

City of Columbus
Public Hearing – Ordinance Housekeeping Amendment (PC-14-103)
April 2, 2014

The April 2, 2014 Public Hearing to receive testimony regarding the request for an ordinance housekeeping amendment was called to order at 7:15 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members Andy Anderson, Mark Daly, Pam Wolowski, Jesse Preiner, Jody Krebs, and Barbara Hvass; City Administrator Elizabeth Mursko, and Recording Secretary Karen Boland.

Also in attendance were City Council members Dennis Peterson, and Bill Krebs; Cheryl Nelson, Tom Carlisle, Perry Wagamon, and Frank Wagamon.

Sternberg: Next we have a Public Hearing and discussion, ordinance housekeeping amendment, pages 10 through 19. And, at this time, I will ask the secretary to read the notice.

Notice was read at this time.

Sternberg: Thank you.

Mursko: I'll take the presentation on this one. Every year or so – 18 months – we do what we call a recodification of the ordinance. And what that means, is, there are some cities that do not have their ordinances in number order. Which means that...in our ordinance there are section numbers and numbers and letters, and that makes our code, what we call codified. Other cities just simply have ordinances, and they started at ordinance one and now they're like at ordinance 562. And all that means is, they just have ordinances one on top of each other, and you do, you literally have to go through every ordinance to find out what it is. And so, a very long time ago we codified, and so it makes it very easy to sort through ordinances. So, in this particular case, when we do adopt an ordinance in a particular year, we give it a number – which would be like 13.1 or 13.2. And then, after a given time, you know, you've got a pile of them, and this time we've had like 18 of them, we then ask our attorney's office to codify them, meaning they put them in the book - and, again, in number order. Well, when we do this, and at the end of when we do this, every once in a while there's a typo or a numbering problem, where we didn't quite catch the last one or things were in process and we didn't see. So, in this particular case – and I'll just run through them real quick, so you understand that true housekeeping means spelling, inconsistent name – we had a Town Manager thrown in there from years ago, that we caught. Believe me, Emmy and I read all 412 pages and sometimes you just get a little bleary-eyed and don't catch them all, but we try. So, the first one, looking at page 11, the Sheriff's Office is not a 'Department,' and they've notified us as such, and, so, it's the Sheriff's 'Office' and not the Sheriff's 'Department.' So, we're just cleaning that up, and, again, putting in Sheriff's 'Office' in lieu of 'Department' and, again, in the second, Section 2, we're doing the same thing. It's 'The Anoka County Sheriff's Office' and not the 'Department.' In Section 3, under the 7A Amendment, we're not sure how this happened, but the Commercial Showroom, and Light Industrial fell off the lot width list, and we needed to put it back in, because otherwise there was no requirement. So, again, that we are going to attribute to computer mice, because I don't know how things just fall off the page, but they do apparently. So, again, looking at the next section: Section 4. Again, the HR district, for whatever reason, the side yard setbacks, the last line, didn't

– when we actually adopted the ordinance, the line just wasn't in there when we amended it. It's the same with Section 5. So, simply the things that are underlined, they were in the ordinance, then we adopted a new ordinance and inadvertently took them out. We've got to put them back in in order to make it correct. So, looking at all the way up to page 13, um, those were the amendments. The one on page 13 where we have the footnote – and I think most of you maybe were here- this amendment came in with Cemstone, in order for them to do the cement silo. And, for whatever reason, it didn't get pulled in when we did the amendment, and it was dropped, so we have to put it back in. It's not that the Code didn't require it; it just didn't get in the amendment. The next section, I don't remember what this typo was, but it wasn't 'rear of.' I think it said 'read of.' In other words, it was a word, but it didn't make sense, the sentence didn't make sense. So we put the correct word in there. The next section, there was 'meet' in there, and that word didn't need to be in there, so we're just simply taking the word out, for 'Garage Placement.' The last section, on page 14, I don't remember what the old word was, but the word 'not' was either 'nor' – I think it might have been a 'nor' – but, again, 'not' should be in there. But, again, it was a typo. It shouldn't have said, it shouldn't have said the, it shouldn't have an 'r' in it. So, those were the ones that we identified. And, we put it in chart form, because sometimes it's just easier for us to do in chart form, so everyone can see what it is. So, we both have it in written form and in chart form. The last amendment... we are required as a city... we developed a surface water management plan. And we did this, I want to say, two years ago, because I think we adopted it just after we did the Comprehensive Plan. And our surface water management plan has to mirror the requirements of all three watershed districts. And, at the end of last year – I take it back – at the end of not last year, but the year before, Sunrise Water Maintenance Organization passed their requirements and we had a discussion about setbacks for wetlands. And, if you look at page 19, um, the setbacks from a wetland, it was, the way it was verbalized in our Code, it said, that there was a one rod setback or the state requirements. Well, several years ago, the state requirements went to zero. It used to be 16.5 feet. And, the reason why it went to zero was, the State of Minnesota felt that each local government unit should decide what the setbacks for structures were for wetlands. So, after that was completed, then the watershed districts had their water plans, and we have to, we have to be as restrictive or more restrictive than those plans. And all of the plans require 16.5 feet, so, we said that we would meet that. And so, again, this is a technical thing. This is what our Code should have said. We adopted the plans. In order to be consistent with all of those plans, this is the requirement. And so, it's just a minor, again, a minor housekeeping thing that we had to be consistent. And so we're just eliminating the language, 'unless larger or smaller... by the state...', because the state is zero, a zero setback. So those are the only amendments that we're asking for at this point. And, again, you could certainly open it up to public testimony for any comment.

Sternberg: Does anyone from the public have any comment? Any discussion? At this point I would like to close the meeting with the right to reopen if necessary.

Hearing closed at 7:23 p.m.
Respectfully Submitted:

Karen Boland, Recording Secretary