

**City of Columbus
Regular City Council Meeting
05.09.18**

The 05.09.18 meeting of the City of Columbus City Council was called to order at 7:02 p.m. by Mayor Dave Povolny at the City Hall. Present were Council Members Bill Krebs, Jeff Duraine, 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: Terry Pittman, Tom Lakner, Kent Peterson, Kris King, Paul Peskar, Shelly & Arlen Logren, John Seibert, Myron Angel, Janet Hegland, and Julia Parent (Forest Lake Times).

A. CITY COUNCIL REGULAR MEETING

- 1. Call to Order - Regular Meeting – 7:02 P.M.**
- 2. Pledge of Allegiance**

B. CONSENT AGENDA

- 3. Motion – Approval of the City Council Meeting Minutes 03.14.18**
- 4. ~~Motion – Approval of the City Council Meeting Minutes 03.28.18~~**
- 5. Motion – Agenda Approval with Additions**
- 6. Motion – Pay Bills as Posted**

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

C. PRESENTATIONS

7. Planning Commission Report

Garth Sternberg presented the Planning Commission report from their 05.02.18 meeting.

Housekeeping Ordinance

At the 05.02.18 meeting the Planning Commission considered Ordinance 18-01, an ordinance amending Chapter 4, Chapter 7A, Chapter 9, and Chapter 14 of the Columbus City Code. This ordinance made general housekeeping updates.

Motion by Peterson to approve Ordinance 18-01, an ordinance amending Chapter 4, Chapter 7A, Chapter 9, and Chapter 14 of the Columbus Code of Ordinances. Seconded by Daly. Motion carried unanimously.

6502 W Broadway Ave Variance Request

Also at their 05.02.18 meeting, the Planning Commission held a Public Hearing for a variance at 6502 W. Broadway Avenue. The variance request was for the location of a septic system. Krebs reported that the majority of Council Members went and toured the site, and they all agree that the property is in disarray. Krebs added that there should be conditions attached to the Variance

which address the state of the property and require clean up.

Mursko clarified a few items regarding the application. She said that she has not spoken with the buyer, and it was the buyer's agent who applied for the variance. The people who currently own the property are living in a nursing home in northern Minnesota. Mursko has heard that the new buyer wants to demolish the most damaged parts of the home and rebuild it up to code. She added that there is an issue with the driveway, which the buyer's agent was not aware of. The best thing for this application would be for the buyer to attend a meeting to discuss and answer questions regarding the site.

City Attorney Bill Griffith pointed out the second question on the variance checklist, asking whether there is a reasonable use without the variance. The Planning Commission is tasked with answering that question, and the future of the property depends on the answer. By not approving the variance, the City is deeming the property unbuildable. This is because the type of septic system being applied for is only granted when it is the absolute only option. By not passing the variance, the City would be saying there is no option for a septic system, and therefore cannot be developed.

Sternberg and Krebs both agreed after visiting the property that it seems like there is at least one (1) other location that the septic system could be placed. However, the property still needs significant work to clean up.

Griffith said that the Planning Commission can add conditions to the variance regarding buildability and making the property habitable. Sternberg agreed to take the direction back to the Planning Commission for further consideration.

8. Public Open Forum

Paul Pederson – Lakes Area Television

Pederson came forward to discuss audio/visual updates to the Columbus City Council Chambers. He said that he approved an estimate for a camera system just before tonight's meeting. He added that the camera system will have a remote-control and separate audio control for different microphones, but no captioning. With that, Pederson distributed copies of the estimate for the Council to consider.

Pederson continued to discuss the details of the estimate. There are three (3) cameras included: two (2) in the back of the room and one (1) facing the table from the front. In addition, there will be 11 new microphones installed with digital touch control. Pederson added that the original concept was to have four (4) cameras; three (3) in the back and one (1) facing the table from the front, but Duraine advised him against this during the Cable Commission meeting. The fourth camera would be used for close ups when Council Members have back and forth conversation. Duraine said that he suggested three (3) cameras because that is all Forest Lake has. Mayor Povolny said that he would prefer to have all four (4) cameras installed.

Mayor Povolny asked if the audio will be stored on an SD card? Pederson replied that the audio could be stored on either an SD card or could be stored on the City's server.

Mayor Povolny also asked about TVs being added to the Chambers? Pederson said that they are not included in the estimate, but the system would be compatible with TVs. Mayor Povolny followed up by asking if there will be online streaming capabilities? Pederson replied that there would be, and that Midco has already confirmed with him that analog capability is already installed. Mayor Povolny said he thought that the City had fiber? Mursko said no, the City only has analog. Pederson said that the only benefit that digital would bring is the ability to choose a different signal to stream the video on. However, he added that Forest Lake has the same analog system, and thus if both cities have a meeting at the same time it would be first come first serve to utilize the signal for streaming.

Daly asked if the new system includes captioning? Pederson said that he has not looked into captioning, mostly because YouTube (where the City Council meeting recordings are published) can do automatic captioning. Mayor Povolny asked if they are able to put graphics on the videos which state the date and City of the meeting being played? Pederson said that they are already able to add graphics to the videos, however he is looking into purchasing a new computer that would make the process of updating graphics easier. Mursko said that Forest Lake's videos give viewers the ability to jump to bookmarked sections of the meeting, and asked if the updates for Columbus include this ability? Pederson said it does not, and Forest Lake has to have a separate subscription for this capability.

Duraine asked if the quote includes installation? Pederson replied that it does not include installation, however he was given a rough estimate of \$1,400 to do the installation. He added that the current idea is to put all equipment in the same room that it is located now. They would use the existing rack, and move some shelving over to set up a table with a control panel.

Mayor Povolny asked if they are looking to install new speakers? Pederson replied that they are not, and the current speakers seem to be in good shape.

Mursko asked if the City is paying for half of the cost for microphones? Pederson said that he will be covering the cost for microphones because the process has taken much longer than was expected.

With that, Pederson said that the start date for installation is June 29, pending Council approval. Mayor Povolny clarified that he would like to have the company who did the quote install the system. He added that he would like Pederson to consider some type of captioning service for the videos. Pederson said that he would consider both of those items.

Motion by Duraine to approve the installation of audio and visual system for the City Council Chambers, with the microphones being purchased by the FLCC and the TV monitors being purchased by the City of Columbus. Seconded by Peterson. Motion carried unanimously.

Duraine asked Pederson to discuss his work with the High School. Pederson replied that one of his goals was to partner with the High School, and they have come up with a plan to create a studio there for Lakes Area Television to operate in. The studio would serve as a space for daily announcements, classes, and a place for students to gather. Pederson is also actively working on

his “We Are Rangers” program within the school, which is a platform to promote diversity and unity between students. Mayor Povolny asked if they will keep their headquarters at the Forest Lake Senior Center? Pederson replied that they will be.

7511 North Shore Circle N, Forest Lake, 55025 – Terry Pittman

Pittman came in to discuss a car accident that occurred in the City of Columbus. His parents were involved in a crash at the intersection of Camp Three Road and Kettle River Blvd on 04.01.18. Pittman added that two (2) hours before his parents’ crash, there was another crash at the same intersection. He continued to say that his parents drove into a vehicle traveling south on Kettle River Blvd, which they did not see.

The main reason he came forward today is because the Anoka County Deputy at the site of the crash issued citations to his mother. He believes the citation was frivolous and something needs to be done about the intersection to prevent further accidents. Pittman suggested adding signage on Kettle River Blvd, saying something like “blind intersection ahead”, because people who don’t live in the area may not realize there is an intersection coming up.

In terms of the citation, Pittman is also hoping that there can be a way to forgive his mother for the accident. He feels like the fine was unwarranted and that the Criminal Prosecutor for the City was unhelpful and unforgiving. Mayor Povolny asked who the prosecutor is that Pittman is referencing? Pittman said that her name was Dawn, and it was his understanding that she is the new prosecutor for the City of Columbus. Mayor Povolny said that the City’s Criminal Prosecutor is Joe Murphy, and he is not aware of who Dawn is. City Attorney Bill Griffith said that oftentimes attorneys will have an agreement with another law firm to provide services in the absence of the main attorney.

Mayor Povolny thanked Pittman bringing his concerns to Public Open Forum. He added that Columbus is working with Anoka County to address the issues with that intersection.

9. Lakners Woodland Ponds Request – 15554 Zodiac Street NE

Mursko started by saying that a few months ago the Lakners submitted a Preliminary Plat for a subdivision creating one (1) lot. In their case, the Right of Way within their plat goes to the middle of the road. At this time, City ordinances indicate that if Right of Way is within the subdivision, the developer must improve it as part of the subdivision process or they can place \$15,000 in escrow for the possibility of any road work to be completed in the next ten (10) years.

The Lakner’s have indicated that they do not have the ability to put the money in escrow at this time, and were wondering if the City was willing to work with them and allow payment to be made once the property is sold. City Attorney Bill Griffith said that Columbus has done this in the past to assist with a hardship that a citizen has. Tom Lakner asked how the process of drawing up the agreement works? Griffith said that his office will draft the agreement and Lakner will be charged for the cost.

Motion by Daly to enter into a deferred escrow agreement with Tom and Mary Lakner of 15554 Zodiac Street NE for the road improvement on Zodiac Street NE. Seconded by

Krebs. Motion carried unanimously.

10. Washington County 2040 Plan

Washington County is working on updating their 2040 Comprehensive Plan. It is currently in the review phase, where surrounding communities and the public are given an opportunity to comment on the plan. Mayor Povolny suggested that Columbus make a comment on where they believe a new interchange on I-35E should be located. Washington County, Hugo, and Lino Lakes have an interchange located at 170th Street N (known as 80th Street E in Lino Lakes) and I-35E in their Comprehensive Plans. Mayor Povolny believes that locating the interchange further north at 180th Street N and I-35E is the better option. This is because the road does not go all the way through to I-35E, and it could bring new development with it. Mursko said that she spoke briefly with the Rice Creek Watershed District about adding an interchange at 180th Street N, and they said that they are concerned about the number of wetlands in that area, but would need a full feasibility report to make official comments on such a proposal.

Duraine asked if the interchange Mayor Povolny is suggesting is located at CSAH 54 and the freeway? Mayor Povolny said that his proposal would be to have an exit ramp onto CSAH 54 when traveling north on I-35W, and an entrance ramp to I-35W when traveling south on CSAH 54. In addition, there would be a full interchange at I-35E and 180th Street N.

Peterson said that he is more in favor of locating an interchange at 170th Street N than 180th Street N. He would support making a comment on the location of the interchange, so long as 170th Street N is still listed as a potential option. Krebs agreed with Peterson.

Motion by Mayor Povolny to comment on Washington County's Comprehensive Plan that the City of Columbus is supportive of considering interchanges at both 170th Street N and 180th Street N, with 180th Street N being the first choice. Seconded by Krebs. Motion carried unanimously.

D. STAFF AND CONSULTANT REPORTS

11. Engineer Report

Resolution Ordering NE Quad

City Engineer Dennis Postler presented a feasibility report to extend City utilities to the northeast quadrant of the Hwy 23 and I-35 intersection. The feasibility report will be approved through the resolution process because it will be assessed to a future developer in the area.

Motion by Daly to approve Resolution 18-13, a resolution ordering the preparation of report on improvement for public sewer and water in the NE Quad 35 area. Seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Povolny – aye; Duraine – nay; Krebs – aye. Motion carried.

Update – I-35/TH 97/Hornsby Street Projects

Postler gave a report on the I 35, TH 97, and Hornsby Street projects. It was recently determined that the traffic signal at Hornsby Street and TH 97 would be incorporated into the Hornsby Street realignment project. East of that intersection, to the Forest Lake border, will also be lane improvements to TH 97. Per conversation with the City Council, Hornsby Street north of TH 97 will be closed starting May 21. Mayor Povolny commented that he disagrees with closing Hornsby Street. Postler explained that there are a number of reasons for closing the street, such as: Shafer's batch plant sending 400 truck trips per day and creating more maintenance on a road that will be replaced soon, in addition, the utilities project in that quad of land will require tearing up the street.

Mayor Povolny then turned the Council's attention to traffic flow due to construction on I-35. Many people are now getting off the freeway at Hwy 23 and I-35W to access Columbus, creating more traffic on Kettle River Blvd. Mayor Povolny is concerned that this added traffic will make the intersection of Kettle River Blvd and Camp Three Road even more dangerous. He believes something needs to be done to straighten out the approach in that intersection. Daly asked why the Council does not consider closing the short stretch of Camp Three Road? Mayor Povolny said it would add more traffic to the intersection of Kettle River Blvd and Lake Drive. Mursko said that she spoke with Anoka County to discuss the long-term plan for that intersection. Their suggestion is to close the short section of Camp Three Road and put a roundabout in at Kettle River Blvd and Lake Drive.

Mayor Povolny asked if it would be possible to do a simple modification which would force drivers to pull up to the intersection at a perpendicular angle? Postler replied that he would be willing to explore options for this. He added that MnDOT had a funding source for roadways which are adjacent to the design build project which may be impacted by it. Mayor Povolny said that approaching MnDOT regarding this issue is a good idea.

Postler said that clearing some foliage at the intersection of Kettle River Blvd and Camp Three Road could also be helpful. Mursko replied that Public Works Superintendent Jim Windingstad will be clearing foliage from the Right of Way on Camp Three Road, and Anoka County will be doing the same along Kettle River Blvd.

12. Attorney's Report

Bituminous Roadways Development Agreement

Griffith presented the Development Agreement for the Bituminous Roadways facility. The tax information to be added to the agreement was:

City Service Charge (based on two [2] SAC):	\$886
City Water Availability Charge:	\$221,900
Met Council Service Availability Charge (SAC)	\$4,970
Total:	\$227,756

With the addition of that information, the Agreement is complete. Griffith noted that the parkland dedication fee is not applicable in this instance because they are combining lots. To finish he said that the City is working with the Developer to finalize the exhibits in the

Agreement.

Motion by Krebs to approve the Bituminous Roadways Development Agreement. Seconded by Peterson. Motion carried unanimously.

Aces Hotel Development Agreement

Next the Aces Hotel Development Agreement was presented. The biggest change to the agreement was the decision to remove the surety for improvements because there will not be any public improvements to the property. There were also some changes in stormwater ponding which still need to be approved by the Rice Creek Watershed District.

Motion to approve the Aces Hotel Development Agreement, with the ability for City Staff the complete the agreement with exhibits and make non-subjective changes, by Peterson. Seconded by Krebs. motion carried unanimously.

DNR Letter

At the 03.14.18 meeting, the Council voted to write a letter to the DNR asking them to reconsider their stance on the Sanctuary at Howard Lake variance. The result of the Council's letter was a 30-day stipulation to schedule a meeting with all parties involved (DNR, Developer, and City Staff) to see if small changes to the project could result in a compromise acceptable for all. Griffith will be having this meeting this on Friday 05.11.18. Mayor Povolny asked if the Director of the DNR will be there? Griffith said that he likely won't, and will send his general counsel in his absence.

Daly clarified that the DNR's setback requirement from the Ordinary High-Water Level (OHWL) is 150 feet. Griffith replied that Howard Lake may be the only natural environment lake in the seven (7) county metro area where there is sewer and water available. As such, City Staff explained to the DNR that the City's desire to develop where public utilities are available is directly in conflict with DNR rules regarding natural environment lakes. In addition the City has pressure from the Met Council to build high density in the public utilities district.

13. Mayor and Council Members Report

Council Member Krebs

No report.

Council Member Peterson

Council Member Peterson reported that on May 24th from 6:30 to 8:00 pm the Sunrise River Watershed Management Organization (SRWMO) is holding a public meeting to get input on updates to their Watershed Management Plan. As part of the meeting, the SRWMO is holding a tour for public officials to see water resources first hand. State Senator Cal Bahr is attending the tour, and if any Council Members would like to attend Mursko will sign them up.

Council Member Daly

Council Member Daly reported on the most recent Park Board meeting. He said that the decision was made to close down Howard Lake Park. The Park Board considered results from a survey online about how frequently Howard Lake Park is used. A resident that uses the park regularly had initially volunteered to circulate a petition to keep the park open, however that petition was never circulated so the Park Board could not consider the results.

Peterson asked Daly what will happen to the Howard Lake Drive Park property? Daly said that the facilities and signage will be removed and the lot will go back to nature. The City Council previously discussed that they would not like to give the land to the DNR, however other options for the land have not yet been discussed.

Motion by Daly to close the Howard Lake Drive Park. Seconded by Krebs. Motion carried unanimously.

Also at the Park Board meeting, Windingstad discussed an ADA compliance class that he recently attended. As a result of that class, Windingstad is going to be working toward making the Columbus City Park ADA compliant. This will include adding handicap parking stalls and paving the walkway from the parking lot to park amenities.

Mayor Povolny

No report.

Council Member Duraine

Council Member Duraine reported on the Cable Commission meeting he attended. He said that Pederson covered all of the topics earlier which were discussed at the meeting.

Peterson asked if Scandia is still leaving the Cable Commission? Duraine replied that they are, and will officially be gone at the end of June. Going forward their meetings will not be broadcast on local channels, and they will pay for a la carte service to have their meetings recorded.

14. Public Works Report

No report.

15. Public Communications Coordinator Report

No report.

16. City Administrator's Report

No report.

E. ANNOUNCEMENTS & REMINDERS

17. Calendar of Meetings.

The next Planning Commission meeting is on 05.16.18.

F. ADJOURNMENT

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

Meeting adjourned at 8:13 P.M.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator