

**City of Columbus  
Regular City Council Meeting  
August 14, 2013**

The August 14, 2013 meeting of the City of Columbus City Council was called to order at 7:14 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., and Deputy Clerk Emmy Robinson.

Absent: None.

Also in attendance were: Gene Kohler, Rick Robinson, Reinette labernik, Pat Preiner, Mary Preiner, Jesse Preiner, Kevin Dunaway, Dave Schueler, Ria Hague, Jonathan Hague, Kris King, Paul Peskar, Ceil Neihart, Jody Krebs, Michelle Benson, Joan Shcliesing, Chad Massen, 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 - Accept Neighborhood Meeting Minutes JBD/FLC 07/09/2013
5. Motion - Approval of the City Council Meeting Minutes 07/24/13
6. Motion - Proclamation 13-01 Constitution Week (Page 1)
7. Motion - Proclamation 13-02 Domestic Violence Awareness (Page 2-3)
8. Motion - Approve Taughes Redpath Contract for 2013 Audit (Pages 4-14)
9. Motion - Pay Bills as Posted

**Motion by Peterson to approve the consent agenda including ADM 05600 Proclamation 13-01 Constitution Week (Page 1) and ADM 05600 Proclamation 13-02 Domestic Violence Awareness (Page 2-3) and CON 00050 Approve Tautges Redpath Contract for 2013 Audit (Pages 4-14). Second by Krebs. Motion carried.**

**C. PRESENTATIONS**

**10. PLANNING COMMISSION REPORT**

Andy Anderson presented for the Planning Commission tonight.

Update - PC & CC Joint Meeting Topic Discussion (Pages 18-19)

The discussion revolved around how Columbus can attract residential and commercial development and finding out what other communities are doing. The decision was to have Planning Commissioners contact developers to obtain more information. Commissioner Anderson volunteered to call Amaris Custom Homes and Ryland Homes. Commissioner

Krebs will contact Mattamy Homes and Commissioner Sternberg will look for a developer's association and see what information they have. The following questions were agreed upon:

- Is it a deterrent that land is near the freeway?
- What price level and type of houses are being built now?
- How important it is to be shovel-ready.

Commissioner Anderson said the discussion included high density housing, twin homes, condo housing and senior citizen housing, no conclusions were reached.

Commissioner Anderson interviewed Ray Pruban, owner of Amaris Custom Homes located in White Bear Lake. They are building houses in Stillwater, Lake Elmo and Richfield. They presently build custom houses in the price range of \$350,000 to \$420,000. Mr. Pruban's observations were as follows:

- If building high density houses water and sewer are required.
- The easiest cities to deal with are cities with zoning ordinances that make sense and suggested that the city review its ordinances.
- City staff should be trained to give guidance and be helpful to builders. With an emphasis on guidance.
- City staff should offer flexibility.
- Columbus might consider the open space building concept.
- Columbus needs to make builders aware of the benefits of building in Columbus.
- Personal contact is helpful.
- Mr. Pruban said the 5 acre minimum is not detrimental to the type of houses they build.

Commissioner Anderson pointed out the advantages Columbus has such as:

- Columbus is located at the convergence of 35E and 35W
- Columbus has bus service to Minneapolis and St. Paul
- Columbus has excellent schools
- There is open space in Carlos Avery
- There are great planned opportunities.

Mr. Pruban indicated to Commissioner Anderson that he would consider Columbus in his building plans.

#### Direction - Kohler Non-binding Concept Application (Pages 15-17)

Gene Kohler is the owner of MTS Trucking. He has a tentative deal with the bank on the property that used to be Jay Brothers, north of Running Aces Harness Park. He wants to relocate one of his businesses there to offset the property taxes until the land can be sold for development into retail space. He would like to move his trucking business, currently located on a smaller parcel in Blaine, onto that property. He plans to keep the land for sale.

Trucks and trailers will be stored on the property and worked on in the building. Offices will also be in the building. The building would need to be brought up to code. MTS runs about 80-100 trucks a day, but less than 30 come back to the yard at the end of the day. Thirty would be there overnight in summer. In winter the equipment is parked. They don't work January through March, so in winter there could be up to 100 pieces sitting on the

property. Operating hours are 6 a.m. to 6 p.m. Monday through Friday. There is some Saturday work, but virtually no Sundays. Planning Commissioners were not opposed to the concept plan, however some expressed a preference for a 3-year IUP term instead of 5.

**Discussion:**

Council Member Krebs said this is a fairly large operation and he didn't think it was a good fit for the area and this type of business is more suited for the commercial district on Lake Drive. A previous recycling company wasn't allowed to go in at that location because the surrounding area is retail, and traffic coming to and from Running Aces Harness Park would be impacted. The Peterson Trucking Company was allowed in due to the hardship they had with the fire at their main facility and the IUP was only issued for one year. Council Member Messina agreed with Council Member Krebs and added that there is already a vision for that area, trucking isn't part of that.

Council Member Peterson said he would support something for 3 to 4 years at that site so it just doesn't sit empty, Council Member Duraine would support 3 years or more and re-iterated that the company owner said that they would keep the property for sale.

The City Administrator clarified if this application comes in it would create a change in ownership, with that the Planning Commission asked if connection to utilities would be required. The code does require connection to utilities. The consensus of the council was any business coming in must hook up to utilities regardless of whether they use the existing building or build a new building and the consensus of the council is not to support this request. It was agreed that deferring connection and connection fees cannot be continued by the council.

**Joint Meeting**

The next joint meeting will be scheduled for September 18<sup>th</sup>.

**Motion - Revisit Orde Variance (Pages 20-22 & Handout at Meeting)**

On June 26, 2013 the City Council approved a variance request by Kevin Dunaway for Gary and Colleen Lynn Orde for a variance for the property at 8503 178th Lane, Columbus, MN to permit and construct a mound type septic system of "other construction". A clarification is being made that the variance given was for 9 to 15 inches and it was found that the area would only support 4 to 5 inches from mottled soil. The Attorney said the information regarding the actual number of inches for the variance was in the background it is not in the motion therefore a hearing is not required. The consensus was agreement for the variance to the 4 to 5 inches.

**11. MOTION - COUNTY DITCH 35 CULVERT REPLACEMENT — USSURI STREET (PAGES 23-24)**

A memo dated August 9, 2013 regarding request for bid from two companies and the county for replacing the culvert on Ussuri Street was included in the agenda packet. The action is award the contract or direct staff to obtain additional quotes. City staff cannot do this work due to the weight of the cement culverts. The city would supply rock, top soil, seeding and staff members. The road will be closed.

**Motion PWE 01200 by Messina to award the bid to Olsons Sewer Service Inc. for \$13,615.22 for replacing the culvert on Ussuri Street including pipe excavator operator and laborer with 48" (RCP) concrete pipe with apron. Second by Peterson. Votes as follows: Peterson - aye; Messina - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

It was noted that the 181<sup>st</sup> Ave culvert replacement will be done completely by Public Works staff.

## **12. PUBLIC OPEN FORUM**

Paul Peskar 18339 Tulane St. NE

Mr. Peskar said even though the update for John's Black Dirt was deleted from the agenda he asked if an update could still be given.

The City Administrator explained that 2 meetings ago Council directed staff to meet with Forest Lake Contracting. One meeting has been held another meeting is scheduled next week. At this time there is no new information. The update for the council is planned for the August 28<sup>th</sup> meeting.

They have been dewatering and they are moving things on the site.

Joan Schliesing, 18507 Vassar Street NE

Mrs. Schleising complained about the noise at the site from the trucks which was occurring on Saturday also.

## **13. DISCUSSION - 2014 BUDGET**

The Tree Advisory Board

Kevin Dunaway presented tonight, Council Member Messina worked with the Tree Board on the Budget.

The Tree Board is recommending an overall increase of \$1300. The increases include funds for Arbor Day and increase costs for root cutting for Contractor Services.

Council Member Messina said vibratory plowing has decreased and the amount of oak wilt is down to 6 sites. In addition there is a possibility that the person providing tree houses for Arbor Day may not be available next year. It was noted that there may be some savings in the Forester Contract to cover the proposed increase.

**Motion FIN 03800 by Duraine to keep the budget at the 2013 budget amount of \$24,030. Second by Povolny. Votes as follows: Peterson - nay; Messina - nay; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

Public Works Advisory Board (PWAB)

Dave Schueler, Chairman Public Works Advisory Board presented for the PWAB tonight.

Schedule A was reviewed at this time.

The consensus of the council was to make no changes and keep the budget at the 2013 levels.

Schedule B – Blacktop maintenance (Proposed \$188,000) was reviewed at this time. It was noted that the numbers budgeted were flat, not even reflecting a cost of living increase. Mayor Dave Povolny explained that to keep the numbers realistic there should be some escalating factor used for upcoming budget years.

The consensus of the council was to make no changes to the budget at this time, but have the PWAB review seal coating and overlay projects, set more realistic time frames and make projections for escalation to cover increases to fuel, labor etc.

Page 4 – Disbursements - Dust Control

Mr. Schueler explained that the application of Magnesium Chloride is not only for dust control but also as a stabilizer for gravel roads, noting that the fines (the dust) is the binder for a road and the cost savings is in reduced gravel applications. The PWAB is asking that the budget to be increased from \$35,000 to \$40,000.

Application rates and methods were discussed at this time.

The consensus of the council was to make no changes to the budget at this time.

Park Board Personnel Committee

The City Administrator explained that at the next budget meeting the Park Board and Personnel Committee will present their budgets.

Budget Workpapers continued

The City Administrator continued reviewing the budget work papers at this time and noted that a notice was received from the MN Dept of Revenue indicating there is no Local Government Aide for Columbus. Cities with Aging infrastructure were more likely to receive LGA.

It was pointed out that Senator Benson was in attendance tonight, the City Administrator and Council thanked her for attending the meeting.

Page 2 – Anoka County Sheriff's Contract

The new cost sheet was included in the budget work papers. It was noted that Police services are included in levy limits. \$282,000 is a placeholder at this time.

Alexandra House

The request for funds was \$998.00. The city Council felt we could fund at the same level as 2013 for this service.

**Motion FIN 03800 by Messina to keep the budget at \$356 for Alexandra House. Second by Duraine. Votes as follows: Peterson - nay; Messina - aye; Duraine - aye; Krebs - nay; Povolny - aye. Motion Carries.**

### Youth Service Bureau

Last year the budget was \$2,000. It was noted that charitable gambling was approved last year and it is producing funding from the Race Track for YSB. This was the anticipated plan with the understanding that the City would discontinue its funding if the charitable gambling was successful.

**Motion FIN 03800 by Krebs to reduce the budgeted amount for the Youth Service Bureau to \$0.00. Second by Peterson. Votes as follows: Peterson - aye; Messina - aye; Duraine - nay; Krebs - aye; Povolny - aye. Motion Carries.**

Council Member Duraine asked if the Race Track money goes away what would happen. The response was if this happens the city will review funding it again.

### Motion - EDA Budget & Levy (Pages 25-26)

At the EDA meeting held earlier tonight the EDA approved Resolution 13-01 authorizing the levy of a special benefit levy. The City Administrator clarified that there is an EDA levy is approximately \$73,000 and the HRA levy is \$75,000. (This is a new category).

**Motion ADM 05000 by Peterson to approve Resolution 13-15 Approving the Levy of a Special Benefit Levy Pursuant to Minnesota Statutes, Section 469.033, Subdivision 6 by the Columbus Economic Development Authority. Second by Krebs. Votes as follows: Peterson - aye; Messina - nay; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.**

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

### **14. ENGINEER REPORT**

The Engineer was not in attendance tonight.

### **15. ATTORNEY REPORT**

~~Update - John's Black Dirt / Forest Lake Contracting (deleted)~~

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

#### **Council Member Krebs**

Council Member Krebs attended the Dirty Girl Fund Raising Event at Running Aces Harness Park and he thought it was very well attended and a huge success. Council Member Krebs stopped by Freeway Mini Storage and visited the expansion project of the facility. Council Member Krebs noted that an article was in the paper regarding a resident for creating a book of men with beards that is expected to be published. There seems to be a housing boom in the area which was in the paper also.

#### **Council Member Duraine**

The Fire Board met last week, the budget was basically held flat. Chief Sigfrinius asked about raising the pension per year from \$4500 to \$4800 and it was accepted and passed. Raises were also requested for Fire

Fighters this was tabled to next year. The Local Government Officials meeting was held a few weeks ago, Tony Palumbo County Attorney had taped information on elder abuse which Council Member Duraine passed on to the Senior Center and will give to LATV.

### **Council Member Messina**

The Tree Board meeting was held the budget was discussed. The Forester is out visiting oak wilt sites at this time. Oak wilt sites have decreased from 42 to 6. The Tree Board would like to have a statement regarding calling for a free oak wilt inspection displayed on the reader board that is located on city hall property and added to the notice that is published each year and on the city website.

### **Council Member Peterson**

Council Member Peterson was unable to attend the Sunrise Watershed meeting on August 1<sup>st</sup>. Public Works Advisory Board meeting was held and the budget was reviewed.

### **Mayor Dave Povolny**

Mayor Dave Povolny attended the Fire Board meeting.

## **17. Deputy Clerk Report**

### Update 18824 Lexington Avenue animal inspection

The Animal Control Officer was onsite during the veterinarian visit. According to the veterinarian the horse needs more nutritious grain; he also floated the horse's teeth to help with its digestion of food. The veterinarian recommended a follow up visit in 30 days. Council Member Peterson was on site for the veterinarian inspection, there is another pony on site which appears to be in good health.

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

### Treasurer's Report

Receipts:	\$40,361.60
Disbursements:	\$140,164.64

### Email regarding John's Black Dirt

The City Administrator asked for confirmation regarding the direction from the council for handling requests for information regarding the John's Black Dirt operation by Mr. Guzzo. At a previous city council meeting the direction was to allow residents access to the file but not have staff spend time to produce any reports or analyze the information in the file any further.

The Attorney noted that standard practice (for data practices requests) is to make the records available to the public, but analysis, reports etc. is not generally done. Routine questions will be answered by staff, this

information spans 40 years of history. Some of the data is at other locations too (county). Standard Data Practices requests require staff to provide public data. This is well beyond what data practices requires. It was noted that some of the questions asked do not involve public data. i.e. On page A-6 of the agenda question #1. Does Forest Lake Contractors have a purchase to buy agreement with Kathy? This is not public data nor does the city have access to this information.

The consensus is the opinion remains the same of providing access to the records the city has available.

#### **E. ANNOUNCEMENTS & REMINDERS**

- ▶ Planning Commission Mtg. 08/21/2013 7:00 p.m. The Planning Commission between now and October has several applications coming in.
- ▶ Calendar of Meeting (Page 27)

#### **F. ADJOURNMENT**

*Motion* by Krebs to adjourn. Second by Messina

Meeting adjourned at 8:54 p.m.

Respectfully Submitted:

Emilia S. Robinson  
Deputy Clerk