

**City of Columbus  
Regular City Council Meeting  
September 14, 2016**

The September 14, 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.

Also in attendance were: John Williams, Mike Myers, Loni Blake-Thorne, Emilie Harker, Kris King, Paul Peskar, Dave Schueler, Pat & Mary Preiner, Jody Krebs, and Brian - LATV.

**A. CITY COUNCIL REGULAR MEETING**

1. Call To Order - Regular Meeting – 7:00 P.M.
2. Pledge of Allegiance

**B. CONSENT AGENDA**

3. Motion - Approval of the City Council Meeting Minutes 08/24/16
4. Motion - Approval of the Budget Workshop Meeting Minutes 08/24/16
5. Motion - Agenda Approval with Additions
6. Motion - Pay Bills as Posted
7. Motion - Approval 2017 Anoka County Sheriff's Department Contract (**Pages 1-7**)

There were no additions to the consent agenda.

**Motion by Krebs to approve the consent agenda items 3-7. Motion seconded by Daly. Motion carried unanimously.**

**C. PRESENTATIONS**

**8. PLANNING COMMISSION REPORT**

Jody Krebs presented the Planning Commission Report.

Preliminary & Final Plat - Blake Well Drilling Columbus

The Planning Commission held a public hearing to receive testimony regarding a preliminary and final plat request for 59 acres creating five new lots (2 residential and 3 commercial), located on the west side of Lake Drive, just north of 135<sup>th</sup> Ave. The Planning Commission recommended approval of the plat.

**Motion by Peterson to approve (PC16-117) the Preliminary (dated 08.19.16) & Final Plat - Blake Well Drilling Columbus creating five new lots (2 residential, 3 commercial) based on the findings of fact subject to conditions 1-7 in the Planner's memo dated 09-01-16. Second by Krebs. Motion carried unanimously.**

### **Blake Well Drilling Columbus (Final Plat) Findings of Fact:**

1. The City received a preliminary and final plat application from MN Management, LLC on behalf of Blake Drilling Co. (“Blake”) on August 18, 2016 and revised on August 19, 2016. The application was found complete.
2. The combined 120-day preliminary/final plat review deadline is December 17, 2015.
3. The proposed 59-acre plat is located on the west side of Lake Drive, just north of 135<sup>th</sup> Avenue NE, legally described as the Northwest Quarter of the Southwest Quarter, Section 33, Township 32, Range 22, and that part of the Northeast Quarter of the Southwest Quarter, Section 33, Township 32, Range 22, lying westerly of CSAH 23 (“Property”).
4. Proposed Lots 1, 4 & 5 are zoned C/I Commercial/Industrial and account for approximately 49 acres of the proposed plat.
5. Proposed Lots 2 & 3 are zoned RR Rural Residential and are 4.6 net acres and 4.9 net acres respectively.
6. The three C/I lots are limited to access from Lake Drive and the two RR lots are limited to access from Zodiac Street NE.
7. All lots meet minimum street frontage and minimum lot area (net of ROW) requirements of the Zoning Ordinance.
8. There are soils tests and potential SSTS sites located within each lot.
9. The Property is not located within the regulatory floodplain or any shoreland area.
10. There are several delineated wetlands on the property, which are protected by drainage and utility easements.
11. Required drainage and utility easements are also located adjacent to all property lines according to the Subdivision Ordinance.
12. Anoka County has reviewed the plat and is requesting that access to Lot 1 be located as close to the alignment with 135<sup>th</sup> Avenue NE, as possible with a south bound right turn lane, and that access to Lots 4 & 5 be shared at the common lot line.
13. The Final Plat is consistent with the Preliminary Plat.
14. The Preliminary Plat public hearing was held by the Planning Commission on September 7, 2016.

### **Blake Well Drilling Columbus (Final Plat) Conditions of Approval:**

1. Detailed recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. Requirements of Anoka County Transportation Division and Anoka County Surveyor.
4. Requirements of Rice Creek Watershed District.
5. Cash in lieu of park land dedication.
6. Reimbursement of all City expenses associated with plat approval.
7. Future development within in the plat is subject to local ordinances and permitting requirements.

### **CUP Request – Blake Well Drilling (Blake Drilling Columbus)**

The Planning Commission held a public hearing to receive testimony for a CUP allow the use of a contractor business (dewatering subcontractor in the utility industry) the location of their

business will be at the west side of Lake Drive, just north of 135<sup>th</sup> Ave. The Planning Commission recommended approval of the request.

**Motion by Krebs to approve (PC16-118) the CUP request from Blake Well Drilling, a contractor business (dewatering subcontractor in the utility industry), based on the findings of fact and subject to conditions 1-15 from the Planner’s memo dated 09.01.16. Seconded by Peterson. Motion carried unanimously.**

**Blake Well Drilling CUP Findings of Fact:**

1. The City received a CUP application from MN Management, LLC on behalf of Blake Drilling Co. (“Blake”) on August 18, 2016. The application was found complete.
2. The 60-day review period ends on October 17, 2016 and the 120-day review, if necessary, ends on December 16, 2016.
3. The CUP is for the Blake Drilling Company headquarters relocation from the City of Blaine to the proposed Lot 1, Block 1, Blake Drilling Columbus plat (“Property”).
4. Lot 1 is approximately 26.6 acres with approximately 630 feet of frontage on Lake Drive.
5. Blake is a well point and deep well dewatering contractor, serving the upper Midwest since 1965. Blake currently has over 30 employees.
6. Two divisions of Blake, American Pump Company (submersible and trailer-mounted pump sales, rental and service) and Wil-loc Industrial Plumbing (ball and socket pump fittings sales), will also be relocated to the Property.
7. The proposed use of the property includes a 200 feet by 60 feet office/warehouse building, a 150 feet by 50 shop building and a 1.3-acre outside storage yard.
8. The office/warehouse building includes approximately 4200 square feet office area and 7800 square feet warehouse area. The office area will have two levels.
9. The shop building includes three bays for pump servicing, fleet servicing, and a fabrication/storage area.
10. Both buildings are two-toned steel buildings with stone wainscoting on the east and south ends of the office/warehouse building and the east end of the shop building and a different color steel wainscot on all other building sides. Both buildings have 18.5 feet sidewalls and a 4:12 pitch, copper-toned roof.
11. The driveway from Lake Drive and parking area in front of the office/warehouse building will be paved. The outside storage area behind the office/warehouse building will be a gravel surface.
12. The surfaced parking area includes 49 parking spaces, including two handicapped accessible spaces. The parking is adequate for the proposed uses.
13. Vehicle storage includes boom trucks, drill trucks, semis, low boys, fork lifts, skid steers, 1-ton trucks, header trailers, shipping containers and similar construction equipment. Material storage includes pipe, well points, hoses and similar drilling materials stored on racks. The storage yard will be fenced in for security.
14. Typical storage racks for materials are approximately 8 feet in height. The maximum height of other vehicles and equipment will not exceed 25 feet in height, except well rig booms in repair are temporarily elevated to approximately 50 feet in height. Maximum storage use of the Property is in the off-construction season.
15. A proposed landscape plan identifies 18 shade/ornamental trees and 69 foundation

plantings located in the front and on the sides of the office/warehouse building. There are also 80 spruce trees that are proposed to be planted along the 775 feet rear lot line of the Property.

16. Blake owns the residential lot (Lot 2) to the rear of Lot 1 and has no immediate plans to sell or develop the lot. The nearest existing residential dwellings to the west are approximately 2000 feet from the storage yard.
17. Primary and secondary SSTS locations are identified in the front yard of the Property. A well is proposed to be located on the north side of the office/warehouse building.
18. A storm water infiltration basin is located to the north of the buildings. Rice Creek Watershed issued a CAPROC on November 2, 2015, based upon the plans prepared on September 22, 2015.
19. Anoka County Highway Department has reviewed the site plan and is requiring a south bound right turn lane into the driveway access located on the south edge of the Property.
20. The development of the Property is proposed in two phases. Phase one will include driveway, utility, storm water, storage area, shop building and rear lot line landscape screening.
21. Phase two is intended to be completed within five years and includes the office/warehouse building, paved parking lot, and balance of landscaping.
22. There are no signage plans or site lighting details for the Property at this time.
23. Typical hours of operation are Monday through Saturday from 6:00 a.m. to 7:00 p.m. with emergency nighttime or Sunday activities.
24. The Planning Commission held a public hearing on the CUP on September 7, 2016.

#### **Blake Well Drilling CUP Conditions:**

1. The CUP is contingent upon approval and recording of the Blake Drilling Columbus plat.
2. The CUP is contingent upon detailed recommendations of the City Engineer.
3. The CUP is contingent upon detailed plan review and approval by the City Building Official.
4. Access to the Property is subject to permitting by Anoka County.
5. Development of the Property is subject to the permitting of Rice Creek Watershed District.
6. Development of the Property shall be consistent with the application documentation received on August 18, 2016 including but not limited to Plan Sheets C1 through C6, dated 9/22/15, Plan Sheets TL1-TL2, dated 8/15/16, Plan Sheets L1 through L3, dated 7/21/16, and Structural Buildings, Inc. floor plans and elevations, dated 5/3/16 and 7/12/16.
7. No filling, excavating or other land disturbances are permitted in storm water infiltration or wetland areas without written approval by Rice Creek Watershed District and the City.
8. All exterior lighting shall be shrouded and directed away from adjacent properties and public streets and shall be reviewed and approved and approved by the City Engineer and Building Official prior to installation.
9. Signage on the Property requires administrative review and permitting by the City.
10. All refuse must be stored in a building, trash transport (dumpster), or in covered cans. Any outdoor refuse storage area shall be enclosed on all sides visible from adjacent property by screening, compatible with the exterior of the buildings, not less than two (2) feet higher than the refuse container.

11. Any hazardous materials used or hazardous wastes generated on the Property shall be in compliance with federal, state, and county permitting and licensing requirements.
12. The operations on the Property must be consistent with all local, Federal, and State laws that apply to the use of the Property.
13. In the event the City Council determines, in its sole discretion, that the use of the Property is not being operated in accordance with any term or condition contained herein, the 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 Conditional Use Permit of any such revocation.
14. Blake shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the CUP, including reasonable attorneys' fees and consultant fees.
15. Blake shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP amendment, including any subsequent inspection and enforcement actions.

## **9. PUBLIC OPEN FORUM**

No appearances.

## **10. HARKER EXCAVATION REQUEST**

Emilie Harker (the “Applicant”) is applying for a waiver to the moratorium in order to place approximately 200 cubic yards of dirt fill (approximately 100 cubic yards have already been placed) for a non-commercial, recreational sledding hill at 18348 Loyola Street NE (the “Property”). The City Council discussed the project and the basis to grant the waiver to the moratorium and issue the excavation permit for the sledding hill.

**Motion by Peterson to approve Resolution 16-15 a resolution granting a waiver to the excavation, mining and filling moratorium and for a non-commercial, recreational sledding hill at 18348 Loyola Street NE. subject to the conditions as stated in the Engineer memo dated 09.02.16. Seconded by Krebs. Motion carried unanimously.**

### **Harker Excavation Permit Conditions:**

- a) Resident to fill out an Application for Excavation & Fill Permit and submit a \$1,000 Escrow for city street protection on 181<sup>st</sup> Avenue NE and Loyola Street NE. (9/1/2016)
- b) The fill pile should not extend any farther west or north.
- c) Any additional dirt should be clean fill and not contain construction debris. The existing fill can remain, but should be covered by a minimum of 12” of clean fill.
- d) The fill pile should be properly compacted, during and after all material has been placed.
- e) The fill pile should be seeded as soon as possible to allow for fall germination.
- f) Silt fencing should be installed on the west and north sides of the dirt pile, and remain in place, until such time seeding has been sufficiently established.

## **11. THURNBECK FARMS PRELIMINARY PLAT (PC16-122) FURMAN STREET**

## IMPROVEMENT QUESTION

Sherco Construction has asked the City Council for direction on the question of improvement to Furman Street, with regards to the Thurnbeck Farms Preliminary Plat. The Thurnbeck Farms Plat (PC16-122) application has been submitted and will go to a public hearing on October 5<sup>th</sup>. Furman Street is a gravel road, which is connected to Broadway Street, a county road. The developer is asking about the process for paving Furman Street. State statute says that a sub-divider cannot do any work that would affect the public outside of the four corners of the plat. In this case, the East side of Furman Street is outside of the Thurnbeck Farms Preliminary Plat, thus this road improvement project (blacktopping) is required to be completed by the City. Sherco Construction has agreed to help fund a portion of the project. The City Council is proposing a meeting with the developer to discuss the amount of funding they are willing to contribute to the project. After the meeting, a resolution will be drafted for a City directed feasibility study. The feasibility study will be used to determine the potential cost of the project, in addition to completing some boring work on the road, and assist in determining the assessment to homeowners on Furman Street.

### 12. COLUMBUS 2016 LEVY RESOLUTION 16-16

The City Council has discussed the 2016 levy and 2017 at several City Council Meetings. They discussed 2017 budget and 2017 levy and did not offer any amendments or changes. The resolution is to approve the 2016 preliminary tax levy and tax abatement for property taxes collectible in 2017. The overall increase to the levy from 2016 to 2017 is \$42,294.00.

**Motion by Krebs to approve Resolution 16-16 a resolution approving the 2016 Preliminary Tax Levy and Tax Abatement for Property Taxes Collectible in 2017. Seconded by Daly. Motion carried unanimously.**

## D. STAFF AND CONSULTANT REPORTS

### 13. ENGINEER REPORT

#### **159<sup>th</sup> & Xingu Street Road Improvement Project**

The City Engineer reviewed the Citizen road petition results: 14 responses: 10 Yes 4 No  
The City Council accepted the petition results and ordered the preparation of a feasibility report for the 159<sup>th</sup> & Xingu Street Road Improvement from Kettle River Blvd. to 162<sup>nd</sup> Ave.

**Motion by Krebs to approve Resolution 16-17 a resolution declaring adequacy of petition and ordering preparation of report for the improvement. Seconded by Daly. Motion carried unanimously.**

### 14. ATTORNEY REPORT

#### **Wetland Delineation**

At the last meeting, the City Council asked the Attorney to review the process to appeal a wetland delineation determination by the Rice Creek Watershed District. The City is not in agreement with a delineation that was completed by Anoka County for the realignment of County Road 54 project for the property owned by Columbus in the SE Quadrant. The City Attorney reviewed the process with the City Council and recommended a middle ground approach that would include writing a comment letter to the watershed district articulating our position of disagreement (objection) for the City property in the SE Quadrant. The City will work with its consultant in the future to challenge the wetland boundaries.

**Motion by Krebs to direct the City Attorney to draft a letter to Rice Creek Watershed stating the City's objection that we do not agree with the wetland boundaries for the property owned by the City (SE Quad) as stated in the report that was completed by SEH for Anoka County for the EAW for the County Road 54 realignment project. Seconded by Duraine. Motion carried unanimously.**

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

Council Member Peterson – Peterson commented that Fall Fest is this weekend – Please attend!

Council Member Daly – No Report.

Council Member Duraine – Duraine reported on the RUSH line changes to the St. Paul routes – he will follow up and ask more about the alternatives. Duraine commented on a used hot box that was listed on Craigslist and thought perhaps the next time the City needed equipment that we should explore other options. The Forest Lake Cable Commission is getting ready to move into their new home at the Forest Lake Senior Center – it looks like they will be moving in October of 2016.

Council Member Krebs – Krebs attended the Water Summit meeting in Hugo. The group discussed the water issues in the area – there was not any consensus on the Joint Powers Agreement that was on the past agenda.

Mayor Povolny – Povolny talked about the Metropolitan Council reform sessions – he believes it is important for the City to attend one of the sessions. Povolny and Duraine attended the Fire Board meeting – the fire department is working on several programs to further improve the safety and knowledge for the firefighters.

## **16. PUBLIC WORKS REPORT**

### **Heidelberg Street**

Mursko reviewed the details of Heidelberg street and showed the City Council that there is an issue with encroachment of a gate and the location of the current turnaround on Heidelberg Street. The issue today is a result of a property sale and the new owner building a new home and wanting to establish a driveway in the location of the existing turnaround. The City Engineer and the Public Works Superintendent will draft a diagram of the location of the easement of record to accompany the letter by the Attorney.

**Motion by Peterson to direct the City Attorney to draft a letter to the property owners on Heidelberg Street to remove personnel property located in the PROW and indicate the new location of the turnaround. Seconded by Krebs. Peterson – aye; Daly – aye; Krebs – aye; Duraine – nay; Povolny – aye. Motion carried.**

## **17. CITY ADMINISTRATOR’S REPORT**

### **Accessory Building**

Mursko showed a picture of an accessory building and asked the City Council whether they thought that this type of building as shown in the picture in the agenda packet was acceptable as we have had some inquiry by property owners. Mursko asked the Building Official about the construction and he indicated that this building type meets building code standards. The City Council direction was to have the City Council members look at the accessory building on VauxHall and then discuss at a future meeting.

### **Treasurer's Report**

Receipts:	\$ 102,392.44
Disbursements:	\$ 68,093.94
Balance:	\$3,022,620.83

## **E. ANNOUNCEMENTS & REMINDERS**

Planning Commission Meeting 09/21/16  
Calendar of Meetings

## **F. ADJOURNMENT**

Motion was made by Daly to adjourn. Motion seconded by Krebs.  
Meeting adjourned at 8:39 p.m.

Respectfully Submitted:

Elizabeth Mursko, City Administrator