

City of Columbus
Regular City Council Meeting
April 13, 2016

The April 13, 2016 meeting of the City of Columbus City Council was called to order at 7:02 p.m. by Mayor Dave Povolny at City Hall. Present were Povolny, Council Members Denny Peterson, Mark Daly, Jeff Duraine and Bill Krebs; City Administrator Elizabeth Mursko; Attorney Bill Griffith; Engineer Dennis Postler; and Public Information Coordinator Bronwyn Pope.

Absent: None.

Also in attendance were: Public Works Superintendent Jim Windingstad, Pat Preiner, Jesse Preiner, Mary Preiner, Ken DuFresne, Kerry Barna, Ashley Barna, John Kinghorn, Jacob Foerst, Roger DuFresne, Mary DuFresne, Paul Peskar, Kris King, Jody Krebs, Garth Sternberg (Planning Commission), Robert Aldrich, and Terri Hodges (Forest Lake Cable Commission).

CONSENT AGENDA

- Motion – Approval of the City Council Meeting Minutes 03/16/16
- Motion – Approval of the City Council RAHP Liquor License PH Mtg. Minutes 03/16/16
- Motion – Agenda Approval with Additions
- Motion – Pay Bills as Posted
- Motion – **Resolution 16-04** Support Anoka Cty Funding TH97/CSAH23 Interchange

Motion by Krebs to approve the consent agenda including **Resolution 16-04**. Motion seconded by Duraine. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

PLANNING COMMISSION REPORT

The Planning Commission met April 6 and Member Jody Krebs reported.

Running Aces Harness Park (RAHP) CUP Amendment

RAHP has requested to amend their CUP to permit relocation of the RV campground from the front lot, to the secure area by the stables. RAHP wants to construct 25 RV spots with sewer, water and electric hookup for groomers, trainers, owners or others working with the horses to use during the racing season. The Planning Commission recommended approval based on the following Findings of Fact and Conditions:

Findings of Fact

- 1) A CUP amendment application for relocation of the RV parking area was received on February 19, 2016 and supplemented on March 22, 2016.
- 2) The 60-day review deadline is May 21, 2016 and the 120-day review deadline, if needed, is July 20, 2016.

- 3) A Recreational Camping Area (RCA) for RVs was originally approved along the easterly side of the main Running Aces parking lot. This area was intended for Running Aces patrons; but, the area was never retrofitted with any sanitary sewer hookups for RVs.
- 4) Running Aces is requesting that the original RCA location be abandoned and relocated to the secured backstretch area. The RVs allowed in this area would be limited to personnel licensed by the Minnesota Racing Commission (MRC), such as groomers, trainers, riders, and owners, who would only use the RCA during racing season.
- 5) The area proposed for the RVs is along the westerly row of existing trailer parking in the backstretch area. A maximum of 25 RV hookups are proposed.
- 6) The proposed location for the relocated RCA is identified on a hand marked-up original January 27, 2006 Plan Sheet S303 (Proposed Construction and Utility Plan), hand dated "3/22/16 (v.2)."
- 7) The rules and regulations for RV occupants and visitors are included in the "RV Park Plan of Operations (Revised 3-2016)," received on March 22, 2016.
- 8) Detailed construction plans are pending for the water, sewer and electrical connections that are planned to be made available for each RV location.
- 9) Approval of the original CUP in 2004 was conditioned upon many subsequent plan reviews and approval, most of which occurred prior to the opening of Running Aces on 2008. Approved parking plans in the backstretch area included optimum parking needs and evidence for accommodation of maximum event usage. A "proof of parking" condition in the CUP is appropriate for parking improvements which have not been completed.
- 10) The Planning Commission held a public hearing on the CUP Amendment Application on April 6, 2016.

Conditions

- 1) Construction plans for RV hookups must be submitted to the City Engineer and Building Official for approval and necessary permitting.
- 2) A maximum of 25 RV hookups are approved along the westerly trailer parking aisle of the backstretch area as shown on the hand marked-up original January 27, 2006 Plan Sheet S303 (Proposed Construction and Utility Plan), hand dated "3/22/16 (v.2)."
- 3) The RV plans and improvements must be consistent with State standards and permitting requirements for Recreational Camping Areas.
- 4) RV parking shall be allowed only during the racing season and regulated in a manner consistent with the Minnesota Racing Commission and according to the "RV Park Plan of Operations (Revised 3-2016)," prepared by Running Aces.
- 5) "Proof of parking" is approved by the City for approximately 102 parking stalls designated on the east sides of the easterly horse barns and the 14 spaces located north of the security gate in the backstretch area. Upon a reasonable finding of need and upon 180 days of written notice by the City, Running Aces agrees to construct additional improved parking, consistent with the "proof of parking" required.
- 6) All restorations due to this construction must be performed in a timely manner and be equal to existing conditions.

- 7) There should be no direct impacts to the City's sanitary sewer line or water main. We do request to review a more detailed layout of the proposed sanitary sewer, water, and electrical services for the proposed 25 RV spots, as well as more specific information on the proposed transformer location.

Motion PLZ00400 by Peterson to approve the new RV Park plan dates 3-2016 and approve the **Running Aces Harness Park CUP Amendment/ PC16-109** to relocate the existing RV campground from the northeast gravel parking lot area to the westerly parking lot of the stable area, and connect the new 25 RV spaces to sewer, water and electrical services based on the findings of fact and subject to conditions 1-5 from the Planner's Memo dated March 30, 2016 and conditions 1-2 from the Engineer's Memo dated March 17, 2016. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

13517 E. Rondeau Lake Drive - Foerst Public Hearing Cont. & Variance Request

This public hearing was continued from the April 6, 2016 Planning Commission Meeting.

Public Hearing

Mayor Povolny opened the continued public hearing at 7:05 p.m. No public comment. Mayor Povolny closed the public meeting at 7:06 p.m.

The property owner at 13517 E. Rondeau Lake Drive, a corner lot, would like to build a storage building, but the lot has wetlands and a large drop off so that the only buildable spot requires a variance.

Motion PLZ02400 by Daly to approve the **Variance Request for 13517 E. Rondeau Lake Dr. – Foerst/PC16-110** from the required 75' front yard setback to the 35' front yard setback to construct a pole framed accessory building. Seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Ordinance 16-06 Amendment Senior Housing Design and Performance Standards

Chapter 7A, Section I, Article VII, 7A-766 Ordinance 16-06 Amendment to Senior Housing Design and Performance Standards. Planning Commission recommends approval.

Motion ADM05000 by Peterson to adopt **Ordinance 16-06 Chapter 7A Amending Senior Housing Design and Performance Standards/ PC16-111**. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

EJM CUP Amendment

EJM Pipe Service is requesting a CUP Amendment to add a lean-to on the north side of their property to reduce visibility of their equipment and deter ongoing issues with equipment theft, add an accessory building, and relocate the proof of parking to the east side of the property where there is more parking space available. Planning Commission recommends approval based on the following Findings of Fact & Conditions:

Findings of Fact

- 1) EJM received plat approval in 2009 for a lot consolidation of several parcels totaling approximately 67.8 acres, legally described as Lot 1, Block 1 Montgomery Family Addition, located at 14461 Lake Drive ("Property").
- 2) EJM also received CUP approval in 2009 to construct their company office and attached warehouse/maintenance facility on Property.
- 3) The original CUP approval included approximately 9660 square feet of office space attached to a 33,000 square feet warehouse and shop building.
- 4) The original building was approximately 32 feet high.
- 5) There was also a lean-to building approved in the 2009 CUP along the westerly and southerly lot line of the Property which abuts several pre-existing residences to the south.
- 6) After CUP approval, the site was cleared, three driveways were removed and a fourth driveway was constructed to line up with the intersection of 145th Avenue. Three separate lean-to buildings were constructed in the approximate location approved in the CUP.
- 7) Recently, a detached office building has been constructed in the approximate location of the original proposed office/warehouse building and an approximately 32,820 square feet detached warehouse building is currently under construction. The maximum height of the warehouse is 32 feet.
- 8) The office building is now a log constructed building; whereas, the warehouse remains a pre-cast insulated masonry wall structure. The westerly elevation of the warehouse building has an exposed aggregate finish. The remainder of the warehouse has a ribbed precast masonry finish.
- 9) The west elevation of the warehouse building will also have a covered service entrance facing the office building.
- 10) EJM is currently requesting the addition of a 25 feet by 150 feet lean-to building, with an attached 25 feet by 54 feet enclosed storage building, along the north property line at the easterly end of the storage yard.
- 11) The proposed lean-to and storage building will be a two-tone painted steel paneled building with metal roof, matching the existing lean-tos on the Property.
- 12) The proposed lean-to will exceed the minimum 10 feet side yard setback and is approximately 22.5 feet tall at the open end. The storage building will be approximately 23.5 feet in height.
- 13) The proposed building addition is not located within 150 feet of an existing residence and does not trigger additional screening requirements.
- 14) The Property does abut the RR District on its east boundary; however, there is well over a quarter-mile separation to the nearest residence, due to the large Crossways Lake wetland complex.
- 15) The original approved CUP site plan included 31 improved parking spaces and 55 "proof of parking" spaces located in the storage yard.
- 16) The proof of parking areas have been modified to relocate future parking where the proposed lean-to and storage building will be constructed.
- 17) The current plan identifies 30 improved parking spaces, including two handicapped accessible spaces, and 54 proof of parking spaces.

- 18) Approved stormwater improvements located west of the office building and along the wetland appear to have been completed.
- 19) The Planning Commission held a public hearing on the EJM CUP amendment of February 3, 2016.
- 20) EJM requested a delay in action to make site plan revisions, including details for a proposed storage building.
- 21) The revised site plan for EJM is dated March 14, 2016, prepared by Plowe Engineering.
- 22) The revised building elevations for the lean-to/storage building are dated March 23, 2016, prepared by Walters Buildings.
- 23) The final landscape plan is dated March 17, 2016, prepared by Plowe Engineering.

Conditions

[NOTE: The relevant conditions from the 2009 CUP are retained here].

- 1) Detailed recommendations by the City Engineer must be met.
- 2) Detailed recommendations by the Building Official must be met.
- 3) Recommendations of the Rice Creek Watershed District must be met.
- 4) Recommendations of the Anoka County Highway Department must be met.
- 5) All site lighting shall be downcast and shrouded.
- 6) Site signage must be approved by the City Administrator.
- 7) Landscaping shall be installed and maintained according to the landscape plan, dated March 17, 2016, prepared by Plowe Engineering.
- 8) EJM shall construct and maintain a minimum of 30 improved parking spaces, according to minimum City standards and the revised site plan, dated March 14, 2016, prepared by Plowe Engineering.
- 9) EJM has identified locations on the Property as “proof of parking” for 54 additional parking spaces. There is ample room for two additional “proof of parking” spaces, which satisfies original CUP requirements for parking, based upon the use of the Property.
- 10) EJM agrees to construct additional improved parking, consistent with the “proof of parking” required, based upon a reasonable need determined by the City and within 180 days of written notice by the City.
- 11) Outside storage of materials and equipment shall be limited to the gravel surface areas identified in the 2009 CUP.
- 12) The storage of any fuels or hazardous materials on the Property shall be consistent with State and Federal regulations.
- 13) The CUP may be revoked upon a finding by the City Council that the Property and/or use is not in compliance with the conditions of the CUP, following proper notice and a public hearing.
- 14) All construction and operations on the Property shall be consistent with all applicable local, State, and Federal laws and regulations.
- 15) No other uses, intensifications of uses, or new structures shall be allowed on the Property without formal amendment to the CUP.
- 16) There shall be no chemicals, hazardous wastes, gasses, fumes, or odors resulting from the use of the Property, except those resulting from customary use of equipment and vehicles.

17) EJM shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP, including any subsequent inspection and enforcement actions.

Motion PLZ00400 by Krebs to approve the **EJM CUP Amendment/ PC16-103 for 14461 Lake Drive, Columbus MN for a construction contractor business (EJM Pipe) to allow for the construction of additional lean-to buildings, an accessory building and the alternate location for proof of parking subject to conditions 1-17.** Seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Final Plat Approval – Lone Oak Acres

The staff has reviewed the Final Plat for Lone Oak Acres. The recommendation is for approval subject to the title review conditions. The surveyor has reviewed the conditions and staff thinks the applicant can meet all of the conditions.

Motion PLZ01300 by Peterson to approve the **Final Plat for Lone Oak Acres.** Seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Comprehensive Hotel Market Study

Planning Commission members also met with Michael Hool regarding the Comprehensive Hotel Market Study and are looking forward to hearing his findings.

Reminder

May 12 MnDOT Open House regarding the MnDOT three bridge and overlay project which will be held at Eagle Brook Church in Lino Lakes from 5-7 p.m.

PUBLIC OPEN FORUM - No one for public open forum.

Anoka County Community Action Program Letter & Report

The City received the annual report for the Senior Outreach Program which was provided to the Council for informational purposes.

ENGINEER REPORT

Direction & Motion – White Bear Lake vs. DNR Lawsuit Response

The DNR requested comment from the City on the language in the update to questions stemming from the Feb. 2016 “Report to the Minnesota State Legislature: Concept Cost Report for Augmentation of White Bear Lake with Surface Water.” Postler asked the Council for direction on a response. In 2015 the Council passed a resolution in opposition to this plan. Council discussed and the overwhelming consensus was to reiterate the City’s previous response to this plan. Griffith recommended the letter restate the previous position and indicate the City’s position has not changed. Postler also recommended that the letter

specifically object to the proposed funding. Direction from the Council was for staff to draft a letter which will be signed by the Mayor.

Update – 2016 Anoka County Construction Program

Postler attended the quarterly Anoka County Construction meeting yesterday regarding 2016 projects. The only work planned in Columbus in 2016 is some crack sealing. Anoka County 2016 construction project information is also available on the Anoka County website. Anoka County has 11 applications in for federal funding, including the TH97/CSAH23 bridge project in Columbus. Council discussed briefly. Duraine asked about the right turn lane off Broadway onto Notre Dame going east that had been discussed when the County did the roundabout and if it could be brought up with the County again. Staff will follow up with the County.

ATTORNEY REPORT

MnDOT Master Contract & Resolution 16-05

Any city that does any work with MnDOT is required to have a standard MnDOT Master Contract in place to handle reimbursements. Griffith recommended wording be struck from page 73 regarding work being done to the sole discretion of the requesting party. Staff recommends that the MnDOT Master Contract (MnDOT Agreement #1002434) including **Resolution 16-05** be approved with the amendment on page 73.

Motion CON00050/PWE01200 by Krebs to approve the MnDOT Master Contract (MnDOT Agreement #1002434) & **Resolution 16-05** with the amendment on page 73. Seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

RAHP Liquor License Condition #10

The North Metro Harness Initiative (NMHI) dba/Running Aces Harness Park (RAHP) Sunday, 2 a.m. and On Sale Liquor License Renewal was approved by the Council on March 16, 2016 with an expansion of the license premises area to include the trout pond. One of the keys to that discussion was that the space was “compact and contiguous.” This means under law that it is all connected, secured and fenced to prevent under-age consumption and over-consumption. RAHP has requested that they not actually have to post a security guard at that gate to the new area. RAHP has asked that their regular staff be providing that oversight. City staff is comfortable with that if the RAHP staff is of legal age and trained in alcohol awareness such as TIPS training. Staff proposes an amendment of condition #10 to strike “security guard” and leave in the word “adequate staffing” and then add a new short sentence “staff will be at least 18 years old and trained in TIPS or ALE.”

Motion PER02100 by Duraine to approve amending the North Metro Harness Initiative (NMHI) dba/Running Aces Harness Park Sunday, 2 a.m. and On Sale Liquor License Renewal condition #10 to strike “security guard,” leave in the word “adequate staffing” and add “staff will be at least 18 years old and trained in TIPS or ALE.” Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

MAYOR AND CITY COUNCIL MEMBER REPORTS

Council Member Daly – ColumBiz was a great success, the staff did a great job.

Council Member Duraine – The Lakes Area Cable Director has resigned effective in May 6, and the Cable board will meet next Wednesday to discuss.

Council Member Krebs – ColumBiz was a great event, everyone did a great job. The biggest concern at Krebs' table was the bridge.

Council Member Peterson – No report.

Mayor – No report.

PUBLIC WORKS REPORT

Public Works Building – Outside Lighting Proposal

Public Works Superintendent Jim Windingstad and Garth Sternberg of Sternberg Electrical Services presented two potential plans for installing permanent lighting outside at Public Works for use during elections. Counsel discussed and consensus was that since it was not in the budget this year the City would continue with the less expensive option of renting temporary outdoor lighting for the cost of about \$200. Duraine brought up some resident complaints about the lights at the roundabout. Shields have been ordered and will be added to some of the lights.

PUBLIC INFORMATION COORDINATOR REPORT – The City has received two complaints regarding the lower speed limit on Howard Lake Drive.

CITY ADMINISTRATOR REPORT

Personnel Committee Report

Public Information Coordinator Bronwyn Pope has resigned, effective Friday, June 3, 2016. She will come back and do office work when needed.

Motion HRS03300 by Duraine to accept the resignation of Public Information Coordinator Bronwyn Pope effective June 3, 2016. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Public Works Superintendent Jim Windingstad and Deputy Clerk Lorie Lemieux are eligible for step increases as of March 2016. The personnel committee recommends that they both receive a step increase. Duraine asked about the pay scale and step increase amounts. Mursko explained the step process in more detail.

Motion HRS04100 by Daly to approve a pay scale step increase for Jim Windingstad (Public Works Superintendent) and for Lorie Lemieux (Deputy Clerk) effective April 16, 2016. Seconded

by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Conduit Bonding Question

Mursko updated the Council about conduit bonding. The City of Crystal is looking for conduit bonding for a charter school, the amount is too large for one community to do all the conduit bonding so they are looking for other cities to do some of the bonding. The City of Columbus would get a service fee for doing the bonding. There is also opportunity to potentially refinance one of the City of Columbus' current bonds and potentially restructure that bond at the same time to lessen the financial burden on the City. The Council consensus was to pursue the conduit bonding opportunity with the City of Crystal.

TREASURER REPORT

Receipts: \$43,225.40

Disburse: \$181,537.57

Balance: \$2,039,712.48

ANNOUNCEMENTS & REMINDERS

Planning Commission Meeting will be 04/20/16. Local Board of Equalization meeting on 4/25/2016.

Duraine asked if staff could make contact with some bigger chains like Costco or other grocery stores to gauge interest in locating in Columbus. Mursko and Griffith outlined progress that has been made making those kinds of contacts which have led to opportunities like the potential hotels.

ADJOURNMENT

Motion by Duraine to adjourn. Seconded by Krebs. Meeting adjourned at 7:47 p.m.

Respectfully Submitted:

Bronwyn Pope, Public Information Coordinator