a future meeting.

MAYOR/COUNCIL INPUT

(Future Agenda Topics) Mayor Trude would like to have tree removal on a future workshop agenda. She shared that she had been contacted by young people who would like to move the smoking age to 21 years old. She also asked Mr. Dickinson if recent new City employees could come to a future Council workshop. She mentioned the “facilities topic” and steep costs associated should also be run through a coming workshop, as well as a conversation regarding communications – specifically people interviewed for Commission position being utilized as volunteers. Commissioner Knight asked to include newsletter improvements as part of that discussion.

(Met Council) Councilmember Bukkila stated the County Commissioners had let the Council know about the upcoming Met Council hearing on February 15th at 4:30 p.m. at the Anoka County Bunker Hills Activity Center, in the Oak Room. Councilmembers may speak at the meeting, as well as the general public, on the topic of need for Met Council reform and how those decisions affect the community and businesses.

(Hazardous Waste Pit) Councilmember Goodrich asked if there was a hazardous waste pit removal update. Mr. Dickinson stated there were bills in the House and Senate (authored by Representative Scott and Senator Abler). The Governor has also introduced his projects and it is in the Governor’s proposal. The bill from the Senate Capital Committee has a different number (retread bill from last session). Mr. Dickinson indicated he had provided a presentation that was effective and that has been shared with the MPCA. If there is a hearing, he may testify. Right now, it is in the hands of the PCA and it is one of their top priorities.

(Special Olympics) Councilmember Goodrich invited other Councilmembers to join him for the Special Olympics bowling event at 5 p.m. on Friday, February 10th, at Andover Lanes.

(Joint Meetings) Mayor Trude stated the Council had not had a joint meeting with the Planning

Commission for a long time, and suggested having one possibly in March. She also suggested meeting with a neighboring City, maybe Coon Rapids, on items of mutual interest later in the spring.

ADJOURNMENT

Motion by Goodrich, Seconded by Knight, to adjourn. Motion carried unanimously. The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

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