

City of Columbus
Regular City Council Meeting
May 13, 2015

The May 13, 2015 meeting of the City of Columbus City Council was called to order at 7:04 p.m. by Mayor Dave Povolny at the City Hall. Present were Mayor Dave Povolny, Council Members Denny Peterson, Mark Daly, Jeff Duraine, and Bill Krebs. City Administrator Elizabeth Mursko; Attorney Bill Griffith; Engineer Larry Bohrer; and Public Information Coordinator Bronwyn Pope.

Absent: None

Also in attendance were: Pat Preiner, Jesse Preiner, Mary Preiner, Jody Krebs, Denise Davis, Kris King, Paul Peskar, Dennis Postler (TKDA), Pam Wolowski (Planning Commission), and Terri Hodges (Forest Lake Cable Commission).

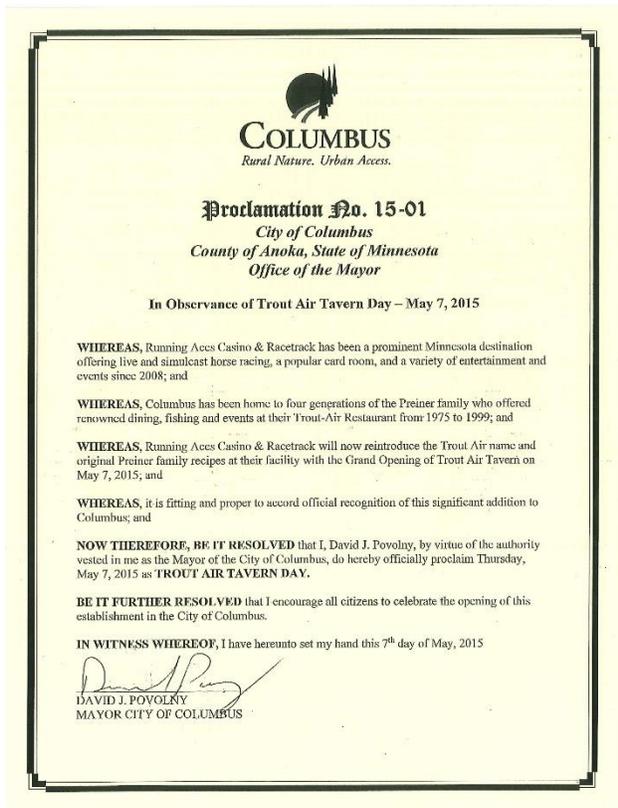
A. CITY COUNCIL REGULAR MEETING

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 4/22/15
4. Motion – Approval of the Board of Appeal & Equalization Minutes on 4/27/15
5. Motion – Agenda Approval with Additions
6. Motion – Pay Bills as Posted
7. Motion – Resolution 15-12 Acceptance of Gifts to City
8. Motion – Trout Air Tavern Day Proclamation 15-01

There was one addition to the consent agenda. Krebs asked Povolny to read the Trout Air Tavern Day Proclamation into the minutes.



Motion by Krebs to adopt the Trout Air Tavern Day Proclamation. Motion seconded by Peterson. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion carries.

Motion by Krebs to approve the consent agenda to include Resolution 15-12 Acceptance of Gifts to City. Motion seconded by Daly. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion carries.

C. PRESENTATIONS

9. PLANNING COMMISSION REPORT

At the May 5, 2015 meeting, the Planning Commission decided not to object to the Met Council's current population forecast for the city. They continue to discuss exterior lighting issues and will be gathering information in order to make a recommendation for updating the city's lighting ordinance. Planning Commission members are invited to attend a joint June 10, 2015 meeting with the EDA to hear the retail marketing strategy report presentation scheduled with Jim McCombs.

Motion by Duraine to set a joint meeting of the Planning Commission and EDA at 6 p.m. on June 10, 2015. Motion seconded by Daly. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion carries.

10. 8 p.m. Interview – Criminal Prosecution RFP – (Sweeney & Murphy)

Joe Murphy of Sweeney & Murphy represented the firm. He has prosecuted thousands of cases in Anoka County over the last several years and has strong relationships with the court staff, judges and criminal defense attorneys. He currently represents the cities of Blaine and Circle Pines. The firm's home office is in Little Canada, and they are in Anoka County 2-3 days a week. They work directly with local law enforcement and the city administration, and are available 7 days a week, 24 hours a day to address issues. Murphy will provide weekly or monthly update reports on cases to staff depending on the city's preference. Council proceeded with questions for Murphy regarding his firm and proposal.

11. Motion – East Anoka County Regional Trail Master Plan Amendment Resident Survey Results & Resolution

Pope presented the results of the East Anoka County Regional Trail Master Plan Amendment of residents who have property along the proposed route. The survey was sent to 46 residents, covering 52 properties. The survey question was "should the City of Columbus support the East Anoka County Regional Trail Master Plan Amendment?" 19 residents replied, with 10 voting "yes" in support, and 9 voting "no." Denise Davis, owner of Quail Creek of Columbus properties on 185th Ave. spoke offering her support of the trail only if the location would change from along Lexington Ave. to run north through her property along a previous trail route. Council thanked Davis for her input and discussed the survey results and current master plan amendment. There is currently no funding for this trail. Once Anoka County has an approved master plan it will solicit funding from various county, state and federal funding sources. This trail is likely to be constructed in the road right-of-way along Lexington Ave. as part of a future construction project to widen the road.

Motion by Jeff to approve Resolution 15-13 in support of the East Anoka County Regional Trail Master Plan Amendment. Motion seconded by Daly. Votes as follows: Peterson - nay; Daly - aye; Duraine - aye; Krebs - nay; Povolny - aye. Motion carries.

12. PUBLIC OPEN FORUM

There was no topic raised for discussion for Open Forum.

13. Motion – Conduit Bonding Resolution Public Hearing Richfield Senior Housing Project

The Council briefly discussed the conduit bonds. A public hearing will be held in Columbus on June 10.

Motion by Peterson to approve Resolution 15-14 calling for a public hearing regarding the issuance of revenue bonds for Richfield Senior Housing Project. Motion seconded by Krebs. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion carries.

14. Motion – Conduit Bonding Resolution Public Hearing New Millennium Academy Project

No discussion.

Motion by Peterson to approve Resolution 15-15 calling for a public hearing regarding the issuance of revenue bonds for New Millennium Academy Project. Motion seconded by Krebs. Votes as follows: Peterson - aye; Daly - aye; Duraine - nay; Krebs - aye; Povolny - aye. Motion carries.

Eckberg, Lammers, Briggs, Wolff & Vierling Interview

Tom Weidner, Joe Van Thomme and Rebecca Christensen represented the law firm of Eckberg, Lammers which includes 16 attorneys at offices in Stillwater and Hudson. The firm has been in business for 65 years, and focuses on municipal law. Four of their attorneys focus on municipal prosecution. They currently serve cities in Anoka, Washington, Dakota and Rice Counties, the largest being Woodbury. They are available 24-hours-a-day, 7-days-a-week, work closely with the City Administrator, and provide an update to the City Council once a year. Columbus cases would be handled equally by Van Thomme and Christensen, and likely be in Anoka County courts on same date as their East Bethel cases. Council proceeded with questions for Weidner, Van Thomme and Christensen.

D. STAFF AND CONSULTANT REPORTS

15. ENGINEER REPORT

MnDOT Metro District announced a grant program for which the relocation of the north leg of Hornsby Street would be eligible. The previous grant for the Hornsby Street south relocation provided about 40% of the total project cost. For this grant request the City would request \$450,000-\$500,000 from MnDOT. The City share of the cost would be about \$300,000-\$350,000 if the City received the full amount of the request. The City portion would cover preliminary design, plans and specifications, right-of-way acquisition, and any utility relocation. Council discussed this potential grant.

Motion by Krebs to direct the City Engineer to apply for the Metro Municipal Agreement Program grant for the relocation of the north leg of Hornsby Street. Motion seconded by Peterson. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion carries.

Anoka County is applying for a \$10 million federal TIGER (Transportation Investment Generating Economic Recovery) grant to potentially provide a portion of the funding for the 35W interchange. The interchange application included relocation of County Road 54 and, at the request of the city Engineer, will now also include the relocation of the north portion of Hornsby Street which will help establish the greater need of this project.

A status report was provided for the seal coat project. All of the crack sealing and prep work is

now done, and seal coating is schedule to start May 28, weather permitting, and take about 4 days to complete. The aggregate for the project is being staged in the City Hall parking lot to subsequently be distributed to streets as needed.

Bids for the Notre Dame reclaim and overlay project will be opened Thursday, May 14, 2015 at 10 a.m. Eight contractors are currently holding plans to consider bidding. Council discussed when to award the winning bid in order to keep the project moving.

Motion by Duraine to approve a special meeting at 6:45 p.m. on Wednesday, May 20 to award the bid for the Notre Dame reclaim and overlay project. Motion seconded by Krebs. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion carries.

16. ATTORNEY REPORT

- **Information – Interested Party County Road 18/62 Roundabout.**

The City received notice from Anoka County of the condemnation of a portion of the Richard J. Zaccardi, Jr. property at 9409 Broadway Ave. NE for installation of the roundabout. The City has asked Anoka County to confirm the condemnation won't eliminate Columbus' existing drainage and utility easements at that site. Council briefly discussed the project.

- **Motion – Technology Services Consulting Agreement**

Discussion of the resolution to enter into a technology services agreement with DAVCO Technologies, Inc., a local IT service provider owned by City of Columbus Mayor Dave Povolny. Povolny recused himself from the discussion and votes regarding this issue. Council member Peterson took over the meeting and council briefly discussed.

Motion by Duraine to approve resolution 15-16 to enter into a technology services contract with DAVCO. Motion seconded by Daly. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye. Motion carries.

Motion by Duraine to approve the technology consulting services contract with DAVCO. Motioned seconded by Krebs. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye. Motion carries.

Motion by Duraine to approve the form of affidavit form for DAVCO and to set the cap of \$1,500.00 for any one monthly invoice. Second by Krebs. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye. Motion carries.

17. MAYOR AND CITY COUNCIL MEMBER'S REPORT

Mayor Povolny -

The City of Forest Lake has decided not have a formal fire inspection program for the next three years. Council discussed whether or not to suspend fire inspections in Columbus during this same time frame, hire a contract fire inspector, or wait a few months to see what might be needed. Council decided to revisit the issue at a later date.

Mursko will bring back information and a budget for updating furniture and paint in the council chambers, and painting and repairing exterior doors.

Council Member Peterson – Public Works has successfully installed the hoist which was purchased from the City of Crystal.

Council Member Daly –
No report.

Council Member Duraine –
The Fire Board is considering sending letters out to residents to gather opinions regarding daytime fire response. Al Newman accepted the job as Interim Fire Chief.

Council Member Krebs –
No report.

18. PUBLIC WORKS REPORT

No report.

19. PUBLIC INFORMATION COORDINATOR REPORT

- **Information – Engineer Rates**

At the Jan. 14, 2015 City Council meeting, City staff were asked to gather rate comparison information for municipal engineering services. Rate sheets were requested from WSB & Associates, Stantec, SEH, and Bolton & Menk. WSB & Associates, Stantec and SEH do not share rate information unless there is an RFP. Bolton & Menk provided a fee schedule, and current city engineering firm TKDA's fees were on file with the City. The two fee schedules were provided to the Council for review. Council discussed whether or not there was a benefit to go out for an RFP and determined they did not want to do that at this time because they are happy with TKDA's services.

20. CITY ADMINISTRATOR'S REPORT

The previously approved April 8, 2015 City Council minutes did not include the full finding of facts for the 9218 Lake Drive ice salt bunkers Interim Use Permit (IUP). Council was asked for permission to amend the minutes to include the findings of fact and conditions.

Motion by Krebs to add 9218 Lake Drive ice salt bunker Interim Use Permit finding of facts and conditions to the April 8, 2015 City Council minutes. Motion seconded by Duraine. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries

The City received a letter from the City of Ham Lake opposing the Sunrise Watershed District budget. Columbus has already approved this budget, and Council discussed Ham Lake's opposition.

The City received a copy of a letter from the City of Vadnais Heights noting their opposition to

conversion of water supply to ground water in the DNR White Bear Lake groundwater settlement issue. This letter is similar to the previous Columbus letter noting the same opposition.

There are currently two Planning Commission and City Council meetings scheduled for July. Last year a lot of people were on vacation during the month and one set of meetings was canceled. The Council discussed whether or not to hold one or two of each meeting this year in July.

Motion by Duraine to change the July 2015 meeting calendar to include a single July 15 Planning Commission meeting, and a single July 22 City Council meeting. Motion seconded by Daly. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

The Council discussed the interviews with the three law firms bidding on the City's criminal prosecution RFP. Decision to offer the contract to Sweeney & Murphy with an approximate 60 days transition, as caseload is handed over from the existing firm.

Motion by Duraine to offer law firm Sweeney & Murphy the criminal prosecution contract. Motion seconded Krebs. Votes as follows: Peterson - aye; Daly - aye; Duraine - aye; Krebs - aye; Povolny - aye. Motion Carries.

Treasurer's Report

Receipts: \$114,289.76

Disburse: \$66,843.68

Balance: \$ 1,761,645.77

E. ANNOUNCEMENTS & REMINDERS

Columbus Planning Commission Meeting 5/20/15

Calendar of Meetings

F. ADJOURNMENT

Motion was made by Duraine to adjourn. Seconded by Krebs.

Meeting adjourned at 9:26 p.m.

Respectfully Submitted:

Bronwyn Pope, Public Information Coordinator