

City of Columbus
Regular City Council Meeting
Oct. 28, 2015

The Oct. 28, 2015 meeting of the City of Columbus City Council was called to order at 7:04 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; and Public Information Coordinator Bronwyn Pope.

Absent: None.

Also in attendance were: Criminal Prosecutor Joe Murphy, Anoka County Sherriff's Dept. Lt. Bryan Fuerst, Anoka County Deputy Peter Grover, Public Works Supervisor Jim Windingstad, Pat Preiner, Jesse Preiner, Jody Krebs, Paul Peskar, Kris King, Jason Rud, Jon Wycislak, Cheryl Nelson, Roger Nase, Terri Hodges (Forest Lake Cable Commission); and Dennis Postler (TKDA).

CONSENT AGENDA

- Motion – Approval of the City Council Meeting Minutes 10/14/15
- Motion – Agenda Approval with Additions
- Motion – Pay Bills as Posted

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

Criminal Prosecutor Joe Murphy Presentation

Murphy gave the Council a brief overview of the criminal prosecution process, the most common charges for the City, and how they are handled. 90% of charges stem from law enforcement citations, and the vast majority of the City's cases are settled through a plea agreement. Approximately 50% of cases are traffic violations such as speeding, DWI, or driving without license or insurance. The other 50% of cases are mixed, including assault, theft and restraining order violations. Cases coming from City staff are mostly misdemeanor code enforcement, and usually City staff has attempted to work with the resident to get them into compliance. Murphy responded to brief questions from the Council regarding case load and types of citations, as well as his working relationship with the Anoka County Sherriff's Department. Murphy will present ongoing updates at City Council meetings approximately twice a year.

Anoka County Sheriff's Office Presentation Lt. Bryan Fuerst

Fuerst updated the Council regarding a new data system which will launch next week, and a summary of City activity from July through September 2015. The most frequent police calls in the City were for thefts and damage of property. These 38 calls were mostly in the business district, including reoccurring RV thefts on West Freeway Drive. Many of the RVs taken were recovered abandoned in St. Paul and appeared to have been lived in. No arrests have been made in that case. Other calls included gas drive offs at Holiday, and miscellaneous theft

reports from customers at Running Aces. The Sherriff's Department works with businesses to help identify ways to reduce reoccurring crimes. Police calls also included damage to property and three burglaries which are still under investigation. 10 arrests included domestic assaults, DUI stops, and a suspicious person call related to a stolen vehicle. There have also been extra patrols on Howard Lake Drive in response to resident's complaints of speeding. Very little speeding activity has been noted. Council asked for a speed trailer to be placed on Howard Lake Drive to inform drivers of their speed and collect data. Not many accidents have been reported at the roundabout. Council also asked for extra patrols during commute times on Potomac to address speeding. Krebs and Povolny asked to do a ride-along in November. Fuerst will report quarterly at City Council meetings.

The City Council meeting was briefly recessed at 7:36 p.m. for the EDA meeting and reconvened at 8:07 p.m.

PLANNING COMMISSION REPORT

Planning Commission member Jodi Krebs thanked the Council for the opportunity for Planning Commission members to attend a Comprehensive Plan Seminar.

Nelson Preliminary Plat Determination

Resident Cheryl Nelson, 9461 189th Ave., and Jason Rud, with EG Rud and Sons, are looking to plat Nelson's property with one additional lot. One lot, from a previously approved plat, has already been sold on the property. This newly proposed preliminary plat would establish three total lots accessing one private driveway. City staff asked Council for direction regarding how to continue to address requests like this with more than two properties sharing a private road. Council discussed whether or not to allow privately maintained roads on plats with anywhere from 2 to 15 lots, and at what point they should require a paved City road. Council discussed at length the desire to create the flexibility needed to bring more rooftops to the community and not create a barrier or burden with road requirements, while at the same time ensuring the safety of all residents and emergency vehicles required to travel private roads. All agreed that driveway agreements will be required as part of these new plats. Consensus of the Council was to amend the current City code to allow greater flexibility. Staff will bring back to Council a draft code amendment. The Nelson Plat will wait until the code is amended.

PUBLIC OPEN FORUM

Resident Roger Nase, 6636 141st Ave. submitted comments and suggested changes to the draft Buffer Ordinance. Council discussed briefly and suggested Nase attend the upcoming public hearing for the ordinance which will be set later in the meeting.

ENGINEER REPORT

2015 Reclaim and Overlay Project

Bohrer provided the Council with the final report on the 2015 Notre Dame St. (Broadway to Kettle River Blvd.) Reclaim and Overlay Project. The Contractor was Knife River Corporation, with a bid of \$420,964 and the project was finished for \$20,515.15 less.

Motion PWE 01200 by Peterson to approve change order #1 to show the deducted amount of \$20,515.15 for the 2015 Notre Dame St. Reclaim and Overlay Project. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Motion PWE 01200 by Daly to approve final payment for the 2015 Notre Dame St. Reclaim and Overlay Project in the amount of \$37,699.45. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Bohrer also provided Council with a recap of the entire 2015 construction program which included the sealcoating project and more. The budget was for \$890,000 with a final of \$810,289.20.

Willamette Street Neighborhood Meeting Summary

There are nine properties on Willamette Street, five of those residents signed a petition asking for an informational meeting about street improvements. At the neighborhood meeting four of the five property owners who signed the neighborhood petition did not attend, but the other four residents did. Council discussed whether or not to send the official petition forms out to all nine residents. City staff will send those out, and if needed, call to encourage all nine residents to return the petition. A non-response does not count as a “yes” or a “no.”

Motion PWE01200 by Duraine to approve City staff sending out the Willamette Street street improvement petitions be sent to all nine residents. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Roundabout Project Update

Bohrer provided a brief update to the Council regarding the roundabout project. The project is complete, grass has been seeded in the center circle and six temporary street lights. The full 16 street lights will come in January. The lights are currently on backorder. Council discussed options for designing the center next year. Bohrer will pursue a rebate from Connexus for the LED street lights and find out specifics regarding the temporary and permanent street lights. The City share of the cost was invoiced at \$66,192 and the City paid their portion, but the formula was applied wrong and the City has since been refunded \$34,316 from the County.

Howard Lake Drive Speed, Slopes, Shoulders

Bohrer provided a brief history on the speed and construction of Howard Lake Drive as it relates to current safety concerns. In 1988 MnDOT conducted a speed study, establishing the current speed of 45 MPH on the road which was at that time gravel. Bohrer asked the current MnDOT manager if he would visit the site and give his opinion and an informal recommendation regarding whether or not the City should submit a request for a speed study today. When he came out, it was his opinion that a speed study would not lower the speed limit. After a study the speed limit could actually go up. Council discussed the residents’ request for a speed study

and options for dealing with the slopes and shoulders on the road. Bohrer provided some estimates for various options and will look into options for pervious shoulder material.

Motion ADM05000 by Duraine to approve **Resolution 15-30** to request a MnDOT speed study for Howard Lake Drive, including a letter from the City outlining current safety concerns. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

ATTORNEY REPORT

Lighting Ordinance 15-03

Staff submitted an updated draft of **Lighting Ordinance 15-03**, including the Council’s most recent changes. Council reviewed and briefly discussed. The ordinance will be effective upon publication.

Motion ADM05000 by Duraine to adopt **Lighting Ordinance 15-03**. Motion seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Call for Public Hearing on PUD & Buffer Ordinances

Council will hold a joint public hearing for both the PUD Ordinance and the Buffer Ordinance.

PUD and Buffer ordinances hearing

Motion ADM4700 by Krebs to call for a public hearing for the PUD Ordinance and Buffer Ordinance. Motion seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

MAYOR AND CITY COUNCIL MEMBER REPORTS

Council Member Daly – Requested the Tuesday, Nov. 10 City Council meeting be moved to Thursday, Nov. 12.

Motion by Daly to approve moving the Nov. 10, 2015 to Nov. 12, 2015. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Council Member Duraine – No report.

Council Member Krebs – No report.

Council Member Peterson – No report.

Mayor – No report.

PUBLIC WORKS REPORT – No report.

PUBLIC INFORMATION COORDINATOR REPORT - No report.

CITY ADMINISTRATOR REPORT

PERA Phased Retirement Agreement

Mursko asked if the Council would consider extending the PERA Phased Retirement Agreement with Public Works employee Jim Fraley another year. Current Public Works employee Josh Pepin has resigned, his last day will be Friday, Oct. 30, 2015. Pepin's position will be posted with an anticipated mid-December hiring.

Motion HRS04100 by Peterson to approve the PERA Phased Retirement Agreement for Jim Fraley, effective from Oct. 31, 2015 to Nov. 1, 2016. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Public Information Coordinator Memo

Public Information Coordinator Bronwyn Pope been with the City for more than six months and is eligible for a wage increase. Based on a positive performance review, Mursko recommended an increase from Step 2 to Step 3.

Motion HRS04100 by Duraine to approve a wage increase for Public Information Coordinator Bronwyn Pope from Step 2 to Step 3, effective Oct. 31, 2015. Motion seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

New Buffer Law

Mursko provided Council with information on the new buffer law and upcoming legislation.

TREASURER REPORT

Receipts: \$00.00

Disburse: \$68,384.32

Balance: \$1,843,807.24.

ANNOUNCEMENTS & REMINDERS

Planning Commission Meeting & City Council Joint Meeting 11/04/15

Calendar of Meetings

ADJOURNMENT

Motion by Duraine to adjourn. Seconded by Daly.

Meeting adjourned at 9:53 p.m.

Respectfully Submitted:

Bronwyn Pope, Public Information Coordinator