

**City of Columbus  
Regular City Council Meeting  
August 24, 2016**

The August 24, 2016 meeting of the City of Columbus City Council was called to order at 7:00 p.m. by Mayor Dave Povolny at the City Hall. Present were Council Members Denny Peterson, Mark Daly, Jeff Duraine and Bill Krebs; City Administrator Elizabeth Mursko, Attorney Bill Griffith, Engineer Dennis Postler.

Also in attendance were: Hank & Karen Millette, Kris King, Paul Peskar, Dave Schueler, Jesse Preiner, Jody Krebs, Larry & Quita Olson, and Brian - LATV.

**A. CITY COUNCIL REGULAR MEETING**

1. Call To Order - Regular Meeting – 7:04 P.M.
2. Pledge of Allegiance

**B. CONSENT AGENDA**

3. Motion - Approval of the City Council Meeting Minutes on 08/10/16
4. Motion - Approval of the Budget Workshop Meeting Minutes on 08/10/16
5. Motion - Approval of the 159<sup>th</sup> Xingu Neighborhood Meeting Minutes on 08/04/16
6. Motion - Approval of the 165<sup>th</sup> Ave. Neighborhood Meeting Minutes on 08/04/16
7. Agenda - Approval with Additions
8. Motion - Pay Bills as Posted

There were no additions to the consent agenda.

**Motion by Peterson to approve the consent agenda items 3-8. Motion seconded by Krebs. Motion approved unanimously.**

**C. PRESENTATIONS**

**9. PLANNING COMMISSION REPORT**

Jesse Preiner presented the Planning Commission Report. Preiner reported that they conducted three public hearings and discussed a drainage issue on 161<sup>st</sup> Avenue.

Variance Request – Nelson Acres (Vacant Lot)

The Planning Commission held a public hearing to receive testimony regarding a variance application request for a vacant corner lot on 189<sup>th</sup> Avenue N.E., Columbus, MN from the required minimum 75-foot front yard setback to a 30-foot front yard setback for the construction of a new home. The applicant is South Pine Builders. Property owners are Henry and Karen Millette. The Planning Commission recommended approval of the variance.

**Motion by Krebs to approve (PC16-114) the variance request for the property owned by Henry and Karen Millette at the vacant corner lot on 189<sup>th</sup> Avenue NE (Nelson Acres), from the required minimum 75-foot front yard setback to a 30-foot front yard setback to construct a new home, based on the Planning Commission findings that the Zoning Ordinance causes a practical difficulty. Second by Peterson. Motion carried unanimously.**

Ordinance 16-09 Horse Racing (HR) District (Hotel & PUD) Amendment

The Planning Commission held a public hearing to receive testimony regarding consideration of revisions to Chapter 7A of the City Code with respect to residential and commercial planned unit developments (PUD) and adding a hotel use in the HR zoning district

**Motion by Krebs to adopt (PC16-115) Ordinance 16-09 an ordinance amending Chapter 7A – Zoning Regulations of the City Code with respect to residential and commercial planned unit developments (PUD) and adding a hotel use in the HR zoning district. Seconded by Peterson. Motion carried unanimously.**

Ordinance 16-10 Chapter 5 & 7 (Chickens) Amendment

The Planning Commission held a public hearing to receive testimony regarding consideration of revisions to Chapter 7A of the City Code with respect to animal densities, animal structures, and other animal regulations primarily relating to chickens, roosters, fowl and other farm-birds. Separate minutes are prepared. The Planning Commission recommended approval of the ordinance as presented.

**Motion by Daly to adopt (PC16-116) Ordinance 16-10 an ordinance amending Chapter 5 – Public Safety and Public Nuisance & Chapter 7A – Zoning Regulations of the City Code with respect to animal densities, animal structures, and other animal regulations primarily relating to chickens, roosters, fowl and other farm-birds. Seconded by Krebs. Motion carried unanimously.**

## **10. PUBLIC OPEN FORUM**

Larry Olson residing at 7555 161<sup>st</sup> Ave. appeared before the City Council to discuss his lingering drainage issues on his property as he was before the City Council about a year ago. Mr. Olson thanked the City Council for addressing the drainage in Hidden Park, but still has issues with property owners to the south. The property owners to the south are blocking the drainage ditch with sand bags. Councilman Krebs visited this site and indicated that there are sand bags in the path of the ditch and it has not been maintained in many years. Attorney Griffith explained that this ditch is a private ditch and not part of the public system. It would take action of the property owners to fix the drainage problem. Krebs indicated that RCWD is cleaning out the public ditches to the south and thought we should get the neighbors together to discuss next steps. Povolny pointed out that causing flooding of other property should be considered a public nuisance. Direction from the City Council is for the attorney to draft a letter to the neighbors informing them that blocking the flow of water is considered a public nuisance. Olson will provide more information for the attorney to draft the letter.

## **11. City Council Salaries**

City Council discussed an ordinance that would change their compensation from meeting based to a salary structure that will save about \$3,000 per year.

**Motion by Krebs to adopt Ordinance 16-08 an ordinance establishing City Council salaries pursuant to Minnesota Statutes. Seconded by Peterson. Peterson – aye; Daly – aye; Krebs – aye; Duraine – aye; Povolny – aye. Motion carried.**

## **12. Joint Powers Agreement Water Summit**

The City Council discussed the Joint Powers Agreement and felt they needed more information before taking any action. A meeting will be held tomorrow night to discuss regional water issues. This JPA may be discussed at the next City Council meeting.

## **13. Forest Lake Cable Commission 2017 Budget**

The current Joint Powers Agreement with the Cable Commission requires member cities to provide comments on Cable Commission’s proposed budget within 45 days. The City Council discussed following comments as outlined by the City Administrator:

- 1. The final budget should be in balance; disbursements should not exceed revenue.*
- 2. The final budget be revised to reflect the revised staffing structure being developed by the Commission’s Personnel Committee.*
- 3. The final budget to be revised to reflect the costs of leasing within the Senior Center to include the moving and set-up expenses for the new location.*
- 4. The Commission evaluates PEG fee legal compliance and reflect that amount in the budget.*
- 5. The revised budget should be resubmitted for member City approval by November 28, 2016.*

**Motion by Daly to accept the recommendation of the Forest Lake Cable Commission and approve the 2017 budget subject to the following edits or comments 1-5 listed above and directing the City Administrator to forward the edits or comments to the Chairperson of the Forest Lake Cable Commission. Seconded by Krebs. Peterson – aye; Daly – aye; Krebs – aye; Duraine – aye; Povolny – aye. Motion carried.**

## **14. Spring Lake Park Lions Off-Site Gambling Permit**

The Spring Lake Park Lions Club is requesting a permit to conduct Bingo on October 23, 2016 at Running Aces Harness Park as a fundraiser for the Youth Service Bureau.

**Motion by Krebs to approve Resolution 16-14 a resolution approving a charitable gambling premise permit at 15201 Zurich Street for the Spring Lake Park Lions Club. Seconded by Peterson. Peterson – aye; Daly – aye; Krebs – aye; Duraine – aye; Povolny – aye. Motion carried.**

## **D. STAFF AND CONSULTANT REPORTS**

### **15. ENGINEER REPORT**

## **Update Relocation of County Road 54 Open House**

Anoka County held an open house on August 23, 2016 here at the City Hall. The City Engineer updated the City Council on some of the details of the project. Krebs questioned on the location of the northerly drainage pond and thought it should be located on the north side of Lake Drive. Anoka County completed a wetland delineation of the properties adjoining this project and the outcome is proportionally larger amount of wetland than the previous wetland delineation completed five (5) years ago. The direction of the City Council was to appeal the new boundaries decision by the Rice Creek Watershed District as the City Council felt there were not any major changes in the area to change the boundary. The Attorney will bring back the steps to appeal the wetland boundaries on both parcels owned by the City.

## **16. ATTORNEY REPORT**

### **Update legislature**

Griffith commented that it did not look like a special session will happen in 2016 but our bill is included in the committee report and will likely be taken up as one of the first items in the 2017 legislative session.

## **17. MAYOR AND CITY COUNCIL MEMBER'S REPORT**

Council Member Peterson – Peterson commented that Mursko turned over Fall Festival coordination duties after 10 years of service and thanked her for a job well done!

Council Member Daly – Daly attended the Fall Fest Committee meeting this evening and indicated that the planning was going well and looking to be another great event this year.

Council Member Duraine – Duraine attended the Forest Lake Cable Commission Meeting – they toured the Forest Lake Senior Center as this is likely the new location of LATV 10 and its employees.

Council Member Krebs – Krebs attended the Personnel Committee Meeting and the following is the Personnel Committee Report.

Mursko reported that the City posted an ad for the Public Communications Coordinator position in July of 2016. We received 15 applications, City staff interviewed five (5) and Personnel Committee interviewed three (3) candidates.

Personnel Committee recommends that the City offer the Public Communications Coordinator position up to 25 hours per week to Jessica Hughes at an hourly rate of \$19.62 to include only prorated vacation and PERA benefits with the understanding that she would be eligible for a step increase at the discretion of the City Administrator after 6 months based on performance.

**Motion by Krebs to accept the recommendation of the personnel committee and approve the offer of the Public Communications Coordinator position up to 25 hours per week to Jessica Hughes subject to a favorable reference check at an hourly rate of \$19.62 to include only prorated vacation and PERA benefits with the understanding that she would be eligible for a step increase at the discretion of the City Administrator after 6 months based**

**on performance. Seconded by Daly. Peterson – aye; Daly – aye; Krebs – aye; Duraine – aye; Povolny – aye. Motion carried.**

Personnel Committee recommends that the changes to the Public Communication Coordinator job description and the new job description for the Deputy Treasurer to reflect the addition of job responsibilities in finance and human resources.

**Motion by Krebs to accept the recommendation of the personnel and approve the changes in the Public Communication Coordinator and the Deputy Treasurer job descriptions as presented. Seconded by Peterson. Peterson – aye; Daly – aye; Krebs – aye; Duraine – aye; Povolny – aye. Motion carried.**

Personnel Committee recommends that two new pay scales to reflect changes and/or additions to the job descriptions of the Public Communications Coordinator and Deputy Treasurer.

**Motion by Krebs to accept the recommendation of the personnel and approve the 2016 pay scale adjustments to both the Public Communications Coordinator and the Deputy Treasurer job positions as a result of changes of job responsibilities. The wage adjustment for the Deputy Treasurer position will be effective September 3, 2016. Seconded by Peterson. Peterson – aye; Daly – aye; Krebs – aye; Duraine – aye; Povolny – aye. Motion carried.**

## **18. PUBLIC WORKS REPORT**

### Public Works Equipment

PW Chairman Schueler presented the Public Works Advisory Boards recommendation to purchase a Stepp SPH 1.5 Cubic Yard Hot Box; All American Disk; and 13-Wheeler as these items are no longer available to borrow from neighboring communities in the past and are not readily available to rent. All three pieces of equipment will be use by the Public Works Department for road maintenance.

The City Council discussed the use and the necessity of the equipment.

**Motion by Peterson to accept the recommendation of the Public Works Advisory Board and approve the purchase of the Stepp SPH 1.5 cubic yard hot box for \$17,624.00, All American Disk for \$7,222.00 and 13-wheel Roller for \$16,500.00. Seconded by Krebs. Peterson – aye; Daly – aye; Krebs – aye; Duraine – nay; Povolny – aye. Motion carried.**

### Blacktop Policy

At our last meeting the City Council directed the Public Works Advisory Board to draft a blacktop policy that would lead to more roads being paved in a given project. The Public Works Advisory Board met and offers the following guidelines and direction for a blacktop policy:

### **Policy Statement:**

Every year the City of Columbus receives calls from residents inquiring of the process to have their road paved. In the past this process was initiated by a petition to determine if there was a positive response from the affected residents. The Council has determined that it may be more financially beneficial to the residents to incorporate a larger area into these projects.

### **Policy Guidelines:**

- City will pave up to five (5) miles of existing gravel roads every other year within a time frame of ten (10) years.
- City will pay a 20% share of any collector road that fulfills the collector road criteria.
- City is financially responsible for the replacement of any road culvert that is involved with said paving project. Culverts will be replaced with product/ material deemed appropriate by the Public Works Superintendent.
- The assessed amount will be determined by total bituminous surfacing cost divided by total assessable units. Assessable unit is an existing home site or buildable site.

This policy will not replace the current process in place where property owners have input in whether their road is paved or not.

**Direction from the City Council to accept the policy statement and guidelines recommendation from the Public Works Advisory Board and direct the City Attorney to review statement and guidelines and draft policy.**

## **19. CITY ADMINISTRATOR'S REPORT**

### **Thurnbeck Wetland Delineation Application (WCA 16-01)**

Mursko gave City Council overview of the administration of WCA permit in the Sunrise WMO. The City is the LGU for the Sunrise WMO and Mursko coordinates the WCA applications. Mursko reviewed the wetland delineation application details from the TEP Panel report dated 08.26.16 with the City Council as this application has some complex dynamics as how the rules applied under current conditions. The TEP panel recommended approval of the wetland delineation based on the delineation dated 08.18.16 subject to the guidance and/or conditions for future development.

**Motion by Krebs to accept the recommendation of the TEP panel based on the findings listed in the TEP report dated 08.26.16 and approve the wetland delineation subject to the following guidance and/or conditions in regards to wetland delineation and further development of the property is as follows: (1) The approved wetland delineation must be used in any pre 2017 applications; that is, any application submitted prior to the close of a ten-year period starting from the completion date of tile installation, that would propose an alternative land use to agriculture. (A non-agricultural land use is not consistent with the exemption for tile installation.) (2) The existing areas with sub -surface drainage tile as well as the open ditches at a minimum should be placed under a drainage and utility easement. (When the tile becomes clogged or fails in some way the delineated areas will have a noticeable increase in hydrology. These would likely be concerns for the future**

landowners.) (3) The future landowners and public might best be served by defining a responsible party to maintain the tile line and the mechanisms to fund, access the properties, and undertake any necessary work.

**Treasurer's Report**

Receipts:	\$ 00.00
Disbursements:	\$ 126,558.66
Balance:	\$ 2,988,322.33

**E. ANNOUNCEMENTS & REMINDERS**

Planning Commission Meeting 09/07/16

Calendar of Meetings

**F. ADJOURNMENT**

Motion was made by Daly to adjourn. Motion seconded by Krebs.  
Meeting adjourned at 9:20 p.m.

Respectfully Submitted:

Elizabeth Mursko, City Administrator