

**City of Columbus
Regular City Council Meeting
Alternative Meeting Format
MN Statutes 13D.021
06.10.20**

The 06.10.20 meeting of the City of Columbus City Council was called to order at 7:00 p.m. by Mayor Preiner at the City Hall. Present were Council Members Jeff Duraine, Shelly Logren (via t), Janet Hegland, and Denny Peterson; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Kevin Bittner (via teleconference) and Public Communications Coordinator Jessica Hughes.

Also in attendance were: Ron Hanegraaf (via teleconference), Kris King (via teleconference), Steve Wagamon (via teleconference), Pam Wolowski (via teleconference), Barb Bobick (via teleconference), Megan & Chad Toft (via teleconference), Cathy Skoglund (via teleconference), Emily and Brandon Blesi (via teleconference), Larry Haessly 7453 170th Avenue NE (via teleconference), Gordon Spencer (via teleconference), Susan Radden (via teleconference), Steve Brunsberg & Ken Downing (via teleconference), Gerald Schuldt (via teleconference), Danielle DeVito (via teleconference), Keith Perkkio (via teleconference), Kathy & Robert Osterberg (via teleconference), Tammy Omdal (via teleconference).

A. CITY COUNCIL REGULAR MEETING

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

B. CONSENT AGENDA

- 3. Motion – Agenda Approval with Additions**
- 4. Motion – Approval of the 10.09.19 City Council Meeting Minutes**
- 5. Motion – Approval of the 11.13.19 City Council Meeting Minutes**
- 6. Motion – Approval of the 11.25.19 City Council Meeting Minutes**
- 7. Motion – Approval of the 04.08.20 City Council Meeting Minutes**
- 8. Motion – Approval of the 04.22.20 City Council Meeting Minutes**
- 9. Motion – Approval of the 05.07.20 City Council LBAE Meeting Minutes**
- 10. Motion – Pay Bills as Posted**

Motion by Hegland to approve consent agenda items 3-10. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

C. PRESENTATIONS

11. Planning Commission Report

Steve Wagamon gave the Planning Commission report from their 06.03.20 meeting. One main item was discussed: A CUP application for 14045 Lake Drive NE.

A public hearing was held on 05.20.20 for the application from CST Companies, and discussion occurred at their 06.03.20 meeting. The Planning commission unanimously recommended the application for approval.

Hegland said that City Staff written a few versions of the findings of fact, and there are still a number of comments that need to be worked out. She is wondering if it would be beneficial to send the application back to the Planning Commission so they can carefully work through these comments.

Applicant Megan Toft said timing for that would not work because they are required to complete due diligence for closing on the property by 06.19.20. Council members indicated they would be willing to hold a Special City Council meeting on 06.18.20 (the day after the next Planning Commission meeting) to aid them in meeting this deadline. It was agreed this meeting would be held at 3:00 p.m.

City Attorney Bill Griffith indicated that any comments or concerns that the Council has should be raised at tonight's meeting to ensure they are part of the record.

Logren asked Minnesota Department of Agriculture representative Danielle DeVito if mulching activity could create a tree disease hot spot? DeVito replied that Anoka County is already under a Federal quarantine for emerald ash borer. This means that any wood harvested from a quarantined area must remain in that area. She added that in Anoka County there are only three sites for residential depositing of tree waste and having another site available to residents would be a positive thing. In terms of oak wilt, there is no Federal regulation in place. DeVito finished by saying she is not concerned about any other diseases.

Mursko said that CST Companies has a plan to mulch some product and leave it in a pile for the Department of Agriculture to inspect. She noted that the pile could be left to sit for as long as a month. She asked DeVito if that was a concern for her? DeVito replied that everyone who is moving mulch out of quarantine is required to grind it down to a specified size so that all emerald ash borers in the pile are destroyed. As such, she does not have a concern about the pile sitting for that length of time. She added that the Department of Agriculture completes one planned visit per year and one surprise visit per year.

Duraine asked if the pine bark beetle is a concern for the Department of Agriculture? DeVito replied that Minnesota is already infested with this beetle and it is not a concern.

Mursko continued to say that DeVito has recommended possible edits to two conditions on this application. DeVito explained that the first recommendation is to edit recommendation #6 to say that the CUP is contingent on recommendations and/or a compliance agreement with the Department of Agriculture, should one be required. The second recommendation is to add a new condition that requires CST Companies to follow all federal and state regulated pest and quarantine movement guidelines and regulations.

Mursko continued by asking DeVito when a compliance agreement is required? DeVito replied that such an agreement is required any time the business would like to move ash or hardwood material under four feet in length out of a quarantine. She added that the compliance agreement

is good for one year, and any wood moved out of quarantine would have to be certified to prove they have operated within the guidelines.

Griffith suggested adding a condition that requires the applicant to comply with the requirements of a compliance agreement that the CUP is contingent on, should one be required.

Duraine asked about findings of fact number 25, and why it does not open wood drop off to those outside of Columbus? M. Toft said that their intention is to allow the general public to drop wood off at their location for a fee, while Columbus residents could do so for free.

Duraine asked if the backup alarms on their equipment are hush alarms? M. Toft replied that they are white noise alarms.

Hegland continued by inquiring about their plans for a coloring machine. CUP conditions currently allow them to bring a coloring machine to the property in the future. However, during the public hearing, M. Toft indicated that they do not think there will be enough growth in their business during the foreseeable future to warrant the purchase of a coloring machine. Hegland said that if M. Toft does not believe she will be purchasing a coloring machine for a number of years, she would rather the associated condition be added as an amendment in the future. This is a concern because the CUP runs with the land and could be transferred to a new property owner who will be held to the same conditions.

M. Toft replied that it could be as little as 18 months before they purchase a coloring machine, if business goes very well. She added that even if business does not go as well in the beginning, she is still planning to purchase the coloring machine within the next five years. She also noted that the type of coloring machine discussed in the conditions (a cheetah coloring machine) is inaccurate.

Mursko noted that there is a 60-day deadline on this application that will expire on 06.16.20. If there is not a motion made tonight, a 60-day extension letter will be issued.

Logren and Hegland commented that there needs to be further clarification on the amount of truck traffic in the sales area.

Logren continued to say that condition 24 states that there will be 400 hours' worth of grinding, which is a lot more than was originally expected. She added that condition 29 discusses noise levels, and she would like clarification on whether the number of decibels indicated includes grinding.

Hegland said her last concern is getting a final determination of the portion of the business that is retail/wholesale and the portion that is mulching.

Motion by Peterson to send the CUP application from CST Companies at 14045 Lake Drive NE back to the Planning Commission to amend findings of fact and conditions based on the City Council's discussion and questions. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren - aye. Motion carries.

Motion by Hegland to call a special meeting on 06.18.20 at 3:00 p.m. to discuss the CUP application from CST Companies LLC at 14045 Lake Drive NE. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren - aye. Motion carries.

12. Public Open Forum

No report.

13. 170th Avenue NE Petition

Hegland reported on a petition that the City received which states that petitioners living on or near 170th Avenue NE are against the connection of 170th Avenue NE to DePaul Street NE. This connection is part of the Thurnbeck Preserve Phase 2 development. The petition requests that this connection be blocked so that traffic from the development does not have access to 170th Avenue NE. Since the connection was established, residents have noticed vehicles traveling above the speed limit and an increase in the number of vehicles on the road. There is concern that once the development is completed these issues will continue to get worse.

There were also concerns from residents that they were not appropriately notified about the plans for this street. Hegland commented that the City has a legal obligation to notify residents within 350 feet of a development of a scheduled public hearing. As such, four properties listed on this petition were notified by mail about the public hearing on 06.06.20.

Griffith noted that Columbus followed State statute requirements for notifying the public of applications. He clarified to Mayor Preiner that the Council is able to take statements tonight from people who were not notified about the project.

Hegland continued to say that a challenge the City faces is ensuring that everyone who has an interest in certain City-related events is informed about them. In the end, the responsibility falls on residents to sign up to receive notices and overall be informed.

Hegland continued to say that by connecting 170th Avenue NE and DePaul Street NE, there are now two entrances and exits for each road. This provides a higher level of safety for residents because it will decrease response times for emergency vehicles. Forest Lake Fire Chief Al Newman agrees that the connection is a positive change for public safety.

Hegland continued to pose solutions to the problem besides closing the road. The City could ask the developer to exit through the paved roads only, avoiding 170th Avenue NE. Another option could be to add a sign that says “local traffic only” to remind those in the development that they should not be using 170th Avenue NE to exit. A final idea she had was to see how 170th Avenue NE might fit into a broader discussion about a Citywide approach to requests for lowering speed limits. She added that most people would likely prefer to take the paved roads out of the development. 170th Avenue NE is a gravel road and only leads to Potomac Street, which is not a major through road for the City.

Gordon Spencer, a resident on 170th Avenue NE, expressed concern that connecting the two roads will increase crime, traffic, and accidents, and overall decrease pedestrian safety. He added that himself and others moved to his home in Columbus because it was a dead-end road.

Another resident on 170th Avenue NE, Steve Brunsberg, echoed Spencer's concerns, as he also moved into the neighborhood for the dead-end road and minimal traffic.

A final resident on 170th Avenue NE, Brandon Blesi, also felt similarly about quality of life concerns. He wants to preserve his situation on a quiet dead-end road.

Peterson suggested that the Council hold a neighborhood meeting to discuss this issue further. The remaining Council members agreed this would be a good idea.

Spencer asked if it would be possible to leave the barrels up at the intersection of 170th Avenue NE and DePaul Street until the neighborhood meeting? Windingstad replied that those barrels were placed there by the contractor, not by the City. From the City's perspective, DePaul Street is not open to the public as it is not complete. Griffith said that any final decisions about the barrels should be made after the neighborhood meeting.

Mursko said that she will have City Staff compile a mailing list for the neighborhood meeting and send notices out. Guidelines for maintaining social distancing will be included in the notice. She added that all residents on 170th Avenue NE will be invited. Duraine suggested that Tom Carlisle, owner of Sherco Homes, be invited to the meeting as well.

Motion by Hegland to accept the petition and call for a neighborhood meeting to discuss options to address resident's traffic concerns on 170th Avenue NE. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

~~14. Coon Lake Regional Park Designation Support Letter~~

This item was removed from tonight's agenda.

Peterson asked if this topic will be on the agenda of a future meeting? Mursko said that she requested additional information from Anoka County on the topic and nothing was submitted. Peterson asked Mursko to get back in touch with them and ask if they would be open to holding a community meeting for nearby residents to talk about the designation. Mursko replied that she would.

D. STAFF AND CONSULTANT REPORTS

15. Engineer Report

Furman Street Speed Limits

Based on direction from a previous City Council meeting, City Engineer Kevin Bittner reported that last year the state legislature created more options giving Cities additional authority to set speed limits. At this time there are no speed limit signs on Furman Street, and the default limit is 55 miles per hour.

Bittner continued to explain scenarios where the City is able to set their own speed limits. If the area meets rural residential district criteria, the City can set a speed limit of 35 miles per hour. In order to meet the criteria, there must be visible structures along the route with 300 feet or less between them. Bittner noted that Furman Street does not meet this criteria.

Bittner said another option can be used if the area meets criteria for a residential district. This would require a speed limit of 25 miles per hour. While Furman Street meets such requirements, Bittner does not recommend pursuing this option because 25 miles per hour is not an ideal speed limit for this road.

The City could also establish their own speed limit for the road, but that option requires the City to develop criteria on safety, engineering, and traffic analysis that must be followed throughout Columbus.

Mayor Preiner asked Bittner if he could provide an estimate for what it would cost to develop such criteria? Bittner said that he would need to recruit a traffic engineer to do so. He agreed to present an estimate at the next City Council workshop.

Public Works Director Jim Windingstad said that Public Works is in the process of documenting all speed limit signs in the City, because some may not have been placed legally. Hegland said that this information would be important to have for a workshop on this topic. Mayor Preiner asked Windingstad to inform the Council when he completes this work so that a workshop can be scheduled. Windingstad said that it will take time to finish, but he will alert the Council when it is complete. Bittner said that Bolton & Menk has interns that are light on work who could help Windingstad map out the signs.

Motion by Hegland to direct the City Engineer to create a budget for the City's traffic speed study. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

16. Attorney Report

American Tower Proposal

Based on direction from a previous Council meeting, Griffith researched comparable data for the cost to rent cell tower ports and was unable to find anything.

Griffith asked the American Tower representative if they had any current plans to add users, but they do not have any such plans. Their representative indicated that they are willing to increase the down payment to \$20,000, but that does not cover lost income from the change in rental structure. Griffith gave American Tower a tentative response; that they should notify the City when they are ready to bring in 5G or are making a change to the tower. Otherwise, their request is being declined at this time.

Hegland asked if American Tower believes their rental rate is prohibiting them from filling their available spaces? She continued to say the addition of new cellular services to the City would be

beneficial to residents because service is lacking in certain areas. Griffith replied that they have not indicated that their rental fees are prohibiting other users from coming in.

Motion by Hegland to decline American Tower’s proposal for contract amendment. Seconded by Peterson. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

Billboard Renewal Moratorium

Griffith presented a draft ordinance for the Billboard Renewal Moratorium. The moratorium focuses mainly on spacing issues. He also presented the associated resolution which directs the Planning Commission to complete a study.

The one question remaining is how the Council would like to handle pending billboard renewal applications? The City currently has one pending application from ClearChannel. Mayor Preiner said he felt the application should be allowed to move forward, and the Council agreed.

Mayor Preiner followed up by asking how long the moratorium will last? Griffith replied that the limit is one year, but it can be finished early.

Motion by Hegland to adopt Ordinance 20-03, an ordinance establishing a moratorium on the issuance of permits for billboards for outdoor advertising within the City limits and allowing the one (1) application already in process to be completed. Seconded by Peterson. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

Motion by Hegland to approve Resolution 20-08, a resolution ordering a study for the regulation of billboards or other forms of outdoor advertising moratorium. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

Legislative Update

Griffith reported that Governor Tim Walz is calling a special session on 06.12.20 to talk about peacetime emergency issues and the potential for a number of bills, one of which is the bonding bill.

17. Mayor and Council Members Report

Council Member Logren

No report.

Mayor Preiner

No report.

Council Member Hegland

Rice Creek Watershed District Appointment

Hegland reported that the Anoka County Board of Commissioners recently appointed Pat Preiner as president of the Rice Creek Watershed District.

Disc Golf Course Grant

Hegland continued to discuss a meeting she recently had with high school student Tyler Tetrault and Planning Commissioners Kris King and Ron Hanegraaf. Tetrault is applying for a scholarship and grant which would fund a disc golf course in the Columbus City Park. If he is not awarded the grant, he would still like to fundraise the money to make the project happen. Hegland finished by saying the City is not obligated to the project in any way at this time.

Council Member Peterson

No report.

Council Member Duraine

No report.

18. Public Works Report

Equipment Update

Windingstad followed up on budget numbers which were prepared last June for the replacement of Public Works' one-ton pick-up truck, a 2000 GMC. Since that time, there has become a need to update the figures. The price of the vehicle has increased by \$5,000. He would also like to add a sander to the truck because it is used to plow cul-de-sacs. The numbers prepared last June also did not include tax and licensing, so Windingstad has included those figures in the proposed budget amendment. Considering these changes, he is recommending increasing the budget by \$15,000.

Windingstad said that he estimates the old truck will sell for roughly \$4,000, which will be added back to the Public Works budget.

Motion by Mayor Preiner to approve 2020 budget amendment Schedule A for the replacement of the one-ton dump truck from \$80,000 to \$95,000 and add \$4,000 from equipment sale based on the recommendation of the Public Works' Superintendent. Seconded by Peterson. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

SCADA Project Final Payment

Windingstad presented a final payment request to In Control for \$11,562.95 for the remaining balance of the SCADA project at Ziegler, wells 2 and 3, and a City lift station.

Motion by Duraine to approve the final payment to In Control for the City's SCADA Project (City Project 2018-07) in the amount of \$11,562.95. Seconded by Peterson. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine – aye; Logren – aye. Motion carries.

CSAH 23 Repair and Traffic Detour

Windingstad reported that part of Lake Drive near the W. Freeway Drive roundabout is starting to sag because the pond in the southwest corner of the intersection is not draining well. Anoka County removed some fabric which was caught in the drain, which helped the issue. However, there is also a flooded storm sewer and drain tile on W. Freeway Drive which is likely saturating the road bed. This issue will have to be repaired.

He is asking the Council to consider designating 147th Avenue NE and Zurich Street as a detour during the repair. Because this is a county project, the Council has to approve using City streets for a detour. Without their approval, only county roads may be used. The work is estimated to take one to two weeks.

Mursko expressed some concern over this option because trucks over 28,000 lbs are not allowed on Zurich Street. She asked if it was possible to do a car only detour? Mayor Preiner agreed and suggested that Windingstad request the county do a car only detour on this route.

Bittner added that Windingstad should inform Anoka County that the City has plans to expand Zurich Street in the late fall, so that they can factor it into this project's construction schedule.

No Truck Signs – Howard Lake Drive

Windingstad said that he is going to approach Forest Lake and request the ability to move the City's no truck signs on Howard Lake Drive onto their property. He noted that Forest Lake was previously approached regarding this and they were uninterested at the time.

19. Public Communications Coordinator Report

Based on conversation from a previous meeting, Hughes asked the Council for direction on a property which has been out of compliance for some time. The Council recommended Hughes connect with the City's Criminal Attorney, Joe Murphy, to see what is being prioritized in the courts during COVID-19, what abatement procedures entail, any alternative methods for handling the situation.

Hegland suggested the City also consider what it would take to hire a Compliance Officer who could be more proactive with compliance violations.

20. City Administrator's Report

COVID – 19 Update

Mursko reported that UV lights have been installed in the HVAC system in the City Council Chambers. Right now she is working on connecting a television in the Senior Center to broadcast public meetings into that room.

Mursko is also moving forward with creating a hybrid in-person/telephonic system for allowing the public to attend meetings. She is hoping to present a resolution to the Council in July which will establish this system.

Mursko continued by saying the Council will be required to adopt a preparedness plan at their next meeting. Guidance for this plan will be coming from the State Government on 06.15.20.

Hegland asked if City Staff knew whether it would be possible to continue using a telephonic system after the public is allowed back into meetings, so that those who are high risk for COVID-19 are still able to phone in? Mursko replied that she has not seen any guidance for that type of forum. However, many cities are trying to address the same issue. Griffith added that he is aware of another City that created a similar hybrid model for their meetings. He will continue to monitor the question and report back to the Council on his findings.

Bond 2015A Refunding

City Bond Attorney Tammy Omdal followed up with the Council on a presentation which was given at the last City Council workshop.

She began by going through scenarios for refunding bond 2015A for interest savings. There are four scenarios being presented which differ on three items: Whether cash is used, the amount of cash used, and whether the term is shortened.

Scenario A includes a \$500,000 cash contribution and has no change in the term.

Scenario B also includes a \$500,000 cash contribution, but shortens the term from 2036 to 2034.

Scenario C does not include a cash contribution and does not change the term.

Scenario D is new, and was added after City Council feedback was received at the last workshop. This option is the same as scenario A but includes a \$250,000 cash contribution rather than \$500,000.

Omdal reported that the tentative pricing date is 07.08.20, which can be moved back,

Mayor Preiner said that he would prefer a cash contribution of \$250,000. He asked Omdal what the chances are of the City being able to refinance again? Omdal said that it is hard to predict and will depend on future rates and costs of issuance.

Hegland commented that she feels most comfortable not making a cash contribution, and therefore prefers the scenario C.

Duraine asked how much the City currently has as a result of land sales? Mursko replied that a rough number of what remains is about \$500,000.

Duraine noted that his preferred option is the scenario A, and Peterson agreed.

Logren said that her preferred option is scenario B.

Motion by Duraine to move forward with Bond 2015A refunding option A. Seconded by Peterson. Roll call vote; Peterson – aye; Hegland – nay; Mayor Preiner – nay; Duraine – aye; Logren – nay. Motion fails.

Motion by Mayor Preiner to move forward with Bond 2015A refunding option D and accept the finance plan. Seconded by Duraine. Roll call vote; Peterson – nay; Duraine – aye; Logren – nay; Hegland – aye; Mayor Preiner – aye. Motion carries.

Motion by Hegland to approve Resolution 20-09, a resolution approving the issuance of taxable general obligation tax abatement refunding bonds series 2020A. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Duraine – aye; Logren – aye; Mayor Preiner – aye. Motion carries.

E. ANNOUNCEMENTS & REMINDER

21. Calendar of Meetings.

The next Planning Commission meeting is on 06.17.20 at 7:00 p.m.

The next City Council workshop is on 06.24.20 from 4:00 p.m. to 6:00 p.m.

The next City Council meeting is on 06.24.20 at 7:00 p.m.

F. ADJOURNMENT

Motion by Peterson to adjourn. Seconded by Duraine. Roll call vote; Peterson – aye; Hegland – aye; Mayor Preiner – aye; Duraine -aye; Logren – aye. Motion carries.

Meeting adjourned at 10:25 p.m.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator