

**City of Columbus**  
**Regular City Council Meeting**  
**January 8, 2014**

The January 8, 2014 meeting of the City of Columbus City Council was called to order at 7:05 p.m. by Mayor Dave Povolny at the City Hall. Present were Council Members Denny Peterson, Jeff Duraine, Bill Krebs & Jessie Messina. City Administrator Elizabeth Mursko; Attorney Julie Perrus, and Deputy City Clerk Emmy Robinson.

Absent: None.

Also in attendance were: Jody Krebs, Roger Nase, Sherri Nase, Gordy Johnson, Connie Johnson, Cheryl Nelson, Andy Anderson, Barbara Hvass, Deb Norman, Rick Ricker, Margie Ricker, Rick Robinson, Emily Latawiec, Rose Latawiec, Chet Latawiec, Kris King, Paul Peskar, Chad Maassen, John Zechbauer, John Schlessing, Carol Mike, Ceil Neihart, and Paul Ringell Forest Lake Times.

**A. CITY COUNCIL REGULAR MEETING**

1. Call To Order - Regular Meeting - 7:00 P.M.
2. Pledge of Allegiance

**B. CONSENT AGENDA**

3. Motion - Approval City Council Meeting Minutes on 12/26/2013
4. Motion - Agenda Approval with Additions
5. Motion - Pay Bills as Posted

**Motion by Krebs to approve the consent agenda. Second by Peterson. Motion carried.**

**C. PRESENTATIONS**

**6. Planning Commission Report**

Barbara Hvass, Andy Anderson, Jody Krebs, Pam Wolowoski and Garth Sternberg were in attendance tonight as they wanted to make a joint presentation of their recommendations for the Insurance Auto Auctions Incorporated application. The City Administrator explained that the applicant is not here tonight due to flight cancellations from the inclement weather. The request of the applicant is to continue this discussion to the January 22<sup>nd</sup>, meeting.

**7. Discussion/Review/Motion - Nelson Acres Plat (Pages 1-23 & Enclosure) PC13-117**

Cheryl Nelson, 9461 189<sup>th</sup> Ave NE. Mrs. Nelson pointed to their property location on the map in the city hall. The Planning Commission held a final plat hearing for Phil and Cheryl Nelson on November 20<sup>th</sup>, 2013. At the Nelson's request this application was not sent to the City Council for action before tonight. A letter dated January 1, 2014 from the Nelson's indicating they wish to request a revision on their subdivision was included in the agenda packet. The Nelson's are asking for a temporary hold on the current plat request as they are in discussions with a builder who may be interested in building five (5) new homes on this property. A copy of a drawing of the proposed 5 lots was included with the letter.

Mayor Dave Povolny explained that the city is held to a 120 day deadline and this application is nearing that deadline. The Attorney said the current application has gone through the process and is before the council for a decision tonight.

The Attorney offered the following to the applicant:

- The applicant can withdraw this application.
- The applicant would need to go back through the entire process (public hearings, etc.) with the new plan and pay the fees for processing a new application. (5-5acre lots)
- The current application cannot be put on hold due to the 120 day processing deadline.
- The current application cannot be amended to reflect the new proposal.
- The council act on the current application.
- The applicant can request an extension for the 120 days.
- The council does not have the authority to approve a street or subdivision without going through the process of public hearing, etc.

The City Administrator explained that if the application were approved tonight there are several conditions that would need to be met by the applicant to complete the application for recording.

Mrs. Nelson acknowledged that they would expect to go through the entire process for the new subdivision, but they were not sure at this time if that was a viable option.

Mrs. Nelson said she will send a letter requesting an extension of the 120 days to continue the current application.

#### 8. Discussion/Motion - IAAI

Comprehensive Plan Amendment (CPA) (PC-13-111)

Rezoning Amendment (PC-13-112)

CUP Request (PC-13-113) - (Pages 24-36 & 3 Enclosures)

Due to the severe cold weather this agenda item will be postponed until the January 22, 2014 City Council meeting. It was mentioned that the council should keep their handout materials for the January 22<sup>nd</sup>, 2014 meeting.

**Motion PLZ 00300 PLZ 02500 PLZ 00400 by Peterson to accept the letter from Insurance Auto Auctions, Inc. to continue the IAAI discussion to January 22, 2014 City Council. Second by Krebs. Votes as follows: Peterson - aye; Messina - nay; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

#### **9. PUBLIC OPEN FORUM**

No one asked to speak during Public Open Forum.

#### **D. STAFF & CONSULTANT REPORTS**

##### **10. ENGINEER REPORT**

The Engineer is attending the East Metro Groundwater Management Area kick-off meeting tonight.

## 11. ATTORNEY REPORT

### Joint Powers Agreement (JPA) for Intervention WBL (Handout)

A JPA from several cities regarding the lake level of White Bear Lake (Lake Level Lawsuit) was included in the agenda packet. This is a request to become a party to this JPA. The goal of the city was to be excluded in this discussion. The Attorney said a reason to join is if the city cannot be excluded then the city would be left out of this group. There is a cost to join this effort but the expenses are not clear at this time. If there is a judgment, Columbus would be bound to the judgment if it has not been excluded. The next meeting of the group is January 23<sup>rd</sup>; other cities are being approached at this time also. There is no reimbursement for expenses the city(s) incur with this. The Attorney said this is a policy question and therefore could not make a recommendation on this matter.

**Motion CON 00050 by Peterson to join the Joint Powers Agreement for Intervention in White Bear Lake Water Level Lawsuit. Second by Messina. Votes as follows: Peterson - aye; Messina - nay; Duraine - nay; Krebs - aye; Povolny - nay. Motion Fails.**

Mayor Dave Povolny said he thought it was premature to join this group and would like to wait until the report from the Engineer on the meeting he is attending tonight. The Attorney explained that if a decision is not made by January 23<sup>rd</sup> there is no option to join. At the next meeting the council will have input from the Engineer who is attending the Groundwater meeting tonight.

### Reconsider Insurance Auto Auctions Incorporated continuation

Council Member Duraine said he doesn't understand why they postponed the discussion and he feels a full council needs to be in attendance for the vote. Council Member Duraine said one of the council members flew in for this meeting and he may be out of town. There was discussion regarding the requirements of the vote for this application.

**Motion PLZ 00300 PLZ 02500 PLZ 00400 by Duraine to reconsider postponing the vote on IAAI tonight. Second by Messina. Votes as follows: Peterson - nay; Messina - aye; Duraine - aye; Krebs - nay; Povolny - nay. Motion Fails.**

## 12. MAYOR & CITY COUNCIL MEMBER'S REPORT

### **Council Member Peterson**

The EDA made a motion with a unanimous vote at their meeting tonight to reconsider funding the ColumBiz event. The purpose is to present the results to the participants of the BR&E program. It was noted that this funding is for this year only.

**Motion PER 01200 by Peterson to reinstate funding for the ColumBiz event for this year. Second by Messina. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

Mayor Dave Povolny asked if this can be some other format than what has been held in the past and that Commissioner Wilson suggested at the EDA meeting that it could be scaled down but a gathering still should be held.

### Tree Board

Council Member Krebs, Council Member Duraine and Council Member Peterson attended the Tree Board meeting. The Tree Board will have a meeting in a month and they will discuss options to operate. The Tree Board would like to maintain the Tree City USA status. They discussed having residents pay for tree services, plowing, etc. In addition they thought they would like to review the activities for the Arbor Day event. Mayor Dave Povolny suggested that the Forester could go out for tree inspections and give residents the cost for plowing and let them decide if they want to proceed or not. They want to come before the council with a proposal.

### **Council Member Messina**

No report.

Council Member Messina asked about the emails that were received regarding a kennel in Columbus.

The Attorney said the Animal Control Officer is from Forest Lake and not from Columbus. Follow up was from the Anoka County Sheriff's Office. It would be difficult to make any determinations based on this report. There is nothing to enforce at this time. There has been monitoring of this property.

### **Council Member Duraine**

No report.

### **Council Member Krebs**

No report.

### **Mayor Dave Povolny**

No report.

### **13. Deputy Clerk Report**

#### Microsoft Exchange email accounts.

Email accounts have been set up for all the council members. Sign in information was given to each council member. The accounts are ready for use and will be put on the city's website.

The City Administrator explained the reasons why public officials should have their public email information separate from their personal email.

### **14. City Administrator's Report**

#### Question - Direction Sign on Hornsby Street - SE Corner

A business put a sign on the property at this intersection. The question is whether the council would be willing to allow directional signs at intersections. Council Member Krebs suggested the businesses pay to have their information put on a sign. The sign ordinance does not allow this type of signage at this time. It was noted that there could be many issues the city would need to address to regulate this including where the signs

would be allowed. It was agreed that directional signs should only be allowed in the commercial areas.

**Motion PLZ 01800 by Duraine to look into signs on Hornsby Street only. Second by Messina. Votes as follows: Peterson - nay; Messina - aye; Duraine - aye; Krebs - nay; Povolny - nay. Motion Fails.**

**Motion PLZ 01800 by Peterson to direct the Planning Commission to look into directional signage for businesses in the commercial areas. Second by Krebs. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

Treasurer's Report

Receipts: \$396,126.73  
Disbursements: \$75,328.59

Badge – Weeblos Group

Webelos Scouts work toward earning activity badges. To earn their badges, they asked if they could hold a question and answer session with the council. They will be here from 6:30 – 7:30 pm. on January 22<sup>nd</sup>. Mayor Dave Povolny said he would attend to answer their questions. The City Administrator said she told them they could lead the pledge of allegiance for the council meeting that evening also.

**E. ANNOUNCEMENTS & REMINDERS**

- ▶ Planning Commission Mtg. 01/15/2014 7:00 p.m. - cancelled
- ▶ Calendar of Meeting (Page 37)

**F. ADJOURNMENT**

*Motion* by Krebs to adjourn. Second by Peterson.

Meeting adjourned at 8:22 p.m.

Respectfully Submitted:

Emilia S. Robinson

Deputy City Clerk