

City of Columbus
Regular City Council Meeting
Dec. 9, 2015

The Dec. 9, 2015 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 Jr.; Engineer Larry Bohrer; Deputy Treasurer Lynette Olinger; Public Works Superintendent Jim Windingstad; and Public Information Coordinator Bronwyn Pope.

Absent: None.

Also in attendance were: Pat Preiner, Jesse Preiner, Mary Preiner, Jody Krebs, Terri Hodges (Forest Lake Cable Commission), Roger Nase, Dennis Postler (TKDA), Jim Watson (Planning Commission), Mel Mettler, and Kip Monson, Jeff Von Ruden, Barb Ruppe, Sandy Learned, Sue Mulvihill, Laurie King, Pat Boesch, Jason Rud, Crail Kamman, Chris Knight, Craig Bjorklund, Darrell Thurnbeck, Dan Mike, Deane & Darrell Reb, Roger Nase, John Kavaloski, Maxine Merrigan, Ron Lindeberg, and Harry Haluptzok.

CONSENT AGENDA

- Motion – Approval of the City Council Meeting Minutes 11/23/15
- Motion – Agenda Approval with Additions
- Motion – Pay Bills as Posted
- Motion – City Council Minutes 11/12/2015 correction.
- Motion – Approve Hennepin Technical College Training Contract
- Motion – Approve Hillcrest Animal Impound Services Agreement

Motion by Krebs to approve the consent agenda. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

PLANNING COMMISSION REPORT

2016 Columbus Fee Ordinance 15-08

Council reviewed the proposed 2016 fee schedule for the City, which replaces the previous 2014 fee schedule, and discussed briefly.

Motion ADM 05000 by Krebs to adopt **Ordinance 15-08 the 2016 fee schedule for the City of Columbus**, to be effective Jan. 1, 2016 following passage and publication. Motion seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Motion ADM 05000 ADM 00400 by Peterson to approve summary publication of **Ordinance 15-08 the 2016 fee schedule for the City of Columbus**. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Lot Line Adjustment Ordinance 15-09

Council discussed **Ordinance 15-09**, amending Chapter 8 – Subdivision Regulations regarding the administrative procedure to adjust a common lot line affecting existing parcels. The city retains discretion to require that any lot line reconfiguration occur through the subdivision platting requirements in Chapter 8. This ordinance amendment enables City staff to make minor adjustments to lot lines when needed.

Motion ADM 05000 PLZ 02500 by Peterson to adopt **Ordinance 15-09, amending Chapter 8 – Subdivision Regulations regarding lot line adjustments**. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

On behalf of the Planning Commission, Watson thanked retiring City Engineer Larry Bohrer for his years of service to the City.

Open for Public Comment - 2015 Levy Resolution 15-31 & 2016 Budget Resolution 15-32

Mursko gave a brief summary of the 2016 budget and 2015 levy.

7:20 p.m. The meeting was opened for public comment.

John Kavaloski, 15543 Willamette Street, asked for further explanation of the increase for the city portion of his proposed property tax. Mursko and Povolny explained how individual tax amounts are calculated.

Jeff Von Ruden, 18625 Fontana Street NE, expressed frustration with his proposed property taxes and asked the Council for further explanation for the increase. Povolny addressed Von Ruden's questions.

Mursko offered to meet individually with Kavaloski and Von Ruden to answer questions about their property taxes.

Duraine expressed concern regarding the increased budget, and a desire to cut the budget before passage, recommending reducing the blacktop fund. Mursko explained the breakdown of the blacktop budget. Windingstad addressed Council questions regarding how the blacktop budget is used. The blacktop fund covers a variety of road costs including both blacktop and gravel maintenance.

Council discussed how to pay for its portion of the potential CSAH 23/TH 97 at I-35 bridge project and the adjacent road projects needed in order to sell the City-owned land on the east side of the bridge. Council asked Bohrer for further clarification, Bohrer explained that labor, materials and equipment costs all contribute to the cost of roads.

Motion FIN 01310 by Duraine to reduce the 2016 blacktop fund to \$200,000. Second by Povolny. Votes as follows: Peterson – nay; Daly - nay; Duraine - aye; Krebs - nay; Povolny - nay; Motion fails.

Council discussed **2016 Budget Resolution 15-31** regarding approval of the final 2016 budget reviewed in depth at several previous City Council meetings.

Motion FIN 01310 ADM 05000 by Peterson to approve the **Final 2016 Budget Resolution 15-31** of \$2,879,372. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – nay; Krebs – aye; Povolny – aye. Motion carries.

Council discussed **2015 Levy Resolution 15-32** to approve the City’s final 2015 Tax Levy which will be collected in 2016.

Motion FIN 01310 ADM 05000 by Peterson to approve the **Final 2015 Tax Levy Resolution 15-32** for property taxes collectible in 2016 of \$2,494,812. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – nay; Krebs – aye; Povolny – aye. Motion carries.

Public comment closed 7:57 p.m.

PUBLIC OPEN FORUM

Barb Ruppe, 8830 191st Ave. NE, asked the Council if there was a way to speed up the process to approve a septic design for her property which is currently for sale. Ruppe has a potential buyer but soil borings on her property have not met City code for a new septic. Council discussed the property and septic issues in depth with input from City staff. Council consensus was the Ruppe will need to continue with the required variance process, including a public hearing, regarding the site where she would like to have the new septic. Mursko explained the dates and timelines for the variance and public hearing process.

ENGINEER REPORT

Low Floor Elevation Ordinance

Bohrer presented Council with a new draft of the Low Floor Elevation Ordinance Amendment for Chapter 7A - Zoning Regulations regarding acceptable elevation for new construction. Council discussed how the amended ordinance will impact and protect builders and property owners. Griffith recommended in Section 7A-803 B.1 & B.2 the word “developer” be changed to “developer or property owner” in all instances. The acceptable elevation for new construction will be three feet above the high water table, or two feet above the designated 100-year flood elevation as determined by mottled soil, whichever is higher, unless evidence is submitted and certified by a geotechnical engineer, at the expense of the developer, that a separation of less than three feet can be achieved and is warranted. Council discussed how this will apply to homes, and whether or not to the requirements for accessory buildings should be treated differently. Jason Rud, of EG Rud & Sons, is working with Thurnbeck Preserve and asked for

further clarification regarding the amendment and how quickly the new Ordinance will be in place. Council and City staff explained the approval process for an ordinance amendment.

Motion PLZ 02500 by Peterson to call for a public hearing for amendments to **Chapter 7A-Zoning Regulations regarding the lowest floor elevation**, adding the “or property owner” wording and changing the minimum acceptable elevation for new accessory building construction to 2 feet above mottled soil. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Howard Lake Drive

Safety Improvements

Bohrer clarified the options for Council to consider regarding addressing safety concerns on Howard Lake Drive. Option 1) do nothing; option 2) provide safe slopes; option 3) provide safe slopes with shoulders; and option 4) provide safe slopes with shoulders and/or a trail on one side. Bohrer asked Council for direction regarding which options they would like cost estimates for. At the Nov. 23 meeting Council asked for a survey to be sent to Howard Lake Drive residents, Bohrer asked for clarification regarding what questions would be included in the survey. Council discussed all four options in depth. Council consensus was for the City staff to bring back costs estimates for both option 3 (safe slopes with shoulders) and option 4 (safe slopes with shoulders and a trail on one side). There is no dedicated right of way on Howard Lake Drive, it is an “as traveled” road. Council directed City staff to send surveys to Howard Lake Drive residents asking: whether or they wanted a trail; should a trail be on both sides of the road or just one; if a trail is on just one side should it be the north or south side; are Howard Lake Drive residents willing to donate land, sell land and/or be assessed for a portion of the cost of the trail. Council also asked City staff to find out if there are grants or other funds to help pay for a trail.

Speed Limit

Bohrer presented a brief overview of summary data from the temporary speed radar sign which was installed by the Anoka County Sherriff’s Department on Howard Lake Drive. Preliminary data from the speed sign shows average speeds around 43 mph. The posted speed is currently 45 mph. The Council requested a speed study from MnDOT and Bohrer reminded them that MnDOT study may results in a speed of 45 or 50 mph. The last speed study on Howard Lake Drive was conducted in 1988. Bohrer presented the Council with new information from 2015 Minnesota State Statute 169.14 SPEED LIMITS, ZONES; RADAR which gives a local road authority the right to adopt a 35 mph speed limit in a “rural residential district.” By resolution the Council can designate Howard Lake Drive as rural residential district and establish a speed of 35 mph. Bohrer recommended the Council make MnDOT aware of their plan to consider classifying the road as rural residential and slow their process on the speed study while the City makes it determination. If MnDOT completes the study and the Commissioner sets a new speed limit, then it is set at that. Council discussed the current speed data, the MnDOT speed study and the request by resident Ron Lindeberg to reduce the speed to 35 mph.

Motion PWE 001800 by Peterson to direct the City Engineer to bring back a resolution to make the speed 35 mph on Howard Lake Drive. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – nay. Motion carries.

Motion PWE 01800 by Duraine to withdraw the request for a MnDOT speed study on Howard Lake Drive. Motion seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – nay. Motion carries.

Resident Ron Lindeberg, 9420 Howard Lake Drive, asked the Council to change the speed limit to 35 mph.

Commendatory Resolution 15-33

In recognition of City Engineer Larry Bohrer’s retirement after 15 years of service to the City, Povolny presented Commendatory Resolution 15-33.

Motion ADM 05000 by Peterson to adopt **Commendatory Resolution 15-33** a resolution in appreciation of Larry Bohrer City Engineer for his 15 years of service to the City of Columbus. Motion seconded by Duraine. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

City Council members and City Staff thanked Bohrer for his work and presented him with a small gift from the City. Bohrer thanked the Council and City Staff and reflected on his time and major projects with the City.

ATTORNEY REPORT

Chapter 7A – Zoning Regulations for Screening Ordinance 15-10

Griffith presented Council with the updated version of Ordinance 15-10 amending Chapter 7A – Zoning Regulations regarding residential screening requirements which now includes clarifications requested by the Council at the Nov. 23 meeting. Griffith also suggested moving the word “new” in K.1.a. so the line will read “Any new nonresidential use, structure, building addition ...”

Duraine suggested changes including adding language to protect existing stands of trees or wooded areas, to encourage earth tone fences instead of white, and to encourage more flexibility for the Council’s discretion.

Motion ADM 05000 PLZ 02500 by Krebs to adopt **Ordinance 15-10 amending Chapter 7A – Zoning Regulations** to provide screening for residential property adjacent to commercial and/or industrial property, to include moving the word “new” in K.1.a. Motion seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – nay; Krebs – aye; Povolny – aye. Motion carries.

MAYOR AND CITY COUNCIL MEMBER REPORTS

Council Member Daly – What are we doing to do about people driving over the roundabout?

Council Member Duraine – Duraine will ask the Rush Line to consider adding an afternoon return bus to the schedule. Comcast put in for a Border to Border grant but didn't get it for the second time.

Council Member Krebs – After the most recent Dec. 1 meeting with legislators regarding the CSAH23/TH97 bridge at I-35, Krebs asked if a meeting could be scheduled to discuss how much the City will be asked to contribute. Mursko explained that the City owns most of the land which will be required for the right of way, which is currently the portion the City is contributing. Work is underway to establish a value for the right of way land. Mursko will work to set up a meeting with Anoka County and MnDOT regarding funding.

Council Member Peterson – No report.

Mayor – No report.

PUBLIC WORKS REPORT – No report.

PUBLIC INFORMATION COORDINATOR REPORT - No report.

CITY ADMINISTRATOR REPORT

2016 Calendar of City Meetings

Mursko presented Council with a calendar of potential meeting dates for 2016. Council consensus was to publish the City Council meetings as scheduled, except for the second November meeting which will be moved to Nov. 21 instead of Nov. 23 due to the Thanksgiving holiday. The July 6 Planning Commission meeting will be canceled.

Motion by Peterson to approve the schedule of meetings for 2016, changed the Nov. 23 City Council meeting to Nov. 21, and canceling the July 6 Planning Commission meeting. Motion seconded by Duraine. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Personnel Committee Report

Public Works Position

Mursko reported the Personnel Committee interviewed finalists for the open Public Works position and is recommending offering the position to William Karth.

Motion HRS 03300 by Duraine to offer the Public Works Maintenance position to William Karth at an hourly rate of Step 2 to Step 3 with the understanding that he would be eligible for a step increase after 6 months based on performance. The offer is subject to a favorable reference check, favorable driving record and passing a DOT drug test. Motion seconded by Krebs. Votes

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

Employee Compensation

The Personnel Committee did not recommend any changes to the employee pay scale for 2016.

Motion HRS 01150 by Peterson to approve the recommendation of the Personnel Committee to make no changes to the employee pay scale for 2016, and based on performance, that the Deputy Treasurer receive a step increase and the City Administrator a 2.5% increase effective Dec. 26, 2015. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – nay; Krebs – aye; Povolny – aye. Motion carries.

Pay equity reporting.

Local government jurisdictions are required to submit a pay equity report to the State of Minnesota every three years. The City's next report is due Jan. 31, 2016. The Personnel recommends submitting the current pay scale to the State of Minnesota by December 31, 2015.

Motion HRS 01150 by Krebs to approve the recommendation of the Personnel Committee to submit the current pay scale to the State of Minnesota for pay equity reporting. Motion seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

2015 Fund Transfers

Mursko recommended a fund transfer into the HRA/EDA fund. This fund is currently projected to end the year with a negative balance due to collecting approximately 95% of taxes this year. The approximate negative balance is projected to be \$1,200. City staff asked to transfer \$2,000 from a bond reserve fund into the HRA/EDA fund. This transfer would be effective Dec. 30, 2015.

Motion by Duraine to approve Treasurer's recommendation to transfer \$2,000 from Fund 375 Bond Reserve Fund into the EDA/HRA Debt Service Fund, effective Dec. 30, 2015. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Mursko recommended a fund transfer of \$200,000 from the General Fund into Bond Fund 371 which is for the NE, NW, SE water sewer pipes, effective Dec. 30, 2015. This fund is projected to have a \$198,000 negative balance due to the number of senior hardship and green acres deferrals. This transfer would be effective Dec. 30, 2015.

Motion by Duraine to approve Treasurer's recommendation to transfer \$200,000 from the Fund 100 General Fund to Fund 371 NE, NW, SE water sewer pipes. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

TREASURER REPORT

Receipts: \$67,411.38

Disburse: \$53,719.39

Balance: \$1,791,528.28

ANNOUNCEMENTS & REMINDERS

Planning Commission Meeting 12/16/15

Calendar of Meetings

ADJOURNMENT

Motion by Duraine to adjourn. Seconded by Krebs. Meeting adjourned at 9:51 p.m.

Respectfully Submitted:

Bronwyn Pope, Public Information Coordinator