

**City of Columbus  
Regular City Council Meeting  
January 22, 2014**

The January 22, 2014 meeting of the City of Columbus City Council was called to order at 7:02 p.m. by Mayor Dave Povolny at the City Hall. Present were Council Members Denny Peterson, Jeff Duraine, Bill Krebs. City Administrator Elizabeth Mursko; Attorney Julie Perrus, Engineer Larry Bohrer and Deputy City Clerk Emmy Robinson.

Absent: Council Member Messina

Also in attendance were: Gordy Johnson, Connie Johnson, Rick Robinson, Deb Norman, Brian Norman, Steve Wagamon, Sue Wagamon, Rick Ricker, Margie Ricker, Roger Nase, Sherrie Nase, Jody Krebs, Maxine Merrigan, Pat Boesch, Chad Maassen, Micky Betz, Chester Latawiec, Michelle Welch, and Paul Ringell Forest Lake Times.

The following special attendees were present and led the pledge of allegiance:

Parents, and Columbus Weeblo Pack 414 members:

Parents and other attendees:

Bob Moore, Rick Neuman, Jen Auge, Jack Auge, Viki Hagle, Jeff Jasinski, Erik Leagjerd, Lane Hagle,

Columbus Weeblo Pack 414 members:

Tate Hagle, Josef Leagjeld, Joseph Adamek, Dylan Moore, Ben Jasinski, Cameron Hagland, Tate Hagland, Cooper Auge, Joshua Neuman, Jose Murphy, Ricardo Murphy

**A. CITY COUNCIL REGULAR MEETING**

1. Call To Order - Regular Meeting - 7:00 P.M.
2. Pledge of Allegiance – The Pledge of Allegiance was led by Columbus Weeblo Pack 414. The Mayor announced that this can be seen on channel 10.

**B. CONSENT AGENDA**

3. Motion - Approval City Council Meeting Minutes on 01/08/2013
4. Motion - Agenda Approval with Additions
5. Motion - Pay Bills as Posted
6. Motion – 2014 Agreement for Residential Recycling Program (Enclosure)

**Motion by Krebs to approve the consent agenda. Second by Duraine. Motion Carried.**

**C. PRESENTATIONS**

**7. PLANNING COMMISSION REPORT**

The City Administrator explained that the Planning Commission members were notified that the IAAI requested a continuance so there is no representative from the Planning Commission here tonight to speak.

**8. MOTION – IAAI CONTINUANCE REQUEST (A-1)**

A letter dated January 21, 2014 from Insurance Auto Auctions, Inc. requesting a continuance of the application was included in the additions. The action is acceptance of the letter.

**Motion PLZ 00300 PLZ 02500 PLZ 00400 by Peterson to accept the letter dated January 21, 2014 from Insurance Auto Auctions, Inc. to continue the IAAI discussion to the February 12, 2014 City Council meeting. Second by Krebs. Votes as follows: Peterson - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

**~~9. DISCUSSION/MOTION – IAAI COMP PLAN AMEND / REZONING/CUP REQUEST  
(PAGES 1-36 & PLEASE BRING HANDOUTS FROM LAST MEETING) REMOVED~~**

- ~~— Comprehensive Plan Amendment (CPA) (PC 13-111)~~
- ~~— Rezoning Amendment (PC 13-112)~~
- ~~— CUP Request (PC 13-113) (Pages 24-36 & 3 Enclosures)~~

**8. PUBLIC OPEN FORUM**

**Roger Nase, 6636 141<sup>st</sup> Ave Columbus.**

Mr. Nase said he thought the decision was to be made by the end of January. The Mayor said the applicant can extend their application; it was extended to February 28<sup>th</sup>, 2014.

Mr. Nase asked why IAAI didn't come today.

Mayor Dave Povolny referred to the letter and said they stated they needed additional time. Mayor Dave Povolny said he is in favor of the business and it gives people more time, all issues have been addressed that were brought forward to the Planning Commission. The next meeting to discuss this will be the February 12<sup>th</sup>, 2014 council meeting.

**Deb Norman, 6428 141<sup>st</sup> Avenue**

Ms. Norman said she's here to represent her son's concerns and asked about containment of chemicals. Her son worked at Abco Salvage yard her concern is the containment.

Mayor Dave Povolny said the applicant's are not here tonight and he will allow people to speak at the February 12<sup>th</sup>, 2014.

**Brian Norman 6428 141<sup>st</sup> Ave**

Mr. Norman voiced his hope that the City Council considers the increased traffic, soils affected by the business and the future of the community, in addition he asked if any council member has visited an IAAI site.

Mayor Dave Povolny said the county has looked at the traffic counts and he asked that comments be deferred to the next meeting since the applicant is not here.

Council Member Peterson said he was at two different auto auctions. 80% of the auction is online. Council Member Peterson said there are not a great number of people who come on site for the auctions.

Mayor Dave Povolny explained that Lake Drive is a county road and this is a compatible use in the area, he added that he does not want a junk yard in the

community and the Council has the responsibility to balance the rights of the residents and the business community.

**Roger Nase, 6636 141<sup>st</sup> Ave Columbus.**

Mr. Nase said he doesn't think they will have any influence at the February 12<sup>th</sup> meeting and said these are salvage cars, this property is zoned residential, and the concern is changing the rural residential zoning which doesn't allow this type of business. Mr. Nase put together a presentation and asked if the council could look at his presentation at this time.

Mayor Dave Povolny said the council has seen the presentation before and they have it in their packet. Mayor Dave Povolny said he would allow input from the public before the vote.

No one else asked to speak at this time.

**9. MOTION - 2014 BOARD OF APPEAL & EQUALIZATION DATE (PAGES 37)**

A Date Request Form for the 2014 Board of Appeal and Equalization meeting was included in the agenda packet. The purpose of this meeting is for residents to contest their property valuations. The action is submitting first and second date choices for the meeting.

The dates selected were: April 22nd at 7:00 pm or May 6th at 7:00 pm.

**10. MOTION - 2014 ORGANIZATIONAL MEETING (ENCLOSURE)**

An organizational chart was included in the agenda packet. Letters were received for the official paper from ECM Publishers Forest Lake Times, and Press Publications. A reappointment request letter was included from Larkin Hoffman.

Consultant, Contractor, Staff Assignments:

Changes made for 2014 are in bold type:

<b>Deputy Mayor</b>	-----	<b>Denny Peterson</b>
Depository	-----	Wells Fargo
Legal Paper	-----	Forest Lake Time
Engineer,	-----	TKDA/Larry Bohrer
Planner	-----	Resource Strategies/Dean Johnson
Civil Attorney	-----	Larkin Hoffman/Bill Griffith/ <b>Julie Perrus</b>
Criminal Attorney	-----	Barna Guzy/Jim Hoeft
Auditor	-----	2013 Tautges Redpath
Assessor	-----	Ken Tolzman
<b>Animal Control</b>	-----	<b>not assigned at this time</b>
Forester	-----	Sam Klocksien
Data Practice Responsible Authority	-----	City Administrator
Data Practice Compliance Official	-----	City Administrator
Petty Cash Custodian.	-----	Deputy Treasurer

Planning Commission

Letters for reappointment have been received from the 2 Planning Commission members Jesse Preiner and Garth Sternberg whose terms expired at the end of 2013.

**Motion ADM 01100 by Krebs to re-appoint Garth Sternberg and Jesse Preiner to the Planning Commission for 3 year terms ending December 31, 2016. Second by Peterson. Votes as follows: Peterson - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

#### City Council Committee Assignments

The City Council Committee Assignments was reviewed at this time, the following changes were made:

Personnel Committee - Mayor Dave Povolny and Council Member Krebs

Park Board - Council Member Peterson main, Council Member Duraine alternate

FLCC – Cable TV - Council Member Duraine main, Council Member Peterson alternate

Forest Lake Area Chamber of Commerce - Mayor Dave Povolny main, no alternate.

Sunrise Water Management Organization – The City Administrator will contact Reinette Labernik, (citizen member) regarding her appointment.

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

#### **11. ENGINEER REPORT**

##### Groundwater Management Area, White Bear Lake, Metropolitan Council

The Engineer explained that there are three issues going on simultaneously.

First, the White Bear Lake Restoration Association vs. the DNR lawsuit. The allegation is that the DNR failed to take into account other environmental effects when they issued appropriation permits for various (municipal) wells. An appropriation permit is to allow the extraction of water. The Department of Health oversees the construction of wells.

Second is the establishment of a groundwater management area. MN Statute 103 has a provision that gives the Commissioner of Natural Resources the authority to establish groundwater management areas. Three groundwater management areas are being established, two are outstate, and the third is in the metro and involves (at this time) all of Ramsey, Washington and south east part of Anoka County, including Columbus.

Third, the Metropolitan council is having a consultant create a feasibility study for connecting certain municipal water supplies to the St. Paul water system, in addition the study will investigate restoring the White Bear Lake level, and this study is expected to be completed end of 2014.

A letter dated January 16, 2014 regarding the Groundwater Management Area Project summarizing the meeting the Engineer attended was included in the agenda packet. The Engineer said he was allowed to speak only after the meeting was concluded. The Engineer received an email back from the project manager stating that comments will be taken into consideration and Columbus' concerns would be addressed at the next task force meeting scheduled for February 14<sup>th</sup>. The Engineer would like to attend this meeting. The consensus was for the Engineer to attend the meeting on February 14<sup>th</sup>, 2014.

#### **12. ATTORNEY REPORT**

Discussion - Joint Powers Agreement (JPA) for Intervention WBL (Pages 38-41)

At the last meeting the Council decided to defer their decision on whether to join the JPA until after the Engineer gave his report on the Groundwater meeting he attended January 8, 2014. An updated JPA was included in the agenda packet. The Attorney reviewed the JPA at this time. Ten cities were asked to join the JPA, currently Centerville, Vadnais, White Bear Lake, White Bear Lake Township are in with a cap on the amount, North St Paul and Forest Lake are out. This is a policy decision as to whether the council wishes to be part of this JPA. The next meeting is January 28<sup>th</sup>. The JPA gives the group the ability to investigate and present their own data. The issue Columbus faces is water restrictions in commercial and residential areas.

**Motion CON 00050 by Peterson to opt in to the Joint Powers Agreement for Intervention in White Bear Lake Water level Lawsuit with a cap of \$125,000 subject to at least 6 cities opting in. Second by Krebs. Votes as follows: Peterson - aye; Duraine - nay; Krebs - aye; Povolny - nay. Motion Fails.**

**Motion CON 00050 by Duraine to opt in to the Joint Powers Agreement for Intervention in White Bear Lake Water level with a cap of \$125,000 subject to at least 7 out of 10 cities opting in. Second by Peterson. Votes as follows: Peterson - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

### **13. MAYOR & CITY COUNCIL MEMBER'S REPORT**

**Council Member Peterson**

Sunrise Water Management Organization

Council Member Peterson attended the Sunrise Water Management Organization meeting January 9<sup>th</sup>, budget discussions were held. The budget is flat for next year.

Park Bridge Project

Another contribution was pledged from RAHP for \$100 for the bridge project. More contributions are still being sought. The total received thus far is \$650, \$1000 is needed.

**Council Member Messina**

Absent tonight.

**Council Member Duraine**

No report.

**Council Member Krebs**

No report.

**Mayor Dave Povolny**

No report.

### **14. Deputy Clerk Report**

No report.

## 15. City Administrator's Report

### Question - Forest Lake Contracting Application Mailing List (Page 42)

The application has been received from Forest Lake Contracting for the Interim Use Permit for mining at John's Black Dirt. The application is complete. The Public hearing is scheduled for the Planning Commission's second meeting in February (February 19<sup>th</sup>, 2014). The City Administrator asked the council for direction for the mailing of the notice. Statute requires notification to surrounding properties within 350 feet. A map of the surrounding area was included in the agenda packet. The City Administrator explained that the Attorney was hesitant to deviate from the norm, Forest Lake Contracting was contacted and they understand the reason for expanding the area being noticed and they had no issue with expanding the notice area.

The consensus was to notify Columbus residents in the path of the trucks on City roads including: Notre Dame, 181<sup>st</sup>, Vassar, Tulane, 189<sup>th</sup> Ave.

### Treasurer's Report

Receipts:	\$00.00
Disbursements:	\$1,265,438.54
Balance:	\$1,935,775.10

### Discussion/Direction – Senior Center Status Report (A-2)

The City Administrator reviewed the direction the council took last year regarding the Senior Center's desire to operate independently from the city. The City Administrator has tried to contact the Senior group to meet with them to put together a transition plan, so she is asking for direction from the council. The Senior's said they did not want to meet until April 24<sup>th</sup>. (The deadline for their decision) The direction was to get the group together with staff before the next council meeting or request they come to the next city council meeting.

**Motion HRA 00300 by Peterson to ask the Senior Center Club/Board to meet with staff before the next council meeting or come to the next Council meeting. Second by Krebs. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

It was clarified that the budget reflected funding for the entire 2014 year. The Senior Board/Club was given until April 24<sup>th</sup>, 2014 to decide if they want to be independent or become a department of the city.

### Direction – Amend Existing Homes SW District Compliance Requirement

Last fall the council approved an agreement for homeowners in the SW Freeway District who are now required to connect to municipal sewer to defer this connection by having a septic compliance inspection for their system. Homeowners are resisting the compliance inspection as this type of inspection recognizes separation in addition to the imminent health issue. They are requesting the agreement instead allows them to have an inspection of their septic system to make sure it is up to date and in good working order.

The direction was to change the agreement to allow compliance inspection of their septic system to make sure it is in good working order, is not an imminent health threat and excludes the separation requirement of a septic compliance inspection.

An agreement will be brought back to the council for approval.

Joint Planning Commission meetings

Mayor Dave Povolny asked about joint meetings with the Planning Commission. The City Administrator will check how many were held last year. Planning Commissioner Krebs has indicated that instead of cancelling meetings possibly visioning sessions could be held instead. The February 5<sup>th</sup> meeting does not have an application. Mr. Lange did come before the Planning Commission in December. Staff is working on a map from the Anoka County GIS to obtain statistics about vacant land available, current densities to facilitate the discussions on density as the city needs to stay within a 10 to 1 ratio.

Mayor Dave Povolny said he would like to see some uses allowed on the Carlos Avery land in Columbus. The Attorney said this process would start by talking to Columbus' Congressional Representatives.

**E. ANNOUNCEMENTS & REMINDERS**

- ▶ Planning Commission Mtg. 02/05/2014 7:00 p.m.
- ▶ Calendar of Meeting (Page 43)

**F. ADJOURNMENT**

*Motion* by Krebs to adjourn. Second by Duraine

Meeting adjourned at 8:29 p.m.

Respectfully Submitted:

Emilia S. Robinson

Deputy City Clerk