

**City of Columbus  
Regular City Council Meeting  
October 12, 2016**

The October 12, 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, Public Works Superintendent Jim Windingstad, and Public Communications Coordinator Jessica Hughes.

Also in attendance were: Jody Krebs, Pat & Mary Preiner, Kris King, Paul Peskar, Pam Wolowski, Brian – LATV, Paul Ringnell – Forest Lake Times, Joe & Sarah Bazey, Diane & Roy Rueb, Darrell Thurnbeck, Aaron D’Incau, Tom Carlisle, Jason Rud, M- - J- -.

**A. CITY COUNCIL REGULAR MEETING**

1. Call To Order - Regular Meeting – 7:02 P.M.
2. Pledge of Allegiance

**B. CONSENT AGENDA**

3. Motion - Approval of the City Council Meeting Minutes 09/28/16
4. Motion – Agenda Approval with Additions
5. Motion – Pay Bills as Posted
6. Motion – Approval of the Metropolitan Council Local Planning Grant Agreement

There were no additions to the consent agenda.

**Motion by Daly to approve the consent agenda items 3-6. Seconded by Peterson.  
Motion carried unanimously.**

**C. PRESENTATIONS**

**7. PLANNING COMMISSION REPORT**

Pam Wolowski presented the Planning Commission Report. The planning commission held 4 public hearings.

**Preliminary Plat Application – Sherco Construction (Thurnbeck Family Limited Partnership)**

The Planning Commission held a public hearing to receive testimony regarding a Preliminary Plat application from Sherco Construction (Thurnbeck Family Limited Partnership) for creating 17 new lots on 96-acres. The City Council discussed a number of different subjects regarding the plat.

1. Groundwater and Drainage: City Engineer Dennis Postler presented groundwater and drainage questions. Postler noted that the Developer (Tom Carlisle) worked with engineers from Haugo GeoTechnical Services to take piezometer readings to determine groundwater elevations. The

groundwater readings were taken 4 times, one of which was witnessed by Postler. In the Planning Commission notes, Postler draws attention to locations in the geotechnical report where the geotechnical engineer comments on groundwater fluctuations. These comments state that fluctuations in groundwater levels may occur due to natural factors, and these factors can “significantly impact” such levels. Based on this information the City Engineer recommends that the construction of each house be closely monitored to ensure that requirements regarding “drain tile, back fill, geotextile fabric, drainage rock, slope grades, etc.” are explicitly followed. City Attorney Bill Griffith noted that in general the city is not liable for any problems with groundwater levels in the development, as long as the Developer follows recommendations from the Building Official to ensure that all of the drain tile, building elevations, etc. are adhered to explicitly.

2. Driveway(s) off Broadway Avenue NE (CSAH 18): The second point of discussion has to do with two Lots (8 and 9), which are expected to have a shared access point off of Broadway Avenue NE (CSAH 18), based on Anoka County Highway Department requirements. However, the current design instead shows separate driveways. Tom Carlisle (Developer) and Jason Rud (Surveyor) joined the discussion, and commented that this was done to minimize impact on wetlands that are situated between the two driveways. They stated that they will consult with Anoka County to see if the current layout would be acceptable. If not, they will redraw the lots and reposition the driveways so that they truly share access off Broadway Avenue NE. Mayor Povolny expressed concern that choosing to put Lots 8 and 9 off of Broadway Avenue NE (instead of adding driveways to the cul-de-sac) is against the direction that the city is trying to go. He noted that Columbus recently updated an Ordinance to allow 2 ½ acre lots in Columbus, to be able to cluster them around an internal road, and in turn preserve nearby wetlands. Povolny stated that choosing instead to put access points off Broadway Avenue NE will make the road more dangerous. Rud responded by saying that he believes that the design does indeed follow the spirit of the City’s smaller lot Ordinance, because of the plat’s average lot size and density.

3. Accessory Buildings and Lot 7: Another topic addressed concerns the layout of Lot 7. The Council stated that based on the plan, it would not be possible to put an accessory building behind the house (as is required by Columbus Ordinance). This is because there is not enough space on either side of the house to put a driveway: On the east side is a wetland and on the west side is the septic system. The Council noted that since the landowner chose to design the lot as such, a variance could not be granted to a future homeowner to place an accessory building in front of the house (per City Ordinance: Any hardship causing a homeowner to request a variance should not have been caused by the landowner). Carlisle and Rud countered by saying the current map is incorrect, and the house on Lot 7 is actually farther away from the wetland than is pictured. Carlisle and Rud reassured the Council that in fact there is enough space to put a 10’-12’ wide driveway on both the eastern side of the house (even considering the wetland buffer), and on the western side of the house (east of the septic system). Therefore in the future there should not be a need for a variance to place an accessory building in the front of the house.

**Motion by Daly to approve (PC-16-122) Preliminary Plat request (dated 08/18/2016) from Sherco Construction based on Findings of Fact and Subject to Conditions 1 – 32, and that before any work is done on the cul-de-sac the Developer must enter into a Developer’s Agreement with the City, which must include a funding arrangement for Furman Street**

**NE, any assessments on the development, and payment of the required surety. Seconded by Peterson. Motion carried unanimously.**

Sherco Construction (Thurnbeck Family Limited Partnership) Preliminary Plat Findings of Fact:

1. The City received preliminary plat and PUD (CUP procedure) applications from Sherco Construction (“Sherco”), which were found complete on September 13, 2016.
2. The 60-day PUD CUP review deadline is November 12, 2016. The 120-day preliminary plat review deadline or extended PUD CUP review deadline is January 11, 2017.
3. The proposed 96-acre plat is located in the southwest quadrant of Broadway Avenue and Furman Street, legally described as the South Half of the Southeast Quarter of Section 3, Township 32, Range 22 and part of the North Half of the Northeast Quarter of Section 10, Township 32, Range 22 (“Property”).
4. There are 17 lots proposed within the development.
5. The CUP procedure is required to consider granting approval of a Rural Residential District PUD on the Property through the Planned Unit Development provisions of the City Code.
6. The minimum lot size within the plat is 2.54 acres. There are 11 lots under 5 acres in size. The average lot size is 5.28 acres.
7. The proposed plat is consistent with minimum lot area, lot averaging, minimum lot dimensions, and maximum density standards allowed by PUD.
8. Each lot identifies home and SSTS locations, consistent with area and setback dimensional standards.
9. Proposed floor elevations in the plat are based in part upon five piezometer location readings taken on May 23, 2016 and June 2, 2016.
10. Drainage and utility easements are located adjacent to all property lines and adjacent to wetlands, consistent with Subdivision Ordinance requirements. Anoka County Ditch 35, Branch 2 generally forms the southerly border of the plat.
11. There are five stormwater ponds proposed within the plat.
12. The Property is located within the Sunrise WMO. The City is the LGA for stormwater management decisions.
13. A new cul de sac is proposed to provide access to 12 of the lots. One lot gains access from Furman Street. Four lots have access from Broadway Avenue.
14. Approximately 6.77 acres are dedicated for public right of way.
15. A letter has been received from Anoka County Transportation Division, which indicates shared access to Broadway Avenue will be required for Lots 6 & 7 and for Lots 8 & 9. The County also recommends consideration of noise attenuation for the proposed lots abutting Broadway Avenue.
16. Furman Street is a gravel road.
17. The Property is vacant with exception of an existing 19,314 square feet agricultural accessory building located on Lot 11. Based upon the acreage of Lot 11, the maximum accessory building size allowed would be 11,280 square feet.
18. The Preliminary Plat and PUD CUP public hearings were held by the Planning Commission on October 5, 2016.

Sherco Construction (Thurnbeck Family Limited Partnership) Preliminary Plat Conditions of Approval:

1. Detailed recommendations of the City Engineer including, but not limited to, low floor elevation standards, stormwater management, and street improvements.
2. Title review and recommendations of the City Attorney.
3. PUD CUP approval.
4. Requirements of the Anoka County Transportation Division.
5. Requirements of the Anoka County Surveyor.
6. A subdivision development agreement that addresses public improvements within the plat, the paving of Furman Street adjacent to the plat, and future subdivision of property within the plat.
7. No further subdivision of any lot for development purposes is allowed.
8. Permanent wetland buffer plaques and stormwater ponding easement plaques at intervals determined by the City.
9. Reimbursement of all City expenses associated with plat approval.
10. Cash in lieu of park land dedication.
11. Future development within the plat is subject to all laws and permitting requirements.
12. Driveway culverts, including sizes and elevations, should be shown for the four (two common) driveways on Broadway Avenue and the one on Furman Street.
13. City Council should decide on the method/process of paving Furman Street.
14. NWL elevations of Stormwater Ponds 1A, 1D and 2A should be adjusted based on most recent piezometer ground water elevation readings.
15. Pond 1D data should be shown in the second table of the Drainage Report.
16. Pond 5A top bank elevations need to be adjusted to contain the 100-year HWL within the pond boundaries.
17. Note 2. Under Part IV.G Final Stabilization on SWPPP Sheet C2.1 refers to meeting all requirements in Part III.D. There is no Part III.D on the plan sheet.
18. Some of the Temporary or Permanent Erosion Control items should be shown on plan sheets so that critical items listed in Notes on the SWPPP plan sheets are not missed (including silt fence, wood fiber blanket and rip rap).
19. Silt fencing should be shown adjacent to all existing wetlands where any grading activity is proposed, including storm water ponding.
20. The Emergency Over Flow (EOF) location west/southwest out of Pond 1B runs across the north side of Lot 10 in a natural low area. This area must be maintained and protected in the future (no filling allowed) across the north side of Lot 10 so that walk-out elevations of houses on Lots 1-6 and 10 maintain a minimum of 1' of freeboard above the EOF elevation.
21. All areas of existing drain tile should be placed under drainage and utility easements.
22. The existing drain tile outlet under proposed storm water Ponds 1D and 1B should be connected to proposed storm water Pond 1D.
23. More data on the existing drain tile should be acquired, such as elevations, and a recommendation from the developer's engineer or geotechnical engineer as to the potential impact to the existing measured ground water elevations in the area of not maintaining and/or disconnecting the drain tile.
24. Lowest floor elevations for houses using ground water elevations from Piezometers at Borings 6, 7 and 8 (Lots 1 – 6 and 12 – 17) shall be adjusted for the new/higher recent ground water readings.

25. Construction of each house should be closely monitored to make sure requirements of Section 7A-201 9B “Buildable Area” regarding drain tile, back fill, geotextile fabric, drainage rock, slope grades, etc. are explicitly followed.
26. Drain tile outlets should be permanently marked and protected.
27. How (under what mechanism) will the west half of Furman Street be dedicated to the City for use as a public roadway?
28. Locations of each proposed well should be shown on the site plans
29. The groundwater elevation reading in Piezometer 5 of 902.6 taken on 10/4/16 should be the elevation Houses on Lots 7, 10 & 11 use for setting lowest floor elevations (as Piezometer No. 5 is noted in the Livability Chart on Sheet C1 as the basis for these 3 lots), and the proposed lowest floor elevations for these three houses should be adjusted upward by 0.2’ to account for the higher reading.
30. Shared driveway accesses for Lots 6 & 7 and Lots 8 & 9 should be shown correctly on the Preliminary Plat and on the Grading Plans that meet Anoka County Highway Department requirements.
31. Since the internal street/cul-de-sac will become a public roadway after completion, a centerline profile should be included on the plans. Additionally, spot elevations should be included for the edges of the cul-de-sac (i.e., is the highpoint of the cul-de-sac in the center or on the far southwesterly edge? From the proposed contours, the highpoint appears to be in the center with the cul-de-sac edges being level. If so, how does storm water runoff exit the area? There are no ditches around the cul-de-sac.)
32. Due to the importance of constructing all the buildings, drain tile and backyard slopes to the proper designed elevations for this development, we recommend individual Certified As-Built Lot Surveys be prepared after grading and building construction has been completed for each lot and submitted to the City for elevation verifications.

### **Neighborhood Meeting – Furman Street NE**

The last topic to be addressed was the paving of Furman Street NE. Furman Street NE is a gravel road on the edge of the Thurnbeck Family Limited Partnership Preliminary Plat. It is City policy for developers to pave gravel roadways that are adjacent to the boundaries of a plat. In this case, Furman Street NE should be paved from Broadway Avenue NE to just north of the culvert near the south end of the plat. City Attorney Bill Griffith noted that upon approval of the preliminary plat, and before any construction begins on the inner cul-de-sac, the City should enter into a Developer’s Agreement that will provide the surety and security needed for the construction of this public improvement. This agreement would memorialize funding for Furman Street NE, including corresponding assessments and necessary sureties. City Administrator Elizabeth Mursko also added that a neighborhood meeting will have to be called for the East side of Furman Street. Griffith pointed out that because the Developer is offering to pay for a portion of the project, the assessments on the road will be less expensive than previous projects.

**Motion by Peterson to direct City staff to hold a neighborhood meeting in regards to the paving of Furman Street NE. Seconded by Krebs. Motion carried unanimously.**

### **CUP (PUD) Application – Sherco Construction (Thurnbeck Family Limited Partnership)**

The Planning Commission held a public hearing to receive testimony regarding a CUP request from Sherco Construction (Thurnbeck Family Limited Partnership) for a Rural Residential District PUD on the Property through the Planned Unit Development provision of the City Code. The minimum lot size within the plat is 2.54 acres. There are 11 lots under 5 acres in size, and the average lot size is 5.28 acres.

**Motion by Krebs to approve (PC-16-123) Thurnbeck Family Limited Partnership CUP request from Sherco Construction (dated 09/13/2016) that allows the approval of the PUD, subject to Findings of Fact and Conditions 1-8 as outlined in the City Planner memo (dated 10/06/2016) Seconded by Peterson. Motion carried unanimously.**

Sherco Construction (Thurnbeck Family Limited Partnership) PUD CUP Findings of Fact:

1. The City received preliminary plat and PUD (CUP procedure) applications from Sherco Construction (“Sherco”), which were found complete on September 13, 2016.
2. The 60-day PUD CUP review deadline is November 12, 2016. The 120-day preliminary plat review deadline or extended PUD CUP review deadline is January 11, 2017.
3. The proposed 96-acre plat is located in the southwest quadrant of Broadway Avenue and Furman Street, legally described as the South Half of the Southeast Quarter of Section 3, Township 32, Range 22 and part of the North Half of the Northeast Quarter of Section 10, Township 32, Range 22 (“Property”).
4. There are 17 lots proposed within the development.
5. The CUP procedure is required to consider granting approval of a Rural Residential District PUD on the Property through the Planned Unit Development provisions of the City Code.
6. The minimum lot size within the plat is 2.54 acres. There are 11 lots under 5 acres in size. The average lot size is 5.28 acres.
7. The proposed plat is consistent with minimum lot area, lot averaging, minimum lot dimensions, and maximum density standards allowed by PUD.
8. Each lot identifies home and SSTS locations, consistent with area and setback dimensional standards.
9. Proposed floor elevations in the plat are based in part upon five piezometer location readings taken on May 23, 2016 and June 2, 2016.
10. Drainage and utility easements are located adjacent to all property lines and adjacent to wetlands, consistent with Subdivision Ordinance requirements. Anoka County Ditch 35, Branch 2 generally forms the southerly border of the plat.
11. There are five stormwater ponds proposed within the plat.
12. The Property is located within the Sunrise WMO. The City is the LGA for stormwater management decisions.
13. A new cul de sac is proposed to provide access to 12 of the lots. One lot gains access from Furman Street. Four lots have access from Broadway Avenue.
14. Approximately 6.77 acres are dedicated for public right of way.
15. A letter has been received from Anoka County Transportation Division, which indicates shared access to Broadway Avenue will be required for Lots 6 & 7 and for Lots 8 & 9. The County also recommends consideration of noise attenuation for the proposed lots abutting Broadway Avenue.

16. Furman Street is a gravel road.
17. The Property is vacant with exception of an existing 19,314 square feet agricultural accessory building located on Lot 11. Based upon the acreage of Lot 11, the maximum accessory building size allowed would be 11,280 square feet.
18. The Preliminary Plat and PUD CUP public hearings were held by the Planning Commission on October 5, 2016.

Sherco Construction (Thurnbeck Family Limited Partnership) PUD CUP Conditions of Approval:

1. The PUD CUP is contingent upon final plat approval and recording of Thurnbeck Preserve.
2. The PUD CUP is contingent upon detailed recommendations of the City Attorney.
3. The PUD CUP is contingent upon detailed recommendations of the City Engineer.
4. The PUD CUP allows the exception for the oversized, existing accessory building located on Lot 11, subject to code compliance review and any recommendations by the Building Official.
5. Development of the Property must be consistent with all local, federal, and state laws that apply to the use of the Property.
6. No further subdivision of any lot for development purposes is allowed.
7. In the event the City Council determines, in its sole discretion, that the development of the Property is not being operated in accordance with any term or condition contained herein, the PUD CUP may be revoked by the City upon proper notice and a hearing. The City shall notify regulatory authorities that have issued licenses or permits in connection with the PUD CUP of any such revocation.
8. Sherco shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP and PUD, including any subsequent inspection and enforcement actions.

**CUP Amendment – Construction Technology, Inc. (Garage Solutions Condominiums)**

The Planning Commission held a public hearing to receive testimony regarding the request for an amendment to Construction Technology Inc.'s (Garage Solutions Condominiums') Conditional Use Permit. The amendment would allow for the construction of an outdoor common area for members to gather together and enjoy each other's company. The common area would include a fire pit, outdoor kitchen, patio area with outdoor tables and seating, shrubbery and a possible horseshoe pit.

The common area will be located on the northeast corner of the property. Council member Duraine expressed concern over the amount of noise coming from the property. Duraine noted that there is space on the property to move the common area further east, which he believes would help decrease the potential for noise complaints.

**Motion by Krebs to approve (PC-16-124) Construction Technology Inc.'s CUP amendment (dated 09/02/2016) subject to Findings of Fact and Conditions 1-8 as outlined in the City Planner memo (dated 10/06/2016), allowing the construction of an outdoor common area on the property. Seconded by Peterson. Krebs – aye; Duraine – nay; Povolny – aye; Daly – aye; Peterson – aye. Motion carried.**

Construction Technology, Inc. (Garage Solutions Condominiums) CUP Amendment Findings of Fact:

1. The City received a CUP application from Construction Technologies, Inc. (“CTI”) on September 2, 2016 and supplemented on September 20th and September 27th.
2. The 60-day CUP review deadline is November 26, 2016. The 120-day review deadline, if necessary, is January 25, 2017.
3. The “garage condominiums” are located at 13405 Lake Drive NE, legally described as Common Interest Community (CIC) No. 292 (“Property”).
4. The CIC Plat and CUP were approved by the City Council on June 25, 2008.
5. The proposed CUP amendment is limited to the addition of an outdoor recreation area in the common area of the northeasterly corner of the Property.
6. The proposed recreation area is approximately 30 feet by 80 feet and includes a fire pit, outdoor kitchen, patio area with outdoor tables and seating, shrubbery, and possible horseshoe pit.
7. The proposed outdoor recreation area is approximately 200 feet directly west of the nearest residence on the east side of Humber Street and approximately 240 feet from the neighboring residence to the northeast.
8. The property immediately to the north of the Property is occupied by Zaczkowski Trucking Services.
9. The recorded CIC Plat identifies a recorded ponding and flowage easement in the same location as the proposed outdoor recreation area.
10. Original site plans identify the SSTS area and infiltration areas located on either side of the recorded drainage easement.
11. The recorded Declaration for the Garage Solutions Condominiums (Section 15.03) prohibits any structures or landscaping in common areas without the written consent of the Association.
12. Section 17.06 of the Declaration specifically restricts “Outside storage of any items, including but without limiting the generality of the foregoing, sporting and recreational equipment, toys, outdoor cooking equipment, tools and garbage containers shall not be allowed.”
13. The CUP Amendment public hearing was held by the Planning Commission on October 5, 2016.
14. Revision to the existing CUP conditions to include the recommendation in #4 below that if the City receives ongoing complaints with regard to the outdoor recreation area, the Association will address the problems in its Rules and Regulations.

Construction Technology, Inc. (Garage Solutions Condominiums) CUP Amendment Conditions of Approval:

1. Inconsistencies between the proposed CUP Amendment and provisions of the Condominium Declaration are resolved.
2. Conflicts between the location of the proposed use of the Property and the recorded drainage easement are resolved.

3. Verification that the proposed outdoor recreation area does not overlap with or otherwise conflict with SSTS or required infiltration areas.
4. If the City receives ongoing complaints with regard to the outdoor recreation area, the Association will address the problems in its Rules and Regulations.
5. Resolution of any recommendations of the City Engineer or City Attorney.
6. If resolution of the above issues cannot be satisfactorily resolved by December 1, 2016, the applicant should consider withdrawing the application or the Planning Commission should consider recommending denial of the CUP Amendment.
7. A 60-day review extension letter should be forwarded to the applicant prior to November 26, 2016.
8. Any outdoor lighting shall be downcast and shrouded.

### **IUP Request – MN Columbia Sales LLC c/o Leadership Circle LLC**

The Planning Commission held a public hearing to receive testimony regarding a request from MN Columbia Sales LLC for an IUP for 9451 152<sup>nd</sup> Avenue NE to be used by renter TrailersPlus. TrailersPlus acquired the former Brinkman’s trailer sales property. MN Columbia Sales LLC also agrees to abide by the original conditions of the IUP. The City Council agreed that the IUP be for 10 years instead of 12 (as it was in the original IUP drafted in 2005).

**Motion by Peterson to approve (PC-16-125) IUP request (dated 09/01/2016) for MN Columbia Sales LLC c/o Leadership Circle LLC, subject to Findings of Fact and Conditions 1-14 as outlined in the City Planner Memo (dated 10/06/2016). Seconded by Daly. Motion carried unanimously.**

### **MN Columbia Sales LLC c/o Leadership Circle LLC IUP Amendment Findings of Fact**

1. The City received an IUP application from MN Columbia Sales LLC (“MNCS”) on September 1, 2016 and the application was found complete.
2. The 60-day IUP review deadline October 31, 2016. The 120-day review deadline, if necessary, is December 30, 2016.
3. MNCS has acquired the former Brinkman’s trailer sales property located at 9541-152nd Avenue NE, legally described as Lot 1, Block 1, Oxford Addition (“Property”).
4. The former Columbus Town Board approved the Trailerland IUP on February 9, 2005. The IUP expires in February 2017.
5. The purpose of issuing an IUP to Trailerland rather than a CUP was to allow nonconforming uses on a temporary basis within the then newly created CR Community Retail Zoning District.
6. MNCS proposes to use the property by a vendor similar to Brinkman’s - TrailersPlus.
7. MNCS proposes to abide by the original conditions of the IUP.
8. MNCS is proposing to renew the current IUP or receive a new IUP “for as long as possible.”
9. The IUP Amendment public hearing was held by the Planning Commission on October 5, 2016.

### **MN Columbia Sales LLC c/o Leadership Circle LLC IUP Amendment Conditions of Approval**

1. The term of the Interim Use Permit is to be 10 years.

2. The plans must be modified to show 14 parking spaces (10 ft. x 20 ft.) including one handicapped space, the locations for both water and sewer lines and the location of the refuse container.
3. The refuse container must be within a 3-sided non-combustible enclosure that meets standards.
4. The Interim Use Permit, once issued, may be revoked upon findings by the Town Board that the property and/or use is not in compliance with the conditions of approval for such use, following notice and hearing.
5. Must abide by all local, State and Federal laws that apply to this business.
6. Any other business on this property, other than what has been stated at this point, required the re-opening of the public hearing.
7. There are to be no chemicals, odors, gasses, hazardous wastes, or fumes on the property as a result of this business.
8. There must be compliance of all recommendations set forth in the Planner's Memo dated 10/06/2016.
9. All storage of trailers will be north of the 28 ft. driving lane exclusive of the driving lanes and parking areas.
10. There will be no less than a 3 feet open space around each unit in the display area to the west and south of the 28 ft. driving lane.
11. Stacked storage of product for sale will be no higher than 13 feet in height.
12. A final site plan shall be submitted with the designations specifically shown for display and storage of product for sale.
13. The IUP Amendment shall be contingent upon any recommendations of the City Engineer, City Attorney, or Building Official.
14. MNCS shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the IUP, including any subsequent inspection and enforcement actions.

### **Excavation Ordinance Update**

Wolowski commented that at the Planning Commission meeting there was a presentation on the new Excavation Ordinance which was especially lengthy. She said that the Planning Commission will discuss the Ordinance at the next meeting.

### **8. PUBLIC OPEN FORUM**

No report.

### **9. BARNA REQUEST**

Frank and Kerry Barna will be holding their Barna Memorial Ride event on October 22<sup>nd</sup>, and are informing the Council of additional dirt biking hours on their property that day. Extended hours for the event will be noon to dusk, instead of the usual noon to 3 p.m. The City Council acknowledged the extension of hours and suggested the Barnas send letters to the neighborhood informing them of the extended hours.

**Motion by Duraine to acknowledge extended dirt biking hours. Seconded by Peterson. Motion carried unanimously.**

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

### **10. ENGINEER REPORT**

#### **Forest Lake Contracting Inspection Report**

The city had previously directed Engineer Dennis Postler to conduct up to three random inspections of the John's Black Dirt/Forest Lake Contracting (FLC) IUP to check for compliance. On Friday September 23<sup>rd</sup> Dennis Postler, Public Works Superintendent Jim Wingstad and Bob Vollhaber of FLC, conducted a random inspection and no violations were found.

#### **MnDot Cooperation Agreement Grant – Hornsby Street**

City Engineer Dennis Postler communicated to the Council that MnDot is asking for a rough schedule for the Hornsby Street project. The Council recalled that based on the offer, the project has to be let for bid by June 30<sup>th</sup>, 2018. A question was raised about the cost of the project, and when exactly the best time to bond would be. Mursko commented that after speaking with the City's Financial Advisor, conditions are favorable to bond now. The council considered the impact that the I 35 and TH 97 Bridge project could have on the ability to sell land off of Hornsby Street. The concern is that while the Bridge is being build, the land will be difficult to sell. Thus, the majority of the council agreed that the Hornsby Project should occur around the same time as the Bridge Project, so that both projects finish at roughly the same time.

**Motion by Duraine to have TKDA communicate to MnDot that the Hornsby Street project will be let for bid by June 30<sup>th</sup>, 2018. Seconded by Povolny. Krebs – aye; Duraine – aye; Povolny – aye; Daly – nay; Peterson – aye. Motion carried.**

#### **I 35 and TH 97 Bridge Project**

City Administrator and City Engineer met with MnDot to discuss the I 35 and TH 97 project, and have updates for the Council. The Bridge project will likely extend into 2019. Mursko commented that at the last City Council meeting, members had requested an estimate for the cost of adding aesthetics to the bridge, and she is still working on attaining those and will ideally have them by the next City Council meeting on October 26<sup>th</sup>.

#### **Neighborhood Meeting Petition – 141<sup>st</sup> Street**

City Engineer is reporting a neighborhood petition dated 09/28/2016 to pave 141<sup>st</sup> street from Cty 23 to the dead end of 141<sup>st</sup>. The petition has the necessary amount of signatures (51% of residents on the street) to call for a neighborhood meeting.

**Motion by Krebs to accept 141<sup>st</sup> Neighborhood Meeting Petition (dated 09/28/2016) and call**

**for a meeting to address the paving of 141<sup>st</sup> Street. Seconded by Peterson. Motion carried unanimously.**

## **11. ATTORNEY REPORT**

### **Blacktop Policy**

At the last City Council meeting on September 28<sup>th</sup>, the Council discussed direction for Columbus' road paving process. Based on the results of that meeting, City Attorney Bill Griffith updated the City of Columbus' Special Assessment Policy to reflect a simple process for paving roadways in the City. To summarize, the City will "seek to expand City-initiated roadway public improvement projects where such projects are practicable and cost effective." The Council noted that any such project will be subject to a Special Assessment Policy, and discussed the details surrounding. Bullet C-1 in the Special Assessment Policy states that "The City may pay up to 20% share of any public improvement project for certain through roads serving large geographic areas, where public safety, traffic counts, and public benefit warrant such an improvement." The Council was concerned about distinguishing when exactly the City would have to pay the "up to 20%" share, because language surrounding this question is vague. Mayor Povolny suggested that The Special Assessment Policy should include the definition of a collector road, to make the distinction clear (as the City would pay up to 20% on collector roads only). The Council agreed this is an acceptable way to make the language more clear.

**Motion by Duraine to approve the City of Columbus Special Assessment Policy, subject to defining an unpaved collector road within the policy. Seconded by Daly. Motion carried unanimously.**

### **Chapter 5 Public Safety Amendment**

At the last City Council meeting on September 28<sup>th</sup>, City Attorney Bill Griffith presented Ordinance 16-11 amending Chapter 5: Public Safety in the Columbus City Code. The ordinance would create buffer zones of 2,000 feet around locations where children regularly congregate in concentrated numbers, wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence. This amendment originally included the language that any "outdoor recreation area" would be included in such buffer zones. After some consideration, the Council determined that the term "outdoor recreation area" should be removed, because including it would cause the entirety of the Carlos Avery Wildlife Management Area to be restricted within the buffer zone. Thus Griffith updated the amendment, removing "outdoor recreation areas."

**Motion by Peterson to approve Ordinance 16-11 amending Chapter 5: Public Safety in the Columbus City Code. Seconded by Krebs. Motion carried unanimously.**

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

### **Council Member Krebs**

No report.

**Council Member Duraine**

No report.

**Council Member Daly**

No report.

**Council Member Peterson**

Council Member Peterson wanted to thank Mayor Dave Povolny for helping the Cable Commission set up equipment in their new office.

**Mayor Povolny**

Mayor Dave Povolny attended the Cable Commission meeting. He noted that they are getting ready to move. Tim Schingen has agreed to be the interim manager for the Cable Commission. Povolny commented that there needs to be some discussion about the direction of the Cable Commission. He believes that there is a lot of room to improve the mechanism for recording and broadcasting events at the High School. In addition, Povolny suggested that the students be more involved in the process, and we should consider their opinions on what medium is best for broadcasting (in terms of time spent and likely viewers).

**16. PUBLIC WORKS REPORT**

No Report.

**17. CITY ADMINISTRATOR'S REPORT**

**Treasurer's Report**

Receipts:	\$ 84,639.44
Disbursements:	\$ 126,159.03
Balance:	\$ 2,912,331.50

**E. ANNOUNCEMENTS & REMINDERS**

City Administrator Elizabeth Mursko noted that based on the City Council meeting on September 28<sup>th</sup>, members of the Council and Planning Commission will be taking a trip to Bituminous Roadways Asphalt Production Facility in Shakopee. This trip is to get an idea for what a proposed Production Facility in Columbus may look like. The carpool for the trip will be leaving City Hall at 11:30 am on October 20<sup>th</sup>.

Planning Commission Meeting 10/19/16  
Calendar of Meetings

**F. ADJOURNMENT**

**Motion was made by Duraine to adjourn. Motion seconded by Daly.  
Meeting adjourned at 8:34 p.m.**

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator