

**City of Columbus  
Regular City Council Meeting  
01.23.19**

The 01.23.19 meeting of the City of Columbus City Council was called to order at 7:01 p.m. by Mayor Preiner at the City Hall. Present were Council Members Janet Hegland, Jeff Duraine, Denny Peterson, and Shelly Logren; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Dennis Postler, and Public Communications Coordinator Jessica Hughes.

Also in attendance were: John Young, Troy & Sarah Meyer, Myron & Cindy Angel, Barb Bobick, Pam Wolowski, Joleen Kuennen, Joe & Deb Pribyl, David Murphy, Sandra Wood, Kris King & Paul Peskar, Jason Miles, Arlen Logren, David Kuennen, Julia Parent (Forest Lake Times).

**A. CITY COUNCIL REGULAR MEETING**

- 1. Call to Order - Regular Meeting – 7:01 P.M.**
- 2. Pledge of Allegiance**

**B. CONSENT AGENDA**

- 3. Motion – Agenda Approval with Additions**
- 4. Motion – Pay Bills as Posted**

**Motion by Duraine to approve the Consent Agenda. Seconded by Peterson. Motion carried unanimously.**

**C. PRESENTATIONS**

**5. Public Hearing – Drainage and Utility Easement Vacation, 19158 Lyons Street NE**

City Administrator Elizabeth Mursko explained that Columbus residents Troy and Sarah Meyer have plans to build a 40'x60' accessory building on their property. However there is currently a drainage and utility easement running through their back yard, and because of the location of the septic system and the property line the only acceptable location for the building is within the easement. The Meyers have secured approval from their watershed district to build the building and vacate the easement. Griffith noted that the easement was quite broad so City Staff are comfortable recommending approval of the vacation.

Joleen and David Kuennen – 9664 192<sup>nd</sup> Avenue NE

The Kuennens live at the property immediately north of the Meyers at 9664 192<sup>nd</sup> Avenue NE. They expressed concerns regarding drainage after the Meyers' building is completed. Joleen said that the rough location of the accessory building is where the spring runoff comes onto their property and she is concerned that the new building will worsen the problem and create potential for flash flooding.

The Kuennens asked the Council to consider adding a condition that would require gutters to be installed on the north side of the building to direct water away from the property line. The Kuennens said they are supportive of the project with the inclusion of that condition.

Hearing no one else interested in speaking Mayor Preiner closed the Public Hearing.

Mursko added that it is standard practice to require accessory building applicants to get approval from their watershed district. In this case, she explained, the Anoka Conservation District came out to the property and noticed that the drainage and utility easement was overly broad. Because the area that the Meyers chose for the accessory building is not wetland (but is inside of the easement), she recommended the easement vacation.

Duraine asked if Postler looked at the site plan? Postler said that he did, adding that the Kuennen's request does not seem unreasonable.

The Meyers came forward a second time to address their neighbor's concern. They said that the proposed location of the building is far enough south of the property line that there will not be any drainage issues on the Kuennen's property. They have already spent a significant amount of money on the project and would rather not install gutters on the building.

Duraine expressed his concern about drainage issues because he has been made aware of a significant amount of flooding issues in previous years as a Council member. Postler agreed that the addition of impervious surfaces can cause drainage issues but said he would have to look closer at the situation to determine if it warrants the installation of gutters.

Griffith said that there are a few steps to get through in the approval process. The first decision to be made is whether or not to vacate the easement. He added that conditions, such as the requirement of gutters, cannot be made part of the easement vacation decision. However, the Council could grant City Staff discretion to determine what the stormwater impact may be and if gutters are warranted to add that condition at the time of permitting.

The Council agreed that they would like City Staff to analyze stormwater impacts of the new accessory building and determine based on topography and the Building Official's recommendation whether the permit shall require conditions that redirect water.

**Motion by Duraine to approve Resolution 19-01, a resolution vacating a portion of drainage and utility easements on the property at 19158 Lyons Street NE in the City of Columbus, Minnesota. Seconded by Hegland. Motion carried unanimously.**

## **6. Planning Commission Report**

Hegland reported that the Personnel Committee met on 01.16.19 to interview candidates for open Planning Commission seats. Former Planning Commission Chair Garth Sternberg submitted a resignation letter to the Council for consideration. Applicants Jim Watson and Lynn Carver-Quinn also withdrew their applications for the open positions.

**Motion by Duraine to accept Garth Sternberg's Planning Commission resignation letter. Seconded by Peterson. Motion carried unanimously.**

The Personnel Committee is recommending appointing Pam Wolowski and Ron Hanegraaf to

the Planning Commission. The Committee is also planning on reopening the application process and conducting another round of interviews. The Council thanked Watson and Sternberg for their time on the Planning Commission.

**Motion by Duraine to reappoint Pam Wolowski for a three-year term on Columbus' Planning Commission and to appoint Ron Hanegraaf for a one-year term on Columbus' Planning Commission. Seconded by Hegland. Motion carried unanimously.**

Mayor Preiner asked City Staff to advertise Planning Commission vacancies on the outdoor sign and website.

## **7. Public Open Forum**

Bill Prinson (Rice Creek Snowmobile Club) – 7023 256<sup>th</sup> Street, Wyoming MN

Prinson thanked the Council for granting Rice Creek Snowmobile Club the ability to use a temporary snowmobile trail through the City. He is back to request permission for a reroute of the trail. The new trail would travel west on the south side of Lake Drive and turn south on the east side of Zurich Street. After traveling south for a short distance, the trail would move west across the street and follow a path under the power lines south to W. Freeway Drive. Prinson added that signs will be put up to guide snowmobilers, and that they carry a \$1 million insurance policy.

Prinson continued to say that they will cover the sidewalk with rubber mats to prevent damage. The snowmobile club uses these mats to protect other spots throughout their trail, and they have never had a problem with damage. The mats would be put down in the fall and taken up in the spring.

Because most of the trail will be wet in the spring, they would like to put the snowmobiling signs up now and are requesting permission to do so.

Mayor Preiner asked where the trail ends up after it travels southwest under the power lines? Prinson replied that it travels through different pieces of property owned by private citizens, Running Aces Harness Park, Freeway Mini Storage, Anoka County, and Westmor Fluid Solutions. He added that the snowmobile club has secured approval from all owners of property that the trail goes through. With approval from the City Council the trail can become permanent and is set for next season.

Postler asked Prinson if they have a method to protect the curb and gutter on Zurich Street? Prinson said they have no way to do so. Windingstad said that he would likely prefer that the curb and gutter was left alone because Public Works does not want anything in the way of snow plows in the winter.

Griffith said that the rules for Public Open Forum require that this topic be referred to a future meeting to perform necessary investigation and reflection, and to be able to receive public input on the topic.

**Motion by Peterson to add discussion about the Rice Creek Snowmobile Club Permanent Trail to the next Council meeting agenda. Seconded by Hegland. Motion carried unanimously.**

## **8. Local Board of Appeals and Equalization Meeting**

Mursko asked the Council to choose a date for the Local Board of Appeals and Equalization meeting. The County requires the City to submit two options for dates; the dates must be between 04.11.19 and 05.10.19, and cannot be a Saturday, Sunday, or Wednesday. The Council agreed on 04.23.19 and 05.07.19, with 04.23.19 being their first preference.

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

### **9. Engineer Report**

Postler presented information from Anoka County regarding the timing of their construction projects in the City.

The Kettle River Blvd shoulder widening project will occur from June to August. The traffic signal installation at Lexington Avenue and Broadway Avenue is scheduled from May to June. Some minor construction to complete the Lake Drive roundabout will occur in February. And the realignment of W. Freeway Drive should be done by June.

### **10. Attorney Report**

No Report.

### **11. Mayor and Council Members Report**

Based on direction from a previous meeting Mursko provided information about 2018 animal control services to the Council. From April to December (the City entered into the contract in April) there were a total of 131 kennel inspections and three stray dogs were pick up. Two of the dog owners retrieved their pets in a timely manner, and the third dog had to be held for a number of days. In total the City was invoiced roughly \$270 for 2018 services.

Hegland asked why the kennel owners don't pay the fees associated with their inspections? Mursko replied that when the policy was developed the Council felt that application fees were sufficient payment for the kennel license. Hegland followed up by asking how other Cities administer the kennel inspections? Mursko said she did not know. Griffith noted that the fee schedule could be changed at any time to instate a required payment for kennel inspections.

### Council Member Logren

Council Member Logren reported on the most recent Fall Fest meeting she attended. She said that there are good ideas being suggested such as a farmer's market, Friday night movie in the park, and a universal ticket system for all attractions and concessions.

Council Member Peterson

No report.

Council Member Hegland

No report.

Mayor Preiner

No report.

Council Member Duraine

Council Member Duraine asked when the weight limit signs are going to be posted on Howard Lake Drive? Mayor Preiner said that there has been discussion about possibly posting Howard Lake Drive and Zurich Street/147<sup>th</sup> Avenue NE with a 5-ton weight limit rather than 7.

**15. Public Works Report**

Park Advisory Board Report – Kris King and Sandie Wood

The Park Advisory Board met last Thursday 01.03.19. One item they discussed was creating new policy for City field reservations. In recent years the fields have become more popular and the first come first serve model for reservations is no longer working effectively.

King explained that the recommended policy is that the City will accept requests from groups for field reservations until the second Monday of January, and then Deputy City Clerk Lorie Spangler will return a schedule of reservations to groups by the first Tuesday in February. If any requests are submitted past the deadline their requests will be considered after the others. King added that Spangler used this method for 2019 and it worked well.

King moved on to discuss the roundabout installation that the Park Advisory Board has been tasked with designing. She said that the Board is concerned about people damaging what is installed in the center and one suggestion was to put boulders in the middle to prevent driving over the top. King is wondering if the City would have any liability for people driving into something like a boulder that is placed in the center of the roundabout? Postler replied that the City would not be liable for a situation like that. This is the analogous to other items located near the roadway, such as street signs. He said that in terms of design the addition of some type of obstruction in the center is best.

King thanked the Council for the feedback and moved on to the next Park Board item. She said that a boy working on his Eagle Scout project is interested in installing a Veteran's Memorial with a tree in the City Park. This is just information to the Council as he will be attending a future Park Board meeting to discuss the project further.

The last item addressed by King was based on a decision from a previous Council meeting. The

Council had agreed to eliminate the Park Board liaison position and have Park Board members report directly to the Council instead. She asked if the Council would reconsider their decision because having someone from the Council at the meetings is very helpful. Mayor Preiner said that he would be willing to reconsider as long as Park Board members accompany the liaison to Council meetings to administer the report. King and Wood agreed to that stipulation. With that, Giffith said that this decision should be made with a formal adoption at a future meeting.

## **16. Public Communications Coordinator Report**

No report.

## **17. City Administrator's Report**

Mursko reported that she received an inquiry from a business owner asking if a residential zone business could be established in the commercial district. The renter of the property would be the business owner. Mursko explained that currently residential zone businesses are limited to the rural residential district. However, there are some legal non-conforming homes in the commercial district that are still being used as residences. It is this category of property that the inquiry is about.

Mursko continued to say that a previous Council felt that a residence located in the commercial district could be used for residential purposes but once the use expands to include business activity the house should be demolished, and the property should be established as commercial.

Hegland asked if the rights granted to the business owner would be passed onto the next property owner? Mursko replied that in the residential district an Interim Use Permit (IUP) is required to run the business, and IUPs terminate after a maximum of five years and cannot be transferred to a new owner.

Griffith said that there may be an issue with the change in occupancy for building code purposes as the building standards differ significantly between residential and commercial uses.

Peterson said that he thinks people should be allowed to run a business from a residence located in the commercial district as long as they are the homeowners. Mayor Preiner disagreed but said that this topic could be suitable for workshop discussion.

Griffith said that it would take a code amendment to allow this activity. He replied to Peterson that legally there can be no difference in property rights between renters and property owners, they must be treated equally under the zoning code.

The Council agreed with Mayor Preiner that this topic should be considered in more depth at a future workshop.

## **Special EDA Meeting**

Mursko reported that the special EDA meeting that was scheduled for this evening was canceled. She said that tonight's guests are available to reschedule the meeting for either 02.13.19 or

02.27.19 at 6:00 pm and asked the Council if they had a preference for the date. The Council agreed that 02.27.19 at 4:00pm would work best.

Treasurer's Report

Receipts:	\$ 16,378.53
Disbursements:	\$ 1,480,172.18
Balance:	\$ 9,003,488.31

**E. ANNOUNCEMENTS & REMINDERS**

**18. Calendar of Meetings.**

The next Planning Commission meeting will be on 02.06.19 at 7:00 pm.

The next City Council Workshop will be on 02.06.19 at 4:00pm. Peterson and Duraine said they will not be able to attend the workshop.

**F. ADJOURNMENT**

**Motion by Duraine to adjourn. Seconded by Peterson. Motion carried unanimously.**

Meeting adjourned at 8:11 p.m.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator