

**City of Columbus
Regular City Council Meeting
April 24, 2013**

The April 24, 2013 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 & Jessie Messina. City Administrator Elizabeth Mursko; Attorney Bill Griffith, Jr., Engineer Larry Bohrer and Deputy Clerk Emmy Robinson.

Absent: None.

Also in attendance were: Rick Robinson, Mary Ann Hoyt, Myron Organ, Dan Mike, Mike Wood, Barb Sommerfeld, Coleen Cassidy, Pat Preiner, Mary Preiner, Jesse Preiner, 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 - Agenda Approval with Additions
4. Motion - Approval of the City Council Meeting Minutes 04/24/13
5. Motion - Pay Bills as Posted
6. Motion - Amended Resolution IUP 7643 Camp Three Road (Pages 1-3)

Motion by Peterson to approve the consent agenda including ADM 05000 amending Resolution 13-06 approving an Interim Use Permit for the Operation of a Residential Zone Business at 7643 Camp Three Road, section 1c. to read as follows:

“The Residential Zone Business shall be limited to the storage of twenty (20) used cars and light trucks (no heavy trucks or machinery) for sale and some light repair work for the purpose of preparing vehicles for sale (e.g. changing of tires, headlights, oil). ...”. Second by Duraine. Motion carried.

C. PRESENTATIONS

7. PLANNING COMMISSION REPORT

The Planning Commission meeting for April 17th was cancelled.

8. PUBLIC OPEN FORUM

Michael Wood, 6012 141 St. Ave NE, Columbus.

Mr. Wood distributed a letter he drafted outlining his concerns regarding access to his property to the audience and the council at this time. Mr. Wood said he has “No Trespassing” signs and he is putting the city on notice that there is no trespassing on his property. An aerial of Mr. Woods’s property was displayed at this time. Mr. Woods said a police officer sent out by the

city took pictures of his property without his consent.

The City Administrator explained that the complaint received was that there seemed to be an increased amount of traffic from 141st Avenue traveling through Mr. Woods's private easement to Jodrell St. The Deputy was sent to talk to Mr. Wood regarding the question of who Mr. Wood allowed to use his easement to access Jodrell St.

Mr. Woods said he is asking the City to acknowledge the "No Trespassing" signs he has put up and that the letter acknowledges his property as private property and said unless he is notified in writing and he gives permission no one is allowed on his property. Mr. Wood said he thought this could have been handled without sending out an officer. Mr. Wood said the traffic using his easement is his friends or acquaintances visiting him and this is not a city issue.

The Attorney explained that if the private road is being traveled by the general public as a public road the City does become involved.

It was explained that the purpose for Public Open Forum is for the public to voice concerns not for resolution to issues raised.

The direction was for the Attorney to investigate the road access (private vs. public) and report back to the council at the next meeting. The Attorney clarified that he will look into the rules for private property that turns into a thoroughfare. The Attorney also said there are requirements for consent on property access which he will investigate and report back.

9. ENGINEER REPORT

RCWD Rule Revisions (Pages 4-8)

A letter dated April 19, 2013 regarding Rice Creek Watershed District Rules Draft for Public Comment was included in the agenda packet. The Engineer reviewed the proposed changes at this time.

The Engineer recommends two comments are sent to RCWD:

1. Regarding Rule C - Stormwater Management

The process of RECLAMATION for street rehabilitation is a very common and economical practice where the bituminous surface is ground up and incorporated into the underlying aggregate base. Since the underlying native soils are not exposed or altered, RECLAMATION should receive the same exemption in Rule C as mill and overlay project:

2. Regarding Rule E Floodplain Alteration

For up to 10 cubic yards of fill placed within a floodplain, compensatory flood storage will not be required if the applicant can show no increase in the 100-year flood elevation.

It doesn't seem reasonable for a homeowner who wants to place up to 10 cubic yards of fill for landscaping purposes to hire a hydrologist to analyze the entire sub-drainage area to show no increase in flood elevation on account of the fill. If 10 cubic yards is the exemption, it should be an exemption without the conditions detailed analysis that will cost more than the fill itself.

The action is approval and direction to provide the recommended comments to RCWD.

Motion PWE 02100 by Krebs to approve the recommendations of TKDA as indicated on page 8 of the agenda packet to the proposed RCWD rule changes and direct the Engineer to incorporate the recommendations in a letter directed to Rice Creek Watershed District. Second by Peterson. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

Hornsby Street Realignment - Waiver of plat requirements (Page 9)

A letter dated April 19, 2013 regarding transfer of ownership of the new right-of-way from the EDA to the City and pay the value of the right-of-way from the project fund into the bond fund was included in the agenda packet. The first step in this transaction is to plat the right-of-way for the road and easements. The action is approving waiving the platting requirements listed in the letter on page 9 of the agenda packet. The Engineer reviewed the platting requirements he is asking to be waived at this time and said the only one in question is #1 "TitleWork". The Engineer asked if the title work done at purchase is sufficient, the Attorney said an internal review would be conducted and the council could approve the request with that condition.

Motion PLZ 01300 by Peterson to approve waiving platting requirements 1 through 10 as indicated on page 9 of the agenda packet and direct the Attorney to review item #11 "Title Work" as indicated on page 9 of the agenda packet for the right-of-way dedication for the Hornsby Street Realignment. Second by Krebs. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

Update - FEMA Flood Plain Map Revisions (Page 10)

The Engineer attended the meeting by FEMA on the status of Flood Insurance Rate Map revisions. The Engineer learned that FEMA is still gathering information on flood risks even after official flood maps are adopted. Flood areas of concern to the city can still be submitted if so desired. The meeting was focused on the 5 county metro areas that drain to the Mississippi watershed basin. The preliminary Flood Insurance Rate Maps the city received in September 2011, which have not had a 90 day comment period are being revised again. FEMA hopes to have this second round of maps to the communities for review within 2 months.

The revised maps will come in to the City and electronic versions will be available. Mayor Dave Povolny asked if these could be forwarded to the council for review.

Forest Lake and Hugo refund of sewer charges.

At the last meeting Council Member Duraine asked if there was an update on this topic. The Engineer investigated and explained that there are sewer meters at the south end of Forest Lake and Hugo owned by the Metropolitan Council. Columbus' meter is in between these meters and Columbus measures and calculates the gallons pumped. The Metropolitan Council found their meters were faulty in the measurements which resulted in the refund. Columbus's sewage was not measured through these meters. The measurement and calculations of Columbus' sewer system are verified periodically. The next annual report is after June 30th this year; the Engineer will go out with Public Works department and train them on the measurement and calculations so they can perform these themselves in the future.

TRUCK HAULING & GRAVEL BIDS (PAGES 1-2)

A memo dated April 24, 2013 from the Public Works Superintendent was included in the agenda packet for two (2) quotes that were received for limestone (gravel). The low bid was Bjorklund Companies for \$17.95 per ton. The Action is award the contract or seek additional quotes.

Motion PWM 02600 by Messina to award the 2013 contract for $\frac{3}{4}$ minus Limestone to Bjorklund Companies for \$17.95 per ton. Second by Peterson. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

Quotes were also received for port to port truck hauling of limestone. Two quotes were received the low bid was \$94 per hour. The action is award the contract or obtain additional quotes.

Motion PWM 02600 by Duraine to award the 2013 contract for hauling of limestone to Bjorklund for the port to port quote of \$94.00 per hour. Second by Krebs. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

D. STAFF & CONSULTANT REPORTS

10. ATTORNEY REPORT

Legislative Update

The racino bill is dead for the year; it didn't meet the hearing deadline.

Authority for street improvement fees seems likely. Instead of a special assessment a fee could be charged, as long as it's fair and equitable. This is an alternative to special assessment for paving projects.

The sales tax exemption for municipal purchases looks like it may come back.

A provision to increase the time an EDA can hold land may increase to 15 years.

11. MAYOR & CITY COUNCIL MEMBER'S REPORT

Council Member Peterson

No report.

Council Member Messina

Arbor Day is next Saturday, May 4th from 10 am to noon, everyone is encouraged to attend.

Council Member Messina said he is looking at what other cities do for seasonal workers (Park employees) and he said they typically make between \$8 - \$10 per hour.

Council Member Duraine

Mayor Dave Povolny and Council Member Duraine met with Chief Sigfrinius regarding the new fire station to discuss the cost of the new facility and effect that will have on Columbus, no cost estimates were available at this time.

The Mid Continent meeting was cancelled and is being re-scheduled. A date has not been confirmed yet.

Park Board

The Park Board held their meeting last week and made 2 motions for council consideration.

Playground Equipment

The Park Board received a quote for Phase 3 of the Columbus City Park playground equipment for \$7,232.00. A motion was made by the Park Board to recommend approval of the quote to proceed with Phase 3. This would be funded by the parkland funds.

Motion P&R 01500 by Duraine to approve the quote received for the Columbus City Park Playground Equipment Phase 3 project for \$7,232.00. Second by Messina. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

S10 Pickup Unit #88

The Park Board made a motion to sell Unit #88, S-10 GMC truck; it was used by the park worker. Council Member Peterson said he has a new site that could be used for the listing or it can be listed on Craig's list.

Motion FIN 00400 By Krebs to approve selling Unit #88, S-10 GMC pickup truck. Second by Peterson. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

Mayor Dave Povolny

Mayor Dave Povolny attended the YSB meeting this morning. The etab (electronic pull tab) sales are growing. Bingo is not working yet.

12. Deputy Clerk Report

Recycle and Clean Up Week – June 3rd through June 8th

Freimuth Enterprises has provided new pricing for appliances and electronics this year. There is a pickup fee of \$10, no additional charge for appliances or electronics including computers, printers, etc. Small portable/monitor type TV's will be \$5 in addition to the pickup fee. In addition, residents can drop off their items at All Appliance disposal for no fee. A flyer is being made and will be in the Peach on May 12th and May 19th. Bicycles will be accepted at no charge on June 5th from 4 – 6 pm. Garbage can be taken to SRC in Wyoming for a 10% discount during normal business hours that week.

13. City Administrator's Report

Midcontinent Letter

A letter dated April 2013 from Midcontinent Cable notifying the city of rate adjustments was distributed to the council at this time.

Public Safety (Police) Task Force Update (Page 11)

Six (6) people have signed up to be on the Police Task Force. The recommendation is to hold the first meeting next Wednesday in place of the Planning Commission meeting which was to be cancelled. The meeting will be held at 7pm.

Mayor Dave Povolny would like to 2 other people on the task force, Chief of Police for Mendota Heights, Mike Aschenbrener and Bob Aldrich, Head of security at Running Aces Harness Park, both have not confirmed joining yet. It was decided to appoint Chief Aschenbrener and Mr. Aldrich at this time, the City Administrator will contact Mr. Aldrich and Mayor Dave Povolny will contact Chief Aschenbrener.

Motion ADM 01100 by Peterson to appoint Mayor Dave Povolny, Council Member Messina, Planning Commission Andy Anderson, Planning Commission Garth Sternberg, Joe Haider, Brooklyn Park Police Officer, John Gross, Columbus Resident, Bob Aldrich, Security Running Aces Harness Park, Mendota Heights Police Chief Mike Aschenbrener to the Police Task Force. Second by Krebs. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

Senior Center Transition Team Update

The Senior Center Transition Team held their last meeting on April 16, 2013. At that meeting options were presented, either the Senior Center becomes a department of the City or the Senior Center becomes an independent nonprofit. Several members of the Senior Board and Senior Club were present at the

transition meeting the majority wished to opt to transition as a non-profit with self funding of the Senior Center.

Mayor Dave Povolny's recommendation is to have the Board and club work together to create one unit independent of the city. The understanding at the meeting was the transition would be funded until a year from now. Council Member Peterson felt that the line item would need to remain in the budget for more than one year.

The City Administrator explained that a rental agreement could be drafted and would need to be drafted to maintain the low income use.

Motion HRA 00300 by Duraine to allow the senior center to operate as a nonprofit and continue funding in the city budget through April 24, 2014. Second by Peterson. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

The City Administrator will develop a transition plan.

Treasurer's Report

Disbursements:	\$0.00
Receipts:	\$45,224.62

E. ANNOUNCEMENTS & REMINDERS

- ▶ Planning Commission Mtg. 05/01/2013 7:00 p.m. Cancelled
- ▶ Police Task force 1st Mtg. 05/01/2013 7:00 pm.
- ▶ Calendar of Meeting (Page 12)

F. ADJOURNMENT

Motion by Krebs to adjourn. Second by Duraine.

Meeting adjourned at 8:06 p.m.

Respectfully Submitted:

Emilia S. Robinson
Deputy Clerk