

**City of Columbus  
Regular City Council Meeting  
09.12.18**

The 09.12.18 meeting of the City of Columbus City Council was called to order at 7:04 p.m. by Mayor Dave Povolny, at the City Hall. Present were Council Members Bill Krebs, Mark Daly, and Denny Peterson; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Dennis Postler, and Public Communications Coordinator Jessica Hughes.

Also in attendance were: Greg Kieselhorst, Paul Peskar, Kris King, Britt Sternberg, Richard Hauer, Bill Monson, Gene Hauer, Cheryl Monson, Genia Sjerner, Brian Sjerner, Joe Krysinski, Gary Callibs, Dave Schueler, Ryan Coddington, John Seibert, Shelly Logren, Janet Hegland, Julia Parent (Forest Lake Times).

**A. CITY COUNCIL REGULAR MEETING**

- 1. Call to Order - Regular Meeting – 7:04 P.M.**
- 2. Pledge of Allegiance**

**B. CONSENT AGENDA**

- 1. Motion – Approval of the City Council Meeting Minutes**
- 2. Motion – Agenda Approval with Additions**
- 3. Motion – Pay Bills as Posted**

**Motion by Daly to approve the Consent Agenda. Seconded by Krebs. Motion carried unanimously**

**C. PRESENTATIONS**

Public Hearing and Discussion – Centerville Lions Liquor License

The Council is considering a Liquor License with the Centerville Lions Club for a beer garden at Columbus' Fall Fest. The license is a short lease for the Public Works building grounds. All background checks came back favorably.

At this time Mayor Povolny opened the Public Hearing.

Hearing no one, Mayor Povolny closed the Public Hearing.

**Motion by Daly to approve the 1-Day Temporary On-Sale Liquor License” for the Centerville Lions Club subject to the conditions:**

- a. Execution of an amendment to the Columbus Public Works Building Lions Club Lease, dated October 28, 2015 to include the Premises.**
- b. The Lions must continue to meet all applicable additional liquor license conditions set forth in the City Code Chapter 4.**

**Seconded by Krebs. Motion carried unanimously.**

MnDOT Right to Construct Documents

Ryan Coddington from MnDOT came forward to discuss Permit to Construct documents with the City Council. MnDOT is proposing to purchase a piece of property in the Northeast I-35 Quadrant to use during construction of the TH 97 bridge over I-35. They have not purchased the property yet, but City Staff have received an offer for it.

Coddington discussed that MnDOT and the City have been aware of the need to purchase a portion of land in this area for some time.

The Permit to Construct documents will allow MnDOT and their contractor to access the property and do work necessary to divert traffic to the north side of the TH 97 bridge over I-35 while the remaining construction details are sorted out.

Mayor Povolny asked if this purchase could affect future land sales in the NE quadrant? Griffith replied that it should not, because the City's Purchase Agreement is subject to public easements, which is what this piece of land will ultimately be categorized as.

Coddington continued to say that the original date to begin using the property was 09.01.18. However, through the design build process, some changes were made which delayed the process. Engineers on the project were able to rework how water flows through the area and could eliminate a pond that was planned near Hornsby Street.

Mursko noted that City Staff worked with MnDOT to minimize the size of the taking. Currently time is the most important factor, and the documents proposed for approval tonight will help keep the project moving forward on schedule. Postler added that the piece of property could be sold back to the City if that is desirable. Once the purchase is complete, the second phase will be a permanent right-of-way taking and easement dedication. After that process wraps up further negotiations could be considered.

**Motion by Daly to approve MnDOT's Temporary Permit to Construct for City-owned land in the NE TH 97 and I-35 Quadrant. Seconded by Krebs. Motion carried unanimously.**

#### Sheriff's Office Contract

Commander Bryon Fuerst came forward to discuss the 2019 contract for law enforcement with the Anoka County Sheriff's Office. He explained that there was a 4% increase in costs from last year, the majority of which is due to an increase in Deputy wages.

Fuerst added that last year's contract was for 12-hour coverage with two (2) deputies, from 2:30 p.m. to 2:30 a.m. There was a request from City Staff to modify these hours to have one (1) car from 12:30 p.m. to 12:30 a.m. He said that the Sheriff's Office is open to accommodating this request, but would not recommend it. The reasoning is that a significant number of urgent/priority calls will be missed by not staying out until 2:30 a.m. In addition, it would be logistically difficult for staff because few officers would be interested in bidding on such a shift.

Mursko said that City Staff put together an analysis of calls based on information from the Sheriff's Office. In looking at that data, you can see that a fair amount of calls are missed during the daytime because deputies do not start until 2:30 p.m. In addition, Mursko made it clear that

for some time the Council has been interested in adding variety to the Deputy's schedules.

Daly asked if a decision must be made this evening about the Deputy hours? Mursko said the bid for service must go out soon, and the Sheriff's Office does not like to make changes once it does. Fuerst commented that although the 12:30 p.m. to 12:30 a.m. is not desirable, they are open to making the change if that's what the Council would like to do. Peterson, Daly, and Mayor Povolny said that they would like to try the change in schedule for this year at least.

Mayor Povolny brought up a topic that has been discussed at recent Fire Board meetings. Members of the Fire Department have expressed concern that there are a lot of cancelled medical calls in Columbus. Mursko explained that what happens is when a call comes in and there is not a deputy on duty in Columbus they call the Fire Department. Then once a police officer arrives on scene the Fire Department is called off. This is an issue because the Fire Department is mostly volunteer fire fighters and dropping everything to attend a medical call which ends up being cancelled is not good for morale. Fuerst replied that he will discuss this with the Sheriff's Office central communications office and with Fire Chief Al Newman.

Mayor Povolny asked Fuerst if their software is still calculating proactive call time with national averages? Fuerst replied that they are, and it is unlikely that will change.

**Motion by Krebs to approve 2019 contract with the Anoka County Sheriff's Office for law enforcement, with the change in one (1) Deputy's hours to 12:30 p.m. to 12:30 a.m. Seconded by Peterson. Motion carried unanimously.**

#### 2018A Bond Sale Projects 2018-01/02/03, Refunding 2007 A & B

Mursko reported that a second vote is needed for resolutions 18-21 and 18-22. At the 07.25.18 meeting, when the resolutions were approved, there were only three (3) Council Members present. At the time she was not aware that these resolutions would require a 4/5<sup>th</sup>s vote to approve. Therefore, to correct the record and readopt the resolutions another vote must be taken.

**Motion by Peterson to approve Resolution 18-21, a resolution ordering improvement and preparation of plans regarding City Project 2018-2. Seconded by Krebs. Motion carried unanimously.**

**Motion by Peterson to approve Resolution 18-22, a resolution ordering improvement and preparation of plans regarding City Project 2018-3. Seconded by Krebs. Motion carried unanimously.**

At this time Tammy Omdal from Northland Securities came forward to discuss the bond sale.

On 09.06.18, pursuant to a City Council resolution adopted on 08.18.18, the City bonded \$4,240,000 in general obligation improvement bonds to finance \$1.7 million in utility improvements. The balance of \$2.54 million was for refunding the 2007 Series A and B bonds for interest rate savings. The sale went well. As part of the process the City's rating was reviewed, and again received an A1 rating.

To summarize the sale, the paramount was reduced to from \$4,390,00 to \$4,240,000 because the bond was originally priced with premium of roughly \$146,000. True interest cost came in at 2.92%. The savings with respect to refunding were \$16,500 for 2007A bonds. And \$70,887 for 2007B bonds.

The Bond Purchase Agreement was signed by Mursko and Mayor Povolny on 09.06.18 following the pricing.

Mursko noted a minor edit to the Resolution, adding the word “refunded” to pages 18 and 19.

**Motion by Peterson to approve Resolution 18-23 with the addition of the word “refunded” to pages 18 and 19. Seconded by Daly. Motion carried unanimously.**

#### Calling for PH for Street easement vacation

Mursko presented to the Council a resolution calling for a Public Hearing for a street vacation. The City was made aware of an error which grants a roadway easement for a portion of Hornsby Street to the City that was originally dedicated to Anoka County. The resolution will begin the preliminary plat and vacation review process at the same time. Griffith noted that the City will receive back the correct right-of-way as part of the plat. The vacation will not be filed until the plat is finalized.

**Motion by Daly to approve Resolution 18-24, a resolution setting a Public Hearing for a street vacation. Seconded by Krebs. Motion carried unanimously.**

### **8. Planning Commission Report**

The Planning Commission did not meet on 09.05.18, as such there is no report.

### **9. Public Open Forum**

#### Paul Peskar – 18339 Tulane Street NE

Peskar asked the Council for an update on the situation with John’s Black Dirt. Postler said that he spoke with Forest Lake Contracting last week and set up a meeting for a final onsite inspection. He will be creating a final plan based on the discussion that they have at this meeting.

Griffith said that at this time there is no updated closure plan. The original agreement said that they need to create a closure plan but did not specify a date that it must be completed by. He added that there is some discussion about creating single family lots, but they are still figuring out how to best maximize the number of lots with the space available. Mursko added that they will be completing all conditions required by the wetland permit.

Mayor Povolny asked what the status is of their haul out roads? Postler replied the roads which were separating the parcels have been lowered and are now submerged benches in the ponds.

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

### **12. Engineer Report**

Postler presented a brief update on projects happening in the City.

In the TH 97/CSAH 23 bridge over I-35 project, grading has begun on the south side of CSAH 23. There will be ramp closures in 2019, for a maximum of 40 days.

He continued to say that the CSAH 23 roundabout is expected to be completed this fall. Mayor Povolny asked if there is any way to repurpose the current bypass lane north of the new roundabout to use as a permanent road? Postler replied that the road is not in alignment with the proposed right-of-way, however the small piece just off the north leg of the roundabout could possibly be used. He said he would look into it.

Postler added that he has a meeting later this week about the Hornsby Street realignment. This project includes some improvements to CSAH 23/TH 97 in addition to signal installation at the intersection of Hornsby Street and CSAH 23/TH 97.

On Friday 09.14.18, a meeting will be held to discuss 2019 street projects. The Public Works Advisory Board is considering paving Notre Dame Street, 181<sup>st</sup> Avenue NE, and 165<sup>th</sup> Avenue NE (with a proposed 40% contribution from the City). There will be additional roads considered with the project through neighborhood meetings.

Lastly, Postler is aware of a DNR grant for improving roads located near a state park. He is going to apply for the grant to potentially help fund paving 181<sup>st</sup> Avenue NE, since the west end of that road abuts Carlos Avery Wildlife Management Center.

### **13. Attorney Report**

Griffith presented two (2) items to the Council; a Development Agreement for Aces Hotel, and documents relating to a potential moratorium on billboards in the City.

The original Development Agreement has been altered since the Council Meeting agenda was compiled. The first change was made because of concern that the City not undertake maintenance of stormwater improvements with notice to owner. Adding this to the Development Agreement is simply a superremedy if no maintenance is done.

The second change was striking the waiver of a right to appeal costs of maintenance items.

The final change was adding a provision that if the City must pursue remedies in court that the fees and costs would be reasonable.

With that, Griffith said that the Development Agreement is complete and ready for approval. He added that the expectation is a fall start for construction.

**Motion by Daly to approve the North Metro Harness Initiative Plat 2 Development**

**Agreement. Second by Krebs. Motion carried unanimously.**

Next, Griffith presented a resolution and interim ordinance relating to billboards in the City. The resolution orders a study asking the Planning Commission to look at the question of whether further restrictions should be added on billboards in Columbus. The ordinance establishes a moratorium on the issuance of permits for billboards or outdoor advertising within the City.

**Motion by Daly to adopt Resolution 18-25, a resolution to order a study for regulation of billboards or other forms of outdoor advertising. Seconded by Peterson. Motion carried unanimously.**

**Motion by Peterson to approve Ordinance 18-03, an interim ordinance establishing a moratorium on the issuance of permits for billboards of outdoor advertising within the City of Columbus. Seconded by Daly. Motion carried unanimously.**

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

##### Council Member Krebs

Council Member Krebs attended the most recent Lion's Pancake Breakfast and said that it was well done.

##### Council Member Daly

No report.

##### Mayor Povolny

No report.

##### Council Member Peterson

No report.

#### **15. Public Works Report**

Public Works Superintendent Jim Windingstad and Public Works Advisory Board member Dave Schueler came forward to discuss the Public Works Budget.

They are recommending trading the 2006 plow truck and selling the 2009 Chevrolet pickup truck. Windingstad noted that the lead time on the plow truck is over one (1) year, so by getting the truck approved tonight Public Works should be able to use it during the winter of 2019. The cost for the new truck will be roughly \$50,000 as it uses diesel fuel.

**Motion by Peterson to purchase a new plow truck and a new pickup truck for Public Works. Seconded by Krebs. Motion carried unanimously.**

Windingstad and Schueler then moved to Schedule B of the budget. They are proposing increasing the gravel budget from \$5,000 to \$30,000.

They are also suggesting an increase in the small equipment tool fund of \$500.

Lastly, they are recommending an increase in contract services from \$20,000 to \$30,000 for the purposes of right-of-way tree clearing. Windingstad noted that much of the tree clearing which needs to be done is beyond the scope of the Public Works team, due to tree size and proximity to power lines. In addition, the right-of-way must be cleared before any paving can be completed in 2019. To accomplish paving in a timely manner they would need to contract for the services. Windingstad said if the budget is approved, it may be possible to clear right-of-way at the same time roads are paved.

The Council expressed their approval of these budget increases.

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

No report.

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

### 2019 Budget Discussion

Mursko presented an overview of the budget for 2019.

She began with the first page of the budget, noting that numbers in red indicate the change in budget from 2018 to 2019. It was determined through discussions with a public finance consultant that from 2017 to 2018 Columbus saw an 8% growth in tax base.

Last year Mursko was asked to calculate, if everything remained the same, how much the City can raise the budget and have a net zero impact on taxes. Last year that number was around \$120,000, and this year the number is around \$244,000.

At this point Mursko pointed out specific items in the budget for the Council to consider. She said a more thorough analysis of the Building Department portion needs to be completed. However, the department funds itself, and there has been significant growth within it. It also does not impact the levy.

Mursko moved to the Fire Fund, which shows an increase of \$91,000 to be added for Capital improvements. The Fire Department must purchase new equipment in the near future, of which the City's portion will be \$130,00 – \$150,000.

Mursko finished by saying tonight's budget conversation is simply discussion and the Council will consider the preliminary levy resolution at the next Council meeting. The consensus from the Council was to move forward the budget discussion with no further changes.

### Treasurer's Report

Receipts:	\$	0
Disbursements:	\$	80,638.35
Balance:	\$	6,020,075.32

**15. Closed Meeting Discussion – NE, SE, & SW Quad Land**

At this time Mayor Povolny closed the City Council meeting to execute a closed meeting under Minnesota Statutes Section 13D.05, subd. 3(c) to consider offers or counteroffers for the sale of the City-owned Quad 35 property.

At 8:39 p.m. Mayor Povolny reopened the City Council Meeting.

**E. ANNOUNCEMENTS & REMINDERS**

**18. Calendar of Meetings.**

The next Planning Commission meeting is 09.19.18.

**F. ADJOURNMENT**

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

**Meeting finished at 8:40 pm**

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator