

City of Columbus
Regular City Council Meeting
03.14.18

The 03.14.18 meeting of the City of Columbus City Council was called to order at 7:04 p.m. by Deputy Mayor Jeff Duraine at the City Hall. Present were Council Members Bill Krebs, and Denny Peterson; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, and Public Communications Coordinator Jessica Hughes.

Also in attendance were: Janet Hegland, Tom Olson, Kris King, Paul Peskar, Dan Mike, Rachel Shepardson, Aaron Bedessem, Tom Lakner, Barb Bobick, Jim Watson, 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 02.14.18**
- ~~**4. Motion – Approval of the City Council Meeting Minutes 02.28.18 –**~~
- 5. Motion – Agenda Approval with Additions**
- 6. Motion – Pay Bills as Posted**
- 7. Motion – CPTO Application to Conduct Excluded Bingo at 17345 Notre Dame**

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

C. PRESENTATIONS

8. Public Hearing & Discussion – North Metro Harness Initiative Liquor License at 15201 Zurich Street

The City of Columbus received a liquor license application for North Metro Harness Initiative LLC (dba Running Aces Harness Park [RAHP]) for the renewal of its on-sale retail intoxicating liquor license for the restaurant, card room, patio, fenced grassy areas, and trout pond. There are also preliminary plans for a subdivision of the RAHP property and construction of a new hotel attached to the existing RAHP facility. The preliminary plans will result in significant modifications to the licensed premises. Based on the scope of the proposed modifications, City Staff anticipate that RAHP's license will likely require modification or amendment in the coming year. They also anticipate that the proposed hotel will require its own liquor license, which is distinct and separate from RAHP's current liquor license.

Krebs commented on an underage drinking infraction that occurred at Running Aces, and asked the representatives about the type of training they are doing for liquor sales? Shepardson replied that they do quarterly training with all staff that handle liquor, as well as additional training throughout the year with new hires and current staff to ensure compliance with their license.

Daly asked about RAHP extending their hours from 1:00 am to 2:00 am, and if they have seen any increase in police activity since then? Mursko said that she spoke with the City's Criminal

Prosecutor Joe Murphy who said that he has not noticed an increase in activity, and the number of incidents with police at RAHP has been relatively steady through the years.

Motion by Daly to approve the liquor license application for North Metro Harness Initiative, LLC for 2018 for the premise at 15201 Zurich Street as shown on the submitted site plan, subject to the conditions contained in the Attorney's report and attached to the license. Seconded by Krebs. Motion carried unanimously.

9. Planning Commission Report

Planning Commission Member Jim Watson came forward to give the Planning Commission report. He reported on a preliminary plat for Lakner's Woodland Ponds, and the City's Comprehensive Plan update.

Lakner's Woodland Ponds Preliminary Plat

This Preliminary Plat application is to split one (1) lot into two (2) lots of roughly 13 and 6.5 acres. Watson reported that two people testified during the Public Hearing, and the Preliminary Plat is being recommended unanimously for approval.

The first testimony was from the neighbor to the south of the proposed subdivision. She is concerned about two things; the view from their window being obstructed by a new home, and that her neighbor's new driveway could cause flooding on her's. Watson reported that the Lakner's have gotten all approvals to put the new driveway where it is located on the preliminary plat. Krebs asked if the required culvert for the new driveway will take care of any potential flooding? Mursko replied that typically the culvert is located in the street's right-of-way, which is west of where water would flow over her driveway. Daly and Krebs discussed requiring an additional culvert in the conditions of approval, which would be located west of the culvert in the right-of-way. Mursko added that City Engineer Dennis Postler can review elevations and water flow to determine the best location for the culvert.

The second testimony received was from a neighbor who was concerned that additional development in the area will worsen telephone service. Because CenturyLink's lines are aging, additional water in the neighborhood can cause disruptions in service. Mursko said that she will call CenturyLink and put in a work order to have the lines in the area updated.

Motion by Daly to approve PC-18-105, the Lakner's Woodland Ponds Preliminary Plat (dated 01.18.18) based on Findings of Fact and subject to Conditions 1-9 in the Planner's Memo (dated 03.02.18), with the additional condition #10; adding a second culvert on the driveway based on City Engineer recommendations. Seconded by Krebs. Motion carried unanimously.

Lakner's Woodland Ponds Preliminary Plat Findings of Fact:

1. The preliminary plat application was found complete for review on January 23, 2018.
2. The 120-day preliminary plat review deadline is May 23, 2018.

3. There are a total of 19.92 acres in the proposed plat, located at 15554 Zodiac Street NE, on property legally described as the South Half of the Northeast Quarter of the Northeast Quarter of Section 20, Township 32, Range 22.
4. The property is zoned RR Rural Residential.
5. Two residential lots are proposed. There is one existing dwelling on the proposed northerly 12.96-acre lot (Lot 1, Block 1).
6. The proposed southerly lot (Lot 2, Block 1) is 6.46 acres in size and includes adequate areas for a future home, accessory building and SSTS area.
7. The density of the proposed development is one home per 9.96 acres, which is consistent with the Comprehensive Plan and Zoning Ordinance.
8. Both proposed lots exceed the minimum lot area of 5.0 acres and exceed the minimum street frontage of 220 feet. All other dimensional standards and setback requirements are met.
9. Wetland delineations have been accepted by Rice Creek Watershed District and are noted on the preliminary plat.
10. The proposed plat is not affected by the shoreland overlay district.
11. There are no floodplain elevations noted on the plat.
12. The wetland areas are protected with drainage and utility easements at least one rod beyond the delineated wetland boundaries. Drainage and utility easements are also located adjacent to all property lines.
13. A wetland buffer vegetation management plan may be required by Rice Creek Watershed District (25' minimum and 50' average wetland buffers).
14. Driveway access permits are subject to City approval. This segment of Zodiac Street NE is unimproved.
15. Subsequent NPDES II permits will be required for any individual site grading that exceeds one acre.
16. The Planning Commission held a public hearing on the Lakners Woodland Ponds Preliminary Plat on March 7, 2018.

Lakner's Woodland Ponds Recommendations for Approval:

1. Recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. A gravel road improvement escrow payment or development contract.
4. Addition of floodplain elevations on the plat.
5. Recommendations of the Anoka County Survey Department.
6. Recommendations of the Rice Creek Watershed District.
7. Permanent wetland buffer plaques at intervals determined by the City.
8. Cash in lieu of park land dedication requirements.
9. Subsequent NPDES II permit(s) for any individual site grading that exceeds one acre.

10. A second driveway culvert shall be installed based on City Engineer recommendations when the driveway is constructed on the property.

Comprehensive Plan Update

Watson continued to report on a Comprehensive Plan update from City Planner Dean Johnson. Johnson has a rough draft of the update completed, which does not include an increase in the minimum density for the City. The update will also leave the Suburban Residential overlay in the SE Freeway District quadrant, as long as the Met Council says that is acceptable. Watson added that closer to the Hwy 97/I 35 interchange there will be high density retail, entertainment, and office businesses. Johnson's recommendation for the Northwest quadrant is mixed residential and commercial, while keeping the areas west of Zurich street along Lake Drive strictly residential.

The Comprehensive Plan update must be submitted by the end of May. The Planning Commission is recommending holding the Public Hearing on April 18th, to ensure its timely completion. After the update is submitted, various entities will have a six (6) month review period to make final comments, and then the City is able to adopt a final version.

At this time the Council Members asked questions and made comments on the Freeway District zoning. Daly said that he was thinking about extending the Light Industrial (LI) district on the east side of I 35 north to the Gander Outdoors property. He said that he has heard from a number of people in that area that it has been difficult to sell their property because of the underlying Commercial Showroom (CS) zoning. Krebs agreed that he thinks that the LI district on the west side of the freeway should be expanded north to Gander Outdoors. Krebs also commented that the LI district on the east side of the freeway could possibly be extended north, because he has heard businesses in that CS district are also struggling. City Attorney Bill Griffith replied that having the opinions of businesses in the CS district in writing could be useful for the Planning Commission as they are considering the Comprehensive Plan update. Griffith continued to say that input from the Council will be considered by the Planning Commission as they make final changes to the update and prepare for a Public Hearing.

10. Public Open Forum

Dan Mike – 15123 Hornsby Street NE

Mike wanted to follow up after Watson's Planning Commission report with some comments on zoning. He said that he believes changing the Community Retail (CR) zoning to LI would provide more opportunity for the area. Mursko noted that the recommendation from the McCombs study completed in 2015 was to decrease the amount of CR zoning in the City. Daly said that he would prefer not to have the Light Industrial district begin so close to the Hornsby Street and Hwy 97 intersection. Krebs asked about what type of business would fit in the CS district on the east side of the freeway? Mursko said that the original idea was for something like a big box store, but that is not the trend anymore. She continued to say that whatever is developed on that land should take advantage of the high visibility from the freeway that the area offers. Krebs then asked if the Planning Commission could add an overlay to that district in an effort to offer more variety to developers? Griffith replied that they could do a type of hybrid

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district, but likely would not be able to do an overlay there. He continued to say that the overlays are only allowable on the fringes of certain districts, to allow a smooth transition from residential to commercial. Griffith added that the Planning Commission will take comments from Mike into consideration at a future meeting, but also encouraged him to submit his opinions in writing and speak at the Public Hearing.

11. Information – 2017 Legislature Letter CSAH 23 Project Funding

Griffith presented a letter from the Legislature regarding funding for the CSAH 23, CSAH 54, and Hornsby Street realignment projects. The letter reaffirms the intended language in the bill was to allow Anoka County to “utilize the proceeds of the grant for design, engineering, land acquisitions and construction”. The Legislature will work with the Minnesota Department of Management and Budget (MMB) to draft and enact clarifying language that unequivocally authorizes Anoka County to utilize the \$9,000,000 grant for project costs associate with design, engineering, land acquisition, and construction.

D. STAFF AND CONSULTANT REPORTS

12. Engineer Report

Mursko gave the Engineer’s report on behalf of City Engineer Dennis Postler.

Intergovernmental Agreement for ACD 15 Regional Storm Water Management Plan

The first topic was the Intergovernmental Agreement for the ACD 15 Regional Storm Water Management Plan, which will be used to identify options for potential regional ponding and public drainage system locations in the I 35/ TH 97 southeast quadrant location. Mursko is recommending approval of the Agreement from the Council. She also noted that the Rice Creek Watershed District is committing \$19,000 to the overall project (which was estimated at \$44,500).

Motion by Daly to approve the Intergovernmental Agreement between the Rice Creek Watershed District and the City of Columbus for the ACD 15 Regional Storm Water Management Plan (Project 2018-4). Seconded by Krebs. Motion carried unanimously.

Resolution Ordering Preparation of Report on Sewer and Water Improvement

The second topic raised was a Resolution ordering the preparation of report on sewer and water improvements in the southeast portion of the City. A Development Agreement has been drafted between the City of Columbus and Bituminous Roadways, Inc. to construct an asphalt production facility in that area, and public sanitary sewer and water main do not exist immediately adjacent to their property. The Development Agreement stated that the utilities shall be extended this calendar year, and that Bituminous Roadways, Inc. must connect to utilities as part of the site improvements. This resolution authorizes City Engineer Dennis Postler to prepare a report on the improvement.

Motion by Krebs to approve Resolution 18-07, a resolution ordering the preparation of a

report to extend utilities (sewer and water) from approximately 600' north of I-35W to Bituminous Roadways' southerly access off W. Freeway Drive (Project 2018-1). Seconded by Daly. Motion carried unanimously.

MnDOT Letter 2018 Projects Corridors of Commerce Program

Lastly was a letter from MnDOT regarding projects to be considered for their 2018 Corridors of Commerce program. MnDOT will be awarding \$400 million to selected projects across the state, and there are two projects being considered in the City of Columbus. Mursko is looking for a Resolution of support for the projects, as MnDOT will favor projects which have such a resolution from the applicable municipalities.

The first project would be to expand TH 97 from two (2) to four (4) lanes, from I 35 to Hwy 61 in Forest Lake. Krebs expressed his support for this project, and Daly agreed, adding that it would be a good way to deal with the exorbitant amount of traffic in that area.

The second project is a dedicated lane on I 35 to exit onto Hwy 97. Council Members all agreed they would support this project as well. Griffith said that he would draft a Resolution of support and bring it to the next City Council meeting for approval.

13. Attorney Report

Griffith reported on a letter sent on behalf of Deputy Mayor Duraine to Mr. Tom Landwehr, the DNR's Commissioner, regarding the Sanctuary at Howard Lake development. The letter is advocating for the Commissioner to get involved with the DNR's threat of an appeal, and ask questions within the Department. The goal of the letter is to ideally avoid conflict with the DNR on the development of the Sanctuary of Howard Lake.

Motion by Daly to approve and send a letter to Mr. Tom Landwehr, Commissioner of the Minnesota DNR asking for further consideration of the DNR's threat of an appeal. Seconded by Krebs. Motion carried unanimously.

14. Mayor and City Council Member's Report

Council Member Krebs

Council Member Krebs read an article recently discussing the bridge project, and the author of the article mistakenly said that the project was in Forest Lake. He added that hopefully having "Columbus" written in the bridge will help educate the public that exit 129 is in Columbus.

Council Member Duraine

Council Member Duraine attended the most recent Cable Commission meeting. He reported that representatives from MidCo attended the meeting as well. They said that overall the number of cable subscribers in Columbus are remaining the same while the number of internet subscribers are increasing slightly. MidCo also clarified that in order to run new cable cost effectively, they need at least 25 homes per mile.

Also at the Cable Commission meeting, they discussed audio and visual updates to the Columbus City Hall. The most recent bid for updates came back from Tierney Brothers at \$64,000. He said that the Commission is exploring ideas to decrease the cost, including a possible cost-sharing agreement.

Council Member Daly

No report.

15. Public Works Report

No report.

16. Public Communications Coordinator Report

No report.

17. City Administrator's Report

No report.

E. ANNOUNCEMENTS & REMINDERS

18. Calendar of Meetings

The next Planning Commission meeting is cancelled. However, Mursko added that City Staff are gearing up for a busy spring with new projects such as the hotel at Running Aces Harness Park. Krebs asked Mursko if the City's Building Official Leon Ohman will be needing help on the hotel? Mursko replied that he will, and they are working on bringing in some people with specialized expertise to help. Duraine ask how many rooms the hotel will have? Mursko replied that the plan is for 116 rooms, five (5) floors, with the first floor being all banquet rooms and a restaurant.

F. ADJOURNMENT

Motion by Daly to adjourn. Seconded by Krebs. Motion carried unanimously.

Meeting adjourned at 7:59 p.m.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator