

**City of Columbus**  
**Regular City Council Meeting**  
**02.28.18**

The 02.28.18 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, Jeff Duraine, 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: Dick Zaccardi, Myron & Cindy Angel, Kris King, Paul Peskar, Dan Mike, Janet Hegland, Kent Peterson, and 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**

- 3. Motion – Approval of the City Council Meeting Minutes 01.24.18**
- 4. Motion – Agenda Approval with Additions**
- 5. Motion – Pay Bills as Posted**
- 6. Motion – Approval of Resolution 18-05 Acceptance of Park Fund Gifts**
- 7. Motion – Approval of the License Agreement RCWD Modeling Tools**

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

**C. PRESENTATIONS**

**8. Anoka County Broadway Shoulder & Turn Lane Project**

Nick Dobda and Jason from Anoka County came to the City Council meeting to discuss a shoulder widening and turn lane project in Columbus. The project consists of adding eight (8) foot wide shoulders on Broadway Avenue, from Potomac Street to Kettle River Blvd. As they widen the shoulders they will also be fixing culverts, fixing ditching issues, and standardizing streets as much as possible.

Dobda indicated that he is aware of issues with cars passing on the shoulder at Broadway and Notre Dame, and Broadway and Potomac, and he will be looking into what Anoka County can do to address those concerns. He finished by saying that adding a bypass lane at either intersection would involve taking more property from landowners to secure the necessary amount of right-of-way.

Dobda said that the reason they came to the meeting was to inform the Council of the project before the County holding open houses with the public. The website for the project should be live by Thursday March 1<sup>st</sup>. He added that the County will be buying all the underlying easements and there will be no cost sharing with the City.

Krebs asked the County representatives if they foresee any wetland issues? Dobda replied that because it is a safety project (and not a capacity project) the funds are coming from a highway

safety improvement grant, and any impact on wetlands will be mitigated through the wetland bank.

Mayor Povolny asked if the shoulders will be wide enough to accommodate bike traffic? Dobda said yes, they will be wide enough at eight (8) feet.

## **9. Planning Commission Report**

Planning Commission Chair Garth Sternberg presented the Planning Commission report to the Council. The Planning Commission held two recent workshops in regards to the Comprehensive Plan Update; one on February 8<sup>th</sup> and one on February 15<sup>th</sup>. The February 8<sup>th</sup> event was for property owners in the Freeway District, and the February 15<sup>th</sup> event was an open house for all Columbus property owners. The February 8<sup>th</sup> event turned out to be less attended by larger commercial businesses in the Freeway District than the Planning Commission was hoping for, so they invited representatives from Westmor Fluid Solutions, Gander Outdoors, Ziegler, Running Aces Harness Park, and Holiday Station Stores to attend their February 21<sup>st</sup> meeting. At that meeting, representatives from Westmor and Running Aces attended, and there was a discussion on the Comprehensive Plan.

### Comprehensive Plan Designation Recommendation – February 21<sup>st</sup> Planning Commission Meeting

The February 21<sup>st</sup> meeting was focused entirely on the Comprehensive Plan update, and no public hearings were held. The general feedback from Westmor Fluid Solutions was that they would like to see less retail in the Freeway District, and they are not in favor of apartments in the area. Running Aces on the other hand, suggested that more affordable housing (such as apartments) should be added to the Freeway District, as well as additional entertainment type businesses.

### Comprehensive Plan City Council Direction

City Planner Dean Johnson attended the City Council meeting to seek direction on the Comprehensive Plan update. The Planning Commission has been considering updates to the 2040 Comprehensive Plan for months, as the deadline to submit to the Metropolitan Council is nearing. They are considering pursuing a change in designation from Diversified Rural to Rural Residential. This would give the City flexibility to execute a potential future change in density from a five (5) acre minimum to a 2.5-acre minimum. The Planning Commission is looking at this option because Columbus is at the end of the Met Council's utilities system and contains a significant number of wetlands; therefore extending utilities to the entire City would be quite expensive, and the remaining amount of upland could be maximized for development with a 2.5-acre minimum (even with a 2.5-acre minimum, it will be too cost prohibitive to extend utilities to the rest of Columbus.) In addition, if the 2.5-acre minimum is not added to this year's Comprehensive Plan, Columbus cannot go that direction for another ten (10) years without a Comprehensive Plan amendment and zoning code amendment.

Johnson continued by reporting on feedback from the City's Open House on February 15<sup>th</sup>. Survey results from that meeting showed seven (7) people in favor of a 2.5-acre minimum, while

20 people were not in favor. He asked the Council for direction on the potential change; since a supermajority is required to pass the Comprehensive Plan, Johnson wanted to see if more than one Council Member was not in favor of the changed to a 2.5-acre minimum.

Council Member Krebs asked if it would be possible to connect to the Forest Lake sewer system in the northeastern area of the City after changing the density? Johnson replied that extending those utilities would require an intercommunity agreement, feasibility studies, and an increase in the Forest Lake system's capacity. Because those items would take a significant amount of time, and Columbus' Comprehensive Plan update must be completed in roughly three (3) months, Johnson does not recommend considering extending Forest Lake's sewer service into Columbus.

Mayor Povolny said that his concern with the possible designation change is protecting greater Columbus from a 2.5-acre minimum density, since most people move to the City for a rural feel and five (5) acre minimum. He is not in favor of the change for greater Columbus, and would like to add language in the Comprehensive Plan that would prevent future Councils from going to a 2.5-acre minimum. Griffith noted that it would be possible to add some policy considerations to the Comprehensive Plan that would give detailed direction about when and how to make a future move to a 2.5-acre minimum.

Mayor Povolny then asked the remaining Council Members what their opinions were. Krebs said that he is in favor of a 2.5-acre minimum for a few reasons. After considering the number of wetlands in the City, it is unlikely that Columbus will see a large increase in 2.5-acre lots, simply because of the small amount of upland left. In addition, there are already a number of small lots in the City, even down to one (1) acre. And lastly, one could argue that landowners should have the right to subdivide their land if they have five (5) acres. Daly responded that he would only be in favor of smaller lot sizes through lot averaging in Planned Unit Developments (PUDs). He added that 2.5-acre lots would create a lot of shared driveways, due to the number of wetlands and subdivision of five (5) acre lots. Daly finished by saying the vast majority of constituents he has spoken with are not in favor of decreasing the minimum lot size in the City. Duraine said that he agrees with Daly and Povolny, and would only consider lot sizes under five (5) acres in the Freeway District. Peterson replied by saying he is in favor of a 2.5-acre minimum.

Sternberg said that the Planning Commission considered areas on Broadway as a potential spot for a 2.5-acre (or smaller) density. Mayor Povolny asked if the Planning Commission considered adding a commercial district on Broadway Avenue instead? Sternberg said that he remembers a time in the past when that was on the table, but most people were not in favor of it.

Mayor Povolny continued by asking Johnson if he thinks there are any residential areas in Columbus that could be changed to light industrial zoning? Johnson said there likely is not, because with a light industrial district you need the transportation infrastructure to support the type of vehicles that are associated with light industry (ie. not City roads). He added that the Freeway District and the commercial area along Lake Drive have the most developable land in the City. So, he would recommend pursuing that before any residential areas in the City.

Mursko said that there has been consideration of connecting the commercial corridors along Lake Drive in the past, however the consensus has been to not pursue that idea. Krebs said that

he agrees with not exploring that option, and would rather see a commercial area at Kettle River Blvd and Broadway Avenue. Mayor Povolny agreed with him.

At the conclusion of discussion, Joshnson thanked the Council for their feedback and added that it does not seem likely that a supermajority will be reached. He said that his draft of the Comprehensive Plan update will not include a change in designation. It will however describe Columbus as having a five (5) acre minimum and allowing PUDs for lot averaging. He finished by noting that if Columbus decides they would like to increase the density to a 2.5-acre minimum standard before the next Comprehensive Plan update, the applicable Council will have to do a zoning code amendment and a Comprehensive Plan amendment.

Griffith noted that the Council has the ability to change their minds in the future, and the feedback given was simply direction. The Planning Commission will still hold a public hearing and the Council will consider testimony given during that hearing before they make a final decision. Mayor Povolny finished by saying the direction from the Council is that the majority supports a 2.5-acre minimum only in areas where public utilities are offered.

## **10. Public Open Forum**

Janet Hegland – 14025 Julliard Street

Hegland asked if the City's EDA meetings were open to the public? Mayor Povolny replied that they are. He added that the meetings are held quarterly, on the 2<sup>nd</sup> Wednesday of the month at 6:00 pm. She followed up by asking what the process was for nominating someone to the EDA board? Mayor Povolny said that after an application is received, he will interview the applicant(s), make a recommendation to the Council, and then the Council ratifies the Mayor's recommendation.

## **11. Information – Rice Creek Watershed District Notice of Plan Update**

Mursko presented a letter from the Rice Creek Watershed District notifying the City that they are updating to their 10-year plan.

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

### **12. Engineer Report**

City Engineer Dennis Postler presented his Engineer's report on the ACD 15 Regional Storm Water Management Plan, the Intergovernmental Agreement for the ACD 15 project, and a Letter of Credit Reduction request for Preiner Preserve.

#### ACD 15 Regional Storm Water Management Plan

Postler presented the Anoka County Ditch (ACD) 15 Regional Storm Water Management Plan for the Council to review. He made some minor modifications based on recommendations from the Rice Creek Watershed District. The bottom line cost remained the same, however some funds were allocated from Phase 2 to Phase 3.

Duraine asked Mursko how the City will be funding this plan? Mursko replied that the cost will be partially funded from the Shafer land rental, and it will be built the City's costs for infrastructure.

**Motion by Peterson to direct the City Engineer to prepare a Regional Storm Water Management Plan for the I 35/TH 97 SE Quadrant undeveloped areas adjacent to ACD 15 and between Hornsby Street and I 35 for a not-to-exceed fee of \$44,500, and to submit an application to the Rice Creek Watershed District for cost-sharing assistance. Seconded by Daly. Motion carried unanimously.**

#### Intergovernmental Agreement ACD 15 Project

Next, Postler presented an Intergovernmental Agreement for the ACD 15 project. The agreement is an informational draft copy for the City Council to review.

#### Preiner Preserve Letter of Credit Reduction Request

Lastly, Postler is recommending approval of the third Letter of Credit Reduction request from Woodland Development in the amount of \$75,500.00, based upon the amount of work completed to date on the Preiner Preserve development.

**Motion by Duraine to approve the Letter of Credit Reduction request from Woodland Development in the amount of \$75,500.00 based upon the amount of work completed to date on the Preiner Preserve development. Seconded by Krebs. Motion carried unanimously.**

Mursko brought up one question she had regarding Preiner Preserve. Several weeks ago the Council approved Preliminary Plat 2, which took 3 (three) lots and re-platted them to make two (2). Originally Woodland Development paid for a parkland dedication of 26 lots, and with Preliminary Plat 2, they now have 25 lots. Mursko is wondering if the City would like to refund the amount equivalent to one lot, which is \$762.50. Krebs commented that the City should not refund the money because the Developer chose to deviate from what the original application was for. Mayor Povolny, Duraine, and Daly disagreed, saying they believe the money should be returned. City Attorney Bill Griffith added that because this is a policy issue it is up to the Council to decide how it is handled.

**Motion by Daly to refund Woodland Development \$762.50 out of their parkland dedication. Seconded by Peterson. Motion carried unanimously.**

### **13. Attorney Report**

City Attorney Bill Griffith gave his report on three topics; a DNR appeal letter, the Bituminous Roadways Developer's Agreement, and a 2018 Animal Control Contract.

#### DNR appeal

First, Griffith presented an appeal letter from the DNR on the Variance decision for the

Sanctuary at Howard Lake development. He is wondering if the Council is interested in continuing the appeals process and subsequently with the development? The Council unanimously agreed that they would, regardless of the appeal letter. Griffith added that the advice given to the Council was that the significant wetlands on Howard Lake help protect it, and the original setback requirement is overreaching.

#### Developer's Agreement

Secondly, Griffith presented the Bituminous Roadways Developer's Agreement. He noted that it is a relatively standard Developer's Agreement, but pointed out a few items.

First, the document contains both Resolutions of Approval with Conditions and Findings of Fact incorporated from the Conditional Use Permit and the Preliminary Plat. Secondly, Griffith pointed out that City Staff is recommending in the Agreement that Bituminous Roadways be required to connect to City utilities within one (1) year of approving the Developer's Agreement. This would also include completing the property's septic system and fire hydrant(s). If the Developer's Agreement is approved, the final version would have the detailed costs for connecting to City utilities. Mursko added that this would likely be a 2018 project.

Daly asked what would happen if the facility is finished before utilities are connected? Mursko responded that the Developer has indicated the time frame for completing the facility will certainly be longer than the timeframe for getting utilities ready for connection. Postler added that the Council could order a feasibility study tonight to get the process moving along quicker.

**Motion by Peterson to approve the Bituminous Roadways Developer's Agreement. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Povolny – aye; Duraine – nay; Krebs – aye. Motion carries.**

**Motion by Peterson to direct the City Engineer to complete a Feasibility Study for the Bituminous Roadways Facility's connection to City utilities. Seconded by Daly. Votes as follows: Peterson – aye; Daly – aye; Povolny – aye; Duraine – nay; Krebs – aye. Motion carries.**

#### 2018 Animal Control Contract

Lastly, Griffith presented the City's 2018 Animal Control Contract with Dover Kennel Animal and Impound Services. Duraine asked why they charge the City for holding animals for five (5) days? Mursko said that state statute requires impound services to hold the animal for at least five (5) days if the owner cannot be found. She added that it is normal practice to charge the City for holding the animals. Duraine asked if the City will have to pay for veterinary expenses associated with a dog that is picked up? Mursko said that the City would have to pay for veterinary expenses up to \$100 if the dog's owner does not pick it up.

**Motion by Daly to approve the 2018 Animal Control Contract with Dover Kennel Animal and Impound Services. Seconded by Duraine. Motion carried unanimously.**

#### **14. Mayor and City Council Member's Report**

### Mayor Dave Povolny

Mayor Povolny reported on the joint City Council meeting that was held with Forest Lake on February 27<sup>th</sup>. The main discussion point was the possibility of adding an interchange at either 180<sup>th</sup> Street or 170<sup>th</sup> Street and I-35E. Krebs commented that the way the realignment of W Freeway Drive would fit into such a plan for a new interchange could be a potential roadblock. Peterson commented that he does not see any benefit to adding an interchange at 180<sup>th</sup> Street, mostly due to the fact that a new road would have to be built to access the freeway. Mayor Povolny said that his theory is that it would be more affordable to build a new road rather than altering the existing infrastructure, and 180<sup>th</sup> Street is closer to W Freeway Drive than 170<sup>th</sup> Street is. He finished by saying that he will be working on a “pros and cons” list for both options, and asked Council Members to send him any input they have for the list.

### Council Member Peterson

Council Member Peterson reported that he will not be able to attend the March 1<sup>st</sup> meeting for the Sunrise River Watershed Management Organization (SRWMO). Since there is no alternate representative for the SRWMO, he is asking if anyone is available to attend in his absence. No Council Member indicated they were available.

### Council Member Krebs

No report.

### Council Member Duraine

No report.

### Council Member Daly

Council Member Daly reported on the Park Board meeting that was held in January. He noted that they are considering increasing the fee for reserving the City’s athletic fields, due to high demand. He finished by saying they will consider what other communities are charging for their fields to inform and proposed changes at their meeting in April.

## **15. Public Works Report**

No report.

## **10. Public Communications Coordinator Report**

No report.

## **11. City Administrator’s Report**

### Personnel Committee Report

Mursko reported that the City has two employees which are eligible for step increases. Her recommendation was to approve each step increases as indicated.

**Motion by Daly to approve step increases based on performance for Jim Windingstad (Step 5 to Step 6 [34.75]) effective 03.03.18 and Lorie Lemieux (Step 4 to Step 5 [25.35]) effective 03.03.18. Seconded by Duraine. Motion carried unanimously.**

Duraine asked about the City's procedure for offering step increases. Mursko explained that all City employees are eligible for step increases once a year based on performance.

Mursko continued to discuss the Senior Accountant position with the City. She reported that the City received six (6) applications for the position and interviewed three (3) of them. After completing interviews, the Personnel Committee is recommending the position to William Werner at 24 hours a week, with eligibility for benefits at a prorated rate.

**Motion by Duraine to approve the Personnel Committee's recommendation to offer the Senior Accountant position to William Werner at 24 hours per week, subject to a favorable reference and background check, at an hourly rate of \$23.67 (Step 1) per hour, including eligible benefits (no medical, no sick time), with the understanding that he would be eligible for a Step increase after six (6) months based on performance. Seconded by Krebs. Motion carried unanimously.**

Duraine asked Mursko why Werner's wage is beginning at Step 2 and not Step 1? She replied that Step 2 was more consistent with the market wages for Senior Accountants in local government.

**Motion by Peterson to approve the Senior Accountant pay scale as presented. Seconded by Krebs. Motion carried unanimously.**

Mursko moved on to the Planning Commission Secretary position which the City is hiring for. The Personnel Committee is recommending offering the position to Rochelle Busch at 24 hours a month, subject to a favorable reference check, at the rate of 17.62 an hour (Step 1).

**Motion by Peterson to accept the Personnel Committee's recommendation to offer Rochelle Busch the Planning Commission Secretary position for 24 hours per month, subject to a favorable reference check (benefits are not included with this position, with the exception of PERA), at the rate of \$17.62 an hour (Step 1). Seconded by Krebs. Motion carried unanimously.**

The last Personnel Committee recommendation is for Administrative Technician position. This position would involve assisting the building and administrative departments for up to 15 hours a week, subject to a favorable reference check, at an hourly rate of 17.62 an hour (Step 1). The Personnel Committee is recommending offering the position to Jeff St. Martin.

Krebs asked where the funds for this position will come from? Mursko said that half will be allocated to the building department and half will be allocated to the administration department.

Krebs followed up by asking if adding this position will help increase overall productivity in the office? Mursko replied that that is the intention. It is her hope that this position will alleviate some of the workload for herself, the Deputy City Clerk, the Building Official, and the Public Communications Coordinator.

**Motion by Peterson to accept the Personnel Committee’s recommendation to offer Jeff St. Martin the Administrative Technician position for 15 hours per week, subject to a favorable reference check, at the rate of \$17.62 an hour (Step 1), including prorated eligible benefits (no medical, no sick time), with the understanding that he would be eligible for a Step increase after six (6) months based on performance. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Povolny – aye; Duraine – nay; Krebs – aye. Motion carried.**

Duraine clarified after the vote that he voted nay to express that he does not believe the City should be creating another position in the office, not to express that St. Martin would not be a good fit.

#### EDA Appointment

Mayor Povolny reported that he is recommending appointing Mr. Jon Rausch to the Economic Development Authority’s board. He has interviewed Rausch and believes him to be a great candidate. Mayor Povolny added that there is still an additional vacancy on the board and will be conducting interviews with those who have applied to see if there is a good fit.

**Motion by Krebs to ratify Mayor Povolny’s appointment of Jon Rausch to the Economic Development Authority. Seconded by Peterson. Motion carried unanimously.**

#### **E. ANNOUNCEMENTS & REMINDERS**

**The next Planning Commission meeting is February 21, 2018 at 7:00 p.m.  
Calendar of Meetings.**

#### **F. ADJOURNMENT**

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

**Meeting adjourned at 8:40 p.m.**

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator