

**City of Columbus
Regular City Council Meeting
03.13.19**

The 03.13.19 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 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: Ron Hanegraaf, Jon McBride, Chris Sievert, Barb Bobick, Paul Peskar, Kris King, Pam Wolowski, Myron & Cindy Angel, and Julia Parent (Forest Lake Times).

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 01.23.19 City Council Meeting Minutes**
- 4. ~~Motion – Approval of the 11.28.18 City Council Meeting Minutes~~**
- 5. Motion – Agenda Approval with Additions**
- 6. Motion – Pay Bills as Posted**

Motion to approve consent agenda minus item 4 from the agenda by Duraine. Seconded by Peterson. Motion carried unanimously.

C. PRESENTATIONS

7. Introduction – Anoka County Sheriff’s Office Columbus Deputies

Anoka County Sheriff James Stuart, Chief Deputy Kevin Halweg, and Commander Bryon Fuerst came forward to address the Council and introduce the Columbus deputies.

Sheriff Stuart began by giving a short introduction. The Anoka County Sheriff’s Office began contracting with Columbus Township in 1987. They provide a wide array of services to communities within Anoka County. The Sheriff’s Office works hard to meet the individual needs of each community they serve. Stuart emphasized that the Sheriff’s Office has made efforts to employ well rounded individuals with military training.

Fuerst serves as the liaison between the City of Columbus and the Anoka County Sheriff’s Office. He introduced Columbus’ two deputies; Deputy Peter Grover will be serving his fourth year as a Columbus deputy, and Deputy Chris Yantos is serving his first year as a Columbus deputy.

Mursko noted that the previous City Council asked Fuerst to attend Council meetings quarterly to report on what is happening in the City. She asked this Council if they would like Fuerst to do the same with them? The Council agreed that they would like to continue the practice of receiving quarterly updates.

8. Public Hearing and Discussion – Running Aces Harness Park Liquor License

At this time Mayor Preiner recused himself because he does business with Running Aces Harness Park (RAHP).

Deputy Mayor Hegland opened a Public Hearing on the topic of the RAHP Liquor License. Representatives from RAHP came forward to address the Council.

Griffith noted that this is a routine renewal of their license. He said that the only thing that is out of the ordinary is the inclusion of licensed areas outside of the building. These areas are allowed because they are fenced and controlled. He added that the liquor license for the hotel is a separate matter and will be dealt with at a later time. Jonathon McBride, from RAHP, noted that the license is not for the area called A3, and there is a 6ft tall fence separating A3 from other outside areas.

Mursko noted that there is a numbering problem with the conditions of the license. The Conditions should be listed as 1-12 in Exhibit B, which would add a 12th condition requiring compliance with Section 4-5-17 of the Columbus City Code.

Hearing no one interested to speak, Deputy Mayor Hegland closed the Public Hearing.

Motion by Peterson to approve the 2019 Liquor License application for North Metro Harness Initiative, LLC for the premise at 15201 Zurich Street as shown on the submitted site plan, subject to Conditions 1-12 as outlined in the City Attorney’s report (dated 03.08.19). Seconded by Duraine. Motion carried unanimously.

9. Planning Commission Report

Jody Krebs gave the Planning Commission report on their 03.06.19 meeting.

Lloyd Rehbein Subdivision Concept Plan - 9257 168th Avenue NE

Krebs reported that Lloyd Rehbein of 9257 168th Avenue NE discussed a concept plan for a subdivision with the Planning Commission. She said this was a good opportunity for new Planning Commission members to understand how a concept plan works.

Krebs continued to say that they discussed driveway access off a County road, the varied road frontage standard, wetland delineations, wetland boundaries, the possibility of a drainage and utility easement, no mow signs, and how this lot fits with others in the surrounding area. She added that there are interesting circumstances with the site, which may make a CUP for PUD application more appropriate.

Krebs finished by saying Rehbein has a good understanding of what the process would be if he chooses to go through with the subdivision. However, he will have to wait until spring to do soil borings, so the subdivision application will not go through the City for some time.

Griffith explained additional information in an effort to get direction from the Council. He

explained that Rehbein would need a variance in lot frontage to allow the existing home to take driveway access from 168th Avenue NE. He would also need an additional variance to subdivide 14.9 acres into three lots, which would create an average of less than five acres without increasing density. The Council agreed that this concept seemed reasonable.

Metropolitan Council Incomplete Letter

Krebs continued to report on the Planning Commission's next discussion on the 2040 Comprehensive Plan, and how to respond to the incomplete letter from the Metropolitan Council. She said the Planning Commission's understanding is that the City Council will address necessary changes with Interim City Planner Haila Maze first, and then the Planning Commission will receive direction on what needs to be looked at more closely.

Residential Zone Business Application

The Planning Commission also discussed what direction the Residential Zone Business (RZB) application should be taken in. Krebs asked if the Council has any interest in amending the RZB Ordinance to have greater enforcement powers? Hegland replied saying that Mursko's suggestion to add an annual inspection to the conditions of an RZB permit will help to ensure compliance. She added that concerns which are raised during the two-year period of the IUP will be addressed when they apply for renewal.

Hegland continued to say that she is using the checklist Interim City Planner Merritt Clapp-Smith developed to create a new application that requests more detailed information to help the Planning Commission and City Council understand the true impact of the business on the area. She hopes to provide a draft copy of that application in the near future.

Personnel Committee Report

Hegland reported that the Personnel Committee has completed all interviews for the remaining openings on the Planning Commission. The Personnel Committee is recommending appointing Barb Bobick and Kris King as Planning Commissioners.

Motion by Duraine to approve the Personnel Committee's appointments of Barb Bobick (2019-2022) and Kris King (2019-2020) to the City of Columbus Planning Commission. Seconded by Logren. Motion carried unanimously.

10. Public Open Forum

No report.

D. STAFF AND CONSULTANT REPORTS

11. Engineer Report

2019 Street Improvements Project

City Engineer Dennis Postler discussed the pavement reclaiming project on Notre Dame Street and 181st Avenue NE. Bids for the project were opened last week. The City received 5 bids. The Engineer's estimate was roughly \$507,000 for construction, and the lowest bid received was \$413,874.60 from Knife River Corporation.

Motion by Duraine to accept all bids submitted for the 2019 Street Improvements Project (City Project 2019-1). Seconded by Hegland. Motion carried unanimously.

Motion by Duraine to award the 2019 Street Improvements Project (City Project 2019-1) contract to Knife River Corporation for \$413,874.60. Seconded by Peterson. Motion carried unanimously.

ACD 15 Project

Rice Creek Watershed District (RCWD) gave a presentation to the Council in 2018 about their Ditch 15 project. RCWD wanted to study the area because of expected future development. ACD Ditch 15 runs roughly north and south along the east side of Hornsby Street (south of TH 97) in the City of Columbus. RCWD offered to fund half of the project cost as a shared effort.

The point of the project is to create a regional ponding plan in anticipation of development. Rather than each lot creating their own ponding system, the whole area would be developed as one big ponding system. This will create a few larger ponds rather than many smaller ponds. Developers in the area will have to contribute their share of cost to the regional ponding system.

RCWD came up with five options for creating the regional ponding system:

- 1A: Individual ponding. ACD 15 remains in current location.
- 1B: Small regional ponding system (two large ponds). ACD 15 remains in current location.
- 2A: Regional ponding system (four large ponds). Moving ACD 15 east by cutting through some high ground. Creating a secondary ditch along Hornsby Street.
- 2B: Regional ponding system (three large ponds). Moving ACD 15 further east than the proposed location in 2A. Creating a secondary ditch along Hornsby Street.
- 3A: Regional ponding system (three large ponds). Moving ACD 15 west to abut Hornsby Street. Eliminates the need for a secondary ditch.

Postler noted that the previous City Council narrowed these options down to 1B and 3A. He said that decisions do not need to be made at this meeting but should be made soon so that cost estimates can be calculated. At this time Postler asked the Council for questions and direction.

Duraine asked how the individual property owners feel about these options? Postler replied that a public meeting has not been held, so that type of feedback has not been received. He said that a public meeting could be added as a part of the process.

Public Works Superintendent Jim Windingstad asked Postler how the City's water line would fit into these scenarios? Postler replied that they are still working through those details but have considered the possibility of placing the water line east of the ditch.

Hegland asked what logic the previous Council used to choose 1B and 3A? Postler replied that the biggest factor was maintaining as much high ground as possible, and their choices move the ditch through wetlands rather than high ground. Postler continued to say that cost was a factor in the decision, but a detailed cost analysis has not yet been completed. It was assumed that 1A, 2A, and 2B would be the most expensive options.

Hegland asked if all five options equally accomplish the same goal? Postler replied that they do.

Duraine expressed his concern that property owners will be against being assessed for this project. Postler replied that if the City does not pursue this regional ponding plan each developer will be responsible for building their own pond. In such a scenario, developers end up losing more developable land due to ponding than they would with a regional plan. Postler added that a public meeting can be held once information on cost is gathered. Mayor Preiner suggested the Council wait until their next meeting to narrow down the options for the purposes of organizing a neighborhood meeting.

MnDOT I-35 and TH97 Project

Postler continued to provide an update on MnDOT's I-35 and TH 97 Project. The north half of the project is complete; however they still have to complete a new ramp at Highway 8 this year. Once that is completed the second half of the diverging diamond interchange will be constructed.

Postler continued to say that this year there will be ramp closures to TH 97. The contractor can close the ramps for a maximum of 40 days. Postler said he is working with MnDOT and the contractor to try and ensure that a south bound ramp will always remain open. It is anticipated that 2019 will bring a lot of traffic and congestion to I-35, as well as increased traffic on Lake Drive and Kettle River Blvd.

Hornsby Street Realignment Project

Postler finished by reporting that the Hornsby Street realignment will involve a full intersection with two through lanes at Hornsby Street and TH 97. Construction of this intersection will likely happen in the August – November timeframe.

Mursko reported that at the May City Council workshop meeting Tammy Omdal will present a financial analysis of different options for reconstructing Hornsby Street south of TH 97.

12. Attorney report

Griffith approached the Council to ask for direction on the Lakner's Woodland Pond subdivision off Zodiac Street. As background, he noted that there is a developer's agreement with the subdivision that calls for an escrow of \$15,000 to be used for the required improvement of the road. However, the Lakners have stated that they are unable to pay for the escrow.

City Staff are presenting an alternative in the form of a waiver. At this point, the Lakners signed the development agreement requiring \$15,000 in escrow. The waiver would eliminate the required escrow for one of the lots, in the amount of \$7,500. It would therefore require the

remaining \$7,500 to be escrowed and then returned to whomever owns the lot in 10 years or used for a road improvement project if Zodiac is improved within 10 years. Lastly, this agreement would eliminate the ability for the Lakners to vote no on a petition to improve Zodiac Street. Griffith commented that this agreement would give the Lakner's some relief while ensuring the City has some financial security.

Hegland asked when the 10-year period would start? Mursko said it would not start until the waiver is approved. Hegland followed up by asking if the escrow on the new lot would be attributed to the buyers or sellers? Mursko said that the escrow money would go to whoever owns the lot in 10 years (assuming the road is not improved).

Logren said that she is uncomfortable granting the waiver because she does not agree with the premise of taking money up front for assessments. She is comfortable with the process when it involves a large developer, but not when it is a single family. Griffith replied that the City tries to be consistent with subdivisions of all sizes. Certain techniques, such as a waiver, can be used to provide relief for smaller subdivisions. If the Council prefers not to require assessment money up front for small subdivisions, there needs to be clear justification for it. That is a policy question for the Council to work through. Mursko added that currently the code requires all new subdivisions take access from an improved road.

Griffith said if there is consensus to grant the waiver, an amendment will be drafted and brought forward for consideration. Hegland said that she thinks this topic should be readdressed from a policy standpoint but believes that the waiver is a reasonable solution at this time. The Council agreed.

13. Mayor and Council Members Report

Council Member Logren

No report.

Council Member Peterson

No report.

Council Member Hegland

Hegland reported that she and Logren attended the most recent Sunrise River Watershed Management Organization's meeting. She said that Mursko will be receiving a draft of the organization's plan and budget.

Mayor Preiner

Mayor Preiner said that he will be attending a Fire Board meeting in Forest Lake on 03.14.19.

Mayor Preiner added that he recently received an email from a resident about problems with

internet coverage in the City. Mursko noted that there are only two internet providers in Columbus. For those providers, deciding to extend service is strictly a business decision for them, the City does not have the ability to require the extension of service. She added that because homes in Columbus are so far apart it is not a smart financial decision for those businesses to extend coverage. In the past she has heard of agreements where, if a resident agrees to fund the extension costs and to enter into a contract for a certain number of years, the internet provider agreed to extend service.

Council Member Duraine

Duraine reported that the Forest Lake Cable Commission met today, and they hired a new sports announcer. He added that they are going to start offering a media productions class at the High School. Duraine finished by saying that Midco will be attending a Cable Commission meeting on 05.08.19.

14. Public Works Report

Public Works Superintendent Jim Windingstad reported that based on feedback at the March workshop regarding 135th Avenue NE and Humber Street, he drove to the Garage Solutions location to see about the likelihood of putting a driveway in at the very south end of the property. He found that in the area there is a septic system, alternate septic system, and a retention pond so it does not seem likely that a driveway could be placed there. He offered to take Council Members to the area to discuss after the snow melts.

15. Public Communications Coordinator Report

Public Communications Coordinator Jessica Hughes reported that MnDOT is holding an open house to provide information about the TH 97 bridge project to the public on 03.19.19 from 4:00 p.m. – 6:00 p.m. in Columbus' City Hall.

16. City Administrator's Report

City Council Workshop Meeting Schedule

Mursko reported that after the 04.03.19 meeting the Council's monthly workshops will be moved to the fourth Wednesday of the month, at the same time. Accordingly, Mursko presented the Council with a revised schedule.

Motion by Duraine to approve the updated City Council workshop meeting schedule. Seconded by Logren. Motion carried unanimously.

City Planner Position

Mursko is in the process of hiring a new City Planner. She spoke with Interim City Planner Haila Maze to get recommendations for the best approach. Maze's recommendation was to hire someone with limited experience as a Planning Technician, as well as someone who can act as a mentor to the Planning Tech. In this way the mentor would work as a contractor, only stepping

in to help with complex applications. Mursko has redrafted the job description and ad to reflect this recommendation. She asked for a motion to advertise the position as such.

Duraine asked how many cities with a population under 5,000 have their own City Planners? Maze informed Mursko that there is no standard way to fulfill a City's planning needs, and she has seen a variety of approaches. Mursko added that whatever the approach, the person needs to have a land use background.

Mayor Preiner asked what would happen if the City does not receive any qualified applicants? Mursko replied that she would go out for RFPs for the Planning Tech and ask professional services to present proposals to the Council for the Planning Mentor.

Logren asked if Mursko anticipates this proposal producing similar results to what the previous City Planner, Dean Johnson, was able to do? Mursko replied that the City will have to pay the Planning Mentor more than they were paying Johnson. She added that while working with Johnson, she had to do roughly half of the work on applications. Whereas this proposal delegates 24 hours of that work to the Planning Technician. Mursko continued to say that edits to the Fee Schedule may have to be made to cover Planning costs. For example, if the application requires the assistance of the Planning Mentor, the escrow amount could be greater. Griffith echoed Mursko's point, saying that some cities have gradient in their fee schedules to handle certain applications.

Hegland suggested that Mursko amend the application to say that 1-3 years of experience is preferred rather than mandatory. She also suggested that the ad include information about the opportunity to work with a more experienced Planner. Mursko and the remaining Council Members agreed these changes should be added.

Motion by Hegland to accept the recommendation to post the job position as City Planning Technician, amended as discussed above. Seconded by Duraine. Motion carried unanimously.

Human Resources Report

Mursko reported that she has been anticipating expanding the hours of the Deputy Treasurer position at the City. Since Deputy Treasurer Bill Werner was hired, the position has been gradually expanding to include additional tasks. At this time, hours for the position need to be expanded for Mursko to delegate tasks that she had been responsible for while the Deputy Treasurer position was unfilled. This would increase Werner's hours from 26 to 31 per week. She noted that the increase in hours is already included in the City's budget.

Logren asked how benefits work for this position? Mursko replied that all benefits are prorated, except for health care. To be eligible for health benefits an employee must work over 30 hours per week, so this increase would add eligibility for health benefits.

Motion by Hegland to approve the increase in hours from 26 to 31 per week for the City's Deputy Treasurer position. Seconded by Logren. Motion carried unanimously.

Treasurer's Report

Receipts:	\$	0.00
Disbursements:	\$	83,836.25
Balance:	\$	9,021,543.71

E. ANNOUNCEMENTS & REMINDERS

17. Calendar of Meetings.

The next Planning Commission meeting is on 03.20.19 at 7:00 p.m.

The next City Council meeting is on 03.27.19 at 7:00 p.m.

The next City Council workshop is on 04.03.19 from 4:00 p.m. to 6:00 p.m. The following City Council workshop will be held on 05.22.19 from 4:00 p.m. to 6:00 p.m.

The Local Board of Appeal and Equalization meeting is on 04.23.19 at 7:00 p.m.

F. ADJOURNMENT

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

Meeting adjourned at 9:03 p.m.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator