

**City of Columbus  
Regular City Council Meeting  
June 28<sup>th</sup>, 2017**

The June 28<sup>th</sup>, 2017 meeting of the City of Columbus City Council was called to order at 7:00 p.m. by Mayor Dave Povolny at the City Hall. Present were Council Members Jeff Duraine, Bill Krebs, Denny Peterson, and Mark Daly; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Dennis Postler, and Public Communications Coordinator Jessica Hughes.

Also in attendance were: Kris King, Paul Peskar, Joe Bazey, Jody Krebs, Pat Preiner, Jesse Preiner, Mary Preiner, Dianne Aszmann, Dan Mike, Jake Jensen, Brent Jensen, Tom Carlisle, Troy Lund, Jeff Brown, Lisa & Mike Wahl, Public Works Superintendent Jim Windingstad, Julia Parent (Forest Lake Times), and Teri Hodges (LATV).

**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 City Council Meeting Minutes 06.14.17**
- 4. Motion – Agenda Approval with Additions**
- 5. Motion – Pay Bills as Posted**

**Motion by Daly to approve the consent agenda items 3-5. Seconded by Krebs. Motion carried unanimously.**

**C. PRESENTATIONS**

**6. Planning Commission Report**

Commissioner Jim Watson presented the Planning Commission report. Watson said the June 21<sup>st</sup> Planning Commission meeting was rather lengthy, and the Commission brought six topics forward for consideration by the City Council.

Vacant Lot Crossways Lake Drive Variance Request

This variance request was recommended unanimously for approval by the Planning Commission. The application is for a variance from the required 16.5-foot wetland setback for a new home. Troy Lund is the property owner, and due to the irregularities of the lot, he would like to build with a four (4) foot wetland setback. Krebs had one small concern about the property. He went to the site and saw that there were several stumps left of the property from tree removal. Krebs wanted to know if he will be required to remove these? Peterson said he spoke with the City's Building Official about the property, and he said that a building permit has not yet been issued, and will not be until the stumps are removed, as well as soil borings completed.

**Motion by Peterson to approve (PC-17-109) the Vacant Lot (PIN # 22-32-22-42-0001)**

**Crossways Lake Drive variance request from the required 16.5' wetland setback to a four (4) foot wetland setback for the new home. Seconded by Krebs. Motion carried unanimously.**

Aszmann Addition Preliminary Plat

The Aszmann Addition Preliminary Plat was recommended unanimously for approval by the Planning Commission. The preliminary plat subdivides the Aszmann property into two (2) lots. The 14-acre property will be subdivided into one 7 & ¾ acre lot, and one 6 & ¼ acre lot. The two (2) properties will have a shared access driveway.

**Motion by Duraine to approve (PC-17-110) the Aszmann Addition Preliminary Plat (dated 04.03.17) based on findings of fact and subject to conditions 1-7 as outlined in the Planner's Memo (dated 06.22.17). Seconded by Krebs. Motion carried unanimously.**

Aszmann Preliminary Plat Findings of Fact:

1. The revised preliminary plat application was found complete for review on May 16, 2017.
2. The 120-day preliminary plat review deadline is September 13, 2017.
3. There are a total of 14.51 acres in the proposed plat, located at 6009 141<sup>st</sup> Avenue NE, in Section 28, 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 westerly 7.87-acre lot (Lot 1, Block 1).
6. The proposed easterly lot (Lot 2, Block 1) is 6.47 acres in size and includes adequate areas for a future home and SSTS area.
7. The density of the proposed development is one home per 7.26 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 meet the minimum street frontage of 220 feet. All other dimensional standards and setback requirements are met.
9. Wetland delineations and floodplain illustrations are noted on the preliminary plat.
10. The proposed plat is not affected by shoreland regulations.
11. 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.
12. The wetland delineations have been approved by Rice Creek Watershed District.
13. Wetland buffers are illustrated on the plat.
14. Shared access is proposed for the two lots via the existing driveway to Lot 1, which is partially located on Lot 2.
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 Aszmann Addition Preliminary Plat on June 21, 2017.

Aszmann Addition Preliminary Plat Conditions of Approval

1. Recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney, including a driveway maintenance agreement.
3. Recommendations of the Anoka County Survey Department.
4. Recommendations of the Rice Creek Watershed District.
5. Permanent wetland buffer plaques at intervals determined by the City.
6. Cash in lieu of park land dedication requirements.
7. Subsequent NPDES II permit(s) for any individual site grading that exceeds one acre.

#### Preiner Family Addition Final Plat

The Preiner Family Addition Final Plat was also recommended to the Council with unanimous approval. The final plat combined with a revised preliminary plat, incorporates changes recommended with the preliminary plat approval in April.

**Motion by Krebs to approve (PC-17-105) the Preiner Family Addition revised Preliminary Plat (dated 05.25.17) and Final Plat (dated 05.24.17) subject to conditions 1-10 as outlined in the Planner's Memo (dated 06.22.17). Seconded by Daly. Motion carried unanimously.**

#### Preiner Family Addition Final Plat Conditions of Approval:

1. Detailed recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. A subdivision development agreement or other mechanism addressing any shared access provisions for Lot 1, Block 2.
4. Variances are required for reductions in the City's minimum one rod wetland buffer requirement at the shared access driveway location and private driveway locations on Lot 1, Block 2, as well as the 5 feet side yard drainage and utility easement proposed on the easterly lot line of Lot 1, Block 2.
5. Requirements of the Anoka County Surveyor and Anoka County Highway Department.
6. Requirements of Rice Creek Watershed District.
7. Permanent wetland buffer plaques at intervals determined by the City.
8. Future rezoning(s) of the Property consistent with revised lot lines (boundary adjustment within Outlot B contiguous with Lot 1, Block 2).
9. Reimbursement of all City expenses associated with plat approval.
10. Future development within the plat is subject to local ordinances and permitting requirements.

#### Freeway Mini Storage 14474 W. Freeway Drive CUP Amendment

The fourth topic brought forward to the Council was also recommended with unanimous approval. With the approval of the Preiner Family Addition Final Plat, the Preiner Family would like to amend the Freeway Mini Storage CUP to include additional property. Amending the CUP opens the possibility for future development on the new five-acre lot. However, there is currently a house on that property. Based on Columbus Ordinances, the house must be removed

before the lot is developed. The applicant asked the Planning Commission if demolition of the home could be delayed until they are ready to develop that site. The Planning Commission discussed adding the condition that the house needs to be removed when the lot it's on is developed. Mursko suggested that the Council add either a more detailed explanation of what "developed" means or a definite time frame for completion. The applicant commented that three (3) years would be enough time to prepare the site for development. City Attorney Bill Griffith suggested a condition be added which states "the house must be removed in three (3) years or when development has commenced, whichever comes sooner". The Council agreed to implement this condition with the CUP Amendment.

**Motion by Krebs to approve (PC-17-114) the Freeway Mini Storage 14474 W. Freeway Drive CUP Amendment (dated 05.25.17), based on findings of fact and subject to conditions 1-15 as outlined in the Planner's Memo (dated 06.22.17), as well as the condition that the house at 14416 W. Freeway Drive must be removed from the property within three (3) years or once development has commenced, whichever comes sooner. Seconded by Daly. Motion carried unanimously.**

Freeway Mini Storage 14474 W. Freeway Drive CUP Amendment Findings of Fact:

1. The City received a CUP application from Patricia Preiner, Jesse Preiner, and Mary Preiner ("Preiner Family") on May 25, 2017. The application was found complete.
2. The 60-day review deadline is July 24, 2017. The 120-day review deadline, if necessary, is September 22, 2017.
3. The CUP is for indoor and outdoor storage of recreational vehicles on property currently located at 14536, 14508, 14474, and 14416 West Freeway Drive, legally described Lot 1, Block 3, Preiner Family Addition [final plat approval and recording pending] ("Property").
4. Preiner Family currently has a CUP at 14508 West Freeway Drive, approved on June 2, 2002, which contains four indoor storage buildings [current PID 25-32-22-24-0004].
5. Preiner Family currently has a CUP at 14474 West Freeway Drive, approved on September 22, 2002, which contains six indoor storage buildings [current PID 25-32-22-32-0005].
6. Preiner Family currently has an Interim Use Permit (IUP) at 14536 and 14508 West Freeway Drive, approved by the City on December 8, 2010, which allows the outdoor storage of 400 recreational vehicles [current PIDs 25-32-22-24-0004 & 25-32-22-24-0007].
7. The Preiner Family application is for a CUP amendment to allow indoor and outdoor storage of recreational vehicles on all of Lot 1, Block 3, Preiner Family Addition.
8. Currently, all of Lot 1, Block 3 is included in either a CUP or IUP for recreational vehicle storage, except the southerly 300 feet of the lot, which is currently addressed 14416 West Freeway Drive. This parcel contains a single family residence and has not previously been permitted for recreational vehicle storage.
9. There are no site plan or stormwater management details submitted with the application for any recreational vehicle storage on the southerly 300 feet of Lot 1, Block 3.
10. The Planning Commission held a public hearing on June 21, 2017 to consider the

Preiner Family Freeway Storage CUP application.

Freeway Mini Storage 14474 W. Freeway Drive CUP Amendment Conditions of Approval:

1. The CUP is contingent upon final approval and recording of the Preiner Family Addition plat.
2. The CUP is contingent upon detailed recommendations of the City Engineer.
3. The CUP is contingent upon the recommendations of the City Attorney.
4. The CUP authorizes the continuation of existing uses previously permitted by CUP or Interim Use Permit (IUP) at 14474, 14508, and 14536 West Freeway Drive, including ten indoor storage buildings and outdoor storage for 400 recreational vehicles on Lot 1, Block 3, Preiner Family Addition, excepting the southerly 300 feet.
5. The CUP authorizes the outdoor storage of recreational vehicles on the southerly 300 feet of Lot 1, Block 3, Preiner Family Addition, subject to City site plan review and approval and requirements of Rice Creek Watershed District.
6. The CUP is contingent upon the rescissions of the CUP approved by the City on June 2, 2002, the CUP approved by the City on September 22, 2002, and the IUP approved by the City on December 8, 2010 affecting portions of Lot 1, Block 3, Preiner Family Addition and portions of Outlot B, Preiner Family Addition.
7. The CUP is contingent upon the rescissions of the previous CUPs and IUP approved by the City that may affect Lot 2, Block 3, Preiner Family Addition.
8. The Conditional Use Permit, once issued, may be revoked upon a finding by the City Council that the property and/or use is not in compliance with the conditions for approval for such use, following notice and hearing.
9. All uses allowed in the CUP shall be constructed and maintained consistent with all Federal, State and local laws and regulations.
10. There shall be no junked unlicensed vehicles allowed on the Property and there shall be no repair of vehicles allowed on the Property.
11. Typical hours of operation on the Property are 6:30 a.m. to 10:30 p.m., seven days per week.
12. There are to be no chemicals, odors, gasses, hazardous wastes or fumes on the Property as a result of this business, excepting normal emissions and discharges associated with the operation of motor vehicles.
13. The existing residence located at 14508 West Freeway Drive shall be allowed to be used as a business manager's residence and office.
14. No other uses or intensifications are allowed on the Property without an amendment to the CUP.
15. Preiner Family shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the CUP and for all ongoing inspections and enforcement actions required for the CUP.
16. The house at 14416 W Freeway Drive must be removed from the property within three (3) years, or once the development has commenced, whichever comes sooner.

Construction Technology 13405 Lake Drive CUP Amendment

The fifth topic was also recommended with unanimous approval from the Planning Commission.

Construction Technology Inc. (CTI) has applied for an amendment to their CUP, which would expand their business to the adjacent property south of their current Garage Solution Condominiums campus. CTI is planning to construct four (4) additional buildings on this site, which would add 48,000 square feet of garage space to the campus. The only concern for the Planning Commission was timing of construction on the first two (2) buildings. Because the details for the vacation of Humber Street NE have not been worked out yet, Mursko has asked that CTI constructs the two (2) westernmost buildings (the ones furthest from Humber Street NE) first. This way, the details for Humber Street NE will be worked out prior to the easternmost buildings being constructed.

**Motion by Krebs to approve (PC-17-115) the Construction Technology Inc. CUP Amendment (dated 05.19.17), based on findings of fact and subject to conditions 1-11 as outlined in the Planner's Memo (dated 06.22.17). Seconded by Peterson. Motion carried unanimously.**

Construction Technology Inc. (Garage Solution Condominiums) CUP Amendment  
Findings of fact:

1. The City received an application for a CUP Amendment from Construction Technologies, Inc. ("CTI") on May 19, 2017. The application was found complete.
2. The 60-day review deadline is July 18, 2017. The 120-day review deadline, if necessary, is September 16, 2017.
3. The CUP Amendment is for the expansion of the existing Garage Solution Condominiums on a 3.67-acre parcel adjacent to the south located at 13345 Lake Drive NE, legally described as that part of the SE 1/4 of the SW 1/4 of Section 33, Township 32, Range 22, described as follows: commencing at a point on the centerline of CSAH 23 as the same is now laid out & constructed 255 feet north of the South line of said SW 1/4-thence North along said center line a distance of 255 feet-thence East parallel with the said South line to the East line thereof-thence South along said East line to the point of intersection with a line drawn from the point of commencement and parallel with the said South line-thence West along said parallel line to the place of beginning, except roadway subject to easement of record ("Property").
4. CTI has acquired the Property, which contains a single family residence and outbuilding.
5. The City approved the CUP for CTI for the construction of the initial three condominium buildings on June 25, 2008, located at 13405 Lake Drive NE, and now described as "Garage Solution Condominiums Common Interest Community #292."
6. The City approved an amendment to the CTI CUP on October 12, 2016 to allow a common outdoor gathering area.
7. CTI is proposing to subdivide the Property by the Common Interest Community (CIC) process and construct four additional 50 feet by 240 feet condominium buildings.
8. Access to the new condominiums will be from the existing condominium access on Lake Drive.
9. The site plan for the proposed condominium layout is contingent upon vacation of a portion of Humber Street NE, abutting the Property on the east.

10. The City has had preliminary discussions with CTI on the possible vacation of Humber Street; however, there have been no final agreements made at this time.
11. CTI would like consideration for the issuance of a building permits for the construction of the two northwesterly buildings, shown on the application documents.
12. The proposed design and appearance of the condominium buildings in Garage Solution Condominiums II will be identical to that of the initial building construction.
13. The initial building permit requested is for a 12,000 square feet building with seven units and a mechanical room and bathroom.
14. A landscape plan, dated May 17, 2017, identifies a planting plan along Lake Drive similar to that of the original condominium development.
15. The Planning Commission held a public hearing on June 21, 2017 to consider the Construction Technologies, Inc. CUP Amendment.

Construction Technology Inc. (Garage Solution Condominiums) CUP Amendment  
Conditions of Approval:

1. The CUP Amendment is limited to the construction of one the two westerly 50 feet by 240 feet condominium buildings on the Property.
2. The proposed building shall be constructed to match the quality, design and exterior appearance of the condominium buildings constructed by CTI on adjacent property to the north.
3. Issuance of a building permit is contingent upon the review and requirements of the Building Official.
4. An occupancy permit shall not be issued for the condominium building until the City has approved the site plan and CIC plat for the Property and all other requirements of the Building Official have been met.
5. The CUP Amendment is contingent upon the requirements of Anoka County Highway Department.
6. The CUP Amendment is contingent upon the requirements of Rice Creek Watershed District.
7. The CUP Amendment is contingent upon the recommendations of the City Engineer.
8. The CUP Amendment is contingent upon the recommendations of the City Attorney.
9. The CUP Amendment is contingent upon the permitting and removal of existing structures on the property, including abandonment of the private well and septic system according to County standards.
10. CTI shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the CUP and for all ongoing inspections and enforcement actions required for the CUP.
11. The existing CUP shall be amended, completely, upon approval of the site plan and CIC plat for the Property.

For future reference and modification, the existing Construction Technology Inc. (Garage Solutions Condominiums) CUP has the following conditions:

1. Applicant must comply with detailed staff recommendations as outlined in memos dated May 16, 2008, May 21, 2008, June 4, 2008 and June 18, 2008.
2. The Applicant must submit building plans to be reviewed and approved by the

- Building Official.
3. Applicant shall submit title commitment with documents and shall comply with the title review by City Attorney.
  4. Applicant shall submit building elevations with exterior design materials consistent with C/I District requirements.
  5. The applicant shall dedicate 10 feet of right of way to Lake Drive and 33 feet of right of way for Humber Street, patron traffic access shall be allowed from Lake Drive until such time as Humber Street is upgraded to full width or access is acquired by the county at which time such access would be allowed to Humber Street. (Condition #5 is being clarified, and will be approved at the next city council meeting.) (See the July 23, 2008 minutes for the revised verbiage of this condition)
  6. Approval of the variance by the City Council for a 48 foot front yard setback on Humber Street or a site plan modification to meet setback requirement.
  7. The Applicant must install an ISTS consistent with the proposed use of the property.
  8. The Applicant must remove the existing structures, well, and ISTS on the property according to applicable standards.
  9. The Applicant must remove the two access locations on Lake Drive and construct a right turn lane according to Anoka County standards.
  10. The Applicant must comply with the permit requirements of RCWD.
  11. The Applicant must comply with landscape plans as submitted dated June 17, 2008 (As described in Findings of Fact #21 and #22).
  12. The Conditional Use Permit, once issued, may be revoked upon a finding by the City Council that the property and/or use is not in compliance with the conditions for approval for such use, following notice and hearing.
  13. The Applicant must abide by all local, State and Federal laws that apply to this business.
  14. Any other business on this property, other than what has been stated at this point, requires the re-opening of the public hearing.
  15. There are to be no chemicals, odors, gasses, hazardous wastes or fumes on the property as a result of this business.
  16. Verification that the proposed outdoor recreation area does not overlap with or otherwise conflict with SSTS or required infiltration areas.
  17. If the City receives ongoing complaints with regard to the outdoor recreation area, the Association will address the problems in its Rules and Regulations.
  18. Resolution of any recommendations of the City Engineer or City Attorney.
  19. Any outdoor lighting shall be downcast and shrouded.

#### Joint Planning Commission – City Council Meeting Date

The Planning Commission is considering an application from Bituminous Roadways Inc. to build an asphalt plant in Columbus. Because the Commission believes the topic needs more in depth discussion with the City Council, they are requesting a joint meeting. Mursko suggested having the joint meeting at 6:00 pm on July 19<sup>th</sup>, 2017, just before the Planning Commission meeting that evening. Council Members agreed that this would be a good date and time to hold the joint meeting.

#### **7. Public Open Forum**

Fran Hearley – 8145 W. Broadway Ave

Resident Fran Hearley and his wife Barbara Hearley came forward to address the Council for Public Open Forum. Mr. Hearley lives across the street from where the Thurnbeck Preserve development is going to be. Hearley is concerned about a pond on his property. Since the dewatering process began in the Thurnbeck Preserve development, Hearley noticed that his pond has steadily lost water, to the point where he can see the bottom and wildlife has died. He is wondering what can be done to get the pond levels back to normal and limit the amount of dewatering happening at the Thurnbeck site.

Mayor Dave Povolny said that the next topic on the agenda is regarding Thurnbeck Preserve, and asked that the Council discuss this topic at that time.

**D. STAFF AND CONSULTANT REPORTS**

**8. Engineer Report**

City Engineer Dennis Postler presented his Engineer's report with four different topics.

Thurnbeck Preserve Hauling Activities

Tom Carlisle (of Sherco Construction), Jake Jensen, and Brent Jensen (both of North Pine Aggregate), all came forward to address the Council on topics relating to the development of Thurnbeck Preserve. Griffith commented that Sherco Construction applied for a dewatering permit from Anoka County earlier this week for 15 million gallons of water. North Pine Aggregate representatives said that they would be done dewatering in the next two (2) weeks, which would discharge water back into the Hearley pond, bringing it to normal levels.

Related to the concern brought up by Fran Hearley during Public Open Forum, is the hauling activities being done at Thurnbeck Preserve. The City had received complaints regarding the number of trucks hauling out of the site. Mayor Povolny commented that the Council is concerned about the hauling activity because it was not described in the subdivision application, so the City was unaware that hauling was taking place. In addition, Furman Street NE was paved as part of the development, and there are concerns about hauling on that road. If the City had been aware that hauling would occur on Furman Street NE, there would have been additional requirements such as a thicker layer of asphalt. Carlisle asked about the possibility of using Furman with only empty trucks? Postler replied that part of Furman Street NE has already been damaged from rocks falling off trucks, so he would not recommend allowing that. Mursko asked North Pine representatives how much longer they would be hauling, and they replied that they're roughly half way done and would like to continue for another three (3) to six (6) months. Postler noted that if hauling will occur on W Broadway Avenue, North Pine is required to get a hauling permit from Anoka County. Mursko asked North Pine and Sherco representatives if they can haul without using Furman Street NE? Jensen replied that it would be fine while they are working on the north ponds, but will be difficult with the south ponds.

Griffith suggested to the Council that if they would like to allow North Pine and Sherco to

continue hauling, they should require the three (3) following conditions:

1. A security bond for hauling on Furman Street NE (if necessary).
2. A plan for dust control.
3. A description of the hauling scope.

Postler also added a fourth condition that they provide their intended haul route for consideration by the City. Lastly, Postler suggested that North Pine and Sherco provide the City with a copy of the dewatering permit when they receive it, not as a condition, but as further information.

**Motion by Krebs to allow North Pine Aggregate and Sherco Construction to haul materials (sand) out of Thurnbeck Preserve, subject to the four (4) above conditions. Seconded by Peterson. Motion carried unanimously.**

#### Authorize Final Payment KAMCO Inc. (Crack Sealing)

Next, Postler asked the Council to consider authorizing prepayment for sealcoating, crack sealing, and road paving projects in Columbus.

The first is a partial pay request from Allied Blacktop Company in the amount of \$155,378.44 for the 2017 sealcoating project (City Project No. 2017-3).

**Motion by Daly to approve the partial pay request from Allied Blacktop Company in the amount of \$155,378.44 for the 2017 sealcoating project (City Project No. 2017-3). Seconded by Krebs. Motion carried unanimously.**

Second is a partial pay request from KAMCO, Inc. in the amount of \$18,278.00 for the 2017 crack sealing project (City Project No. 2017-2).

**Motion by Daly to approve the partial pay request from KAMCO, Inc. in the amount of \$18,278.00 for the 2017 crack sealing project (City Project No. 2017-2). Seconded by Peterson. Motion carried unanimously.**

Lastly is another partial pay request from North Valley, Inc. in the amount of \$77,245.88 for the 159<sup>th</sup> Avenue NE and Xingu Street NE bituminous street project (City Project No. 2017-1).

**Motion by Peterson to approve the partial pay request from North Valley, Inc. in the amount of \$77,245.88 for the 159<sup>th</sup> Avenue NE and Xingu Street NE bituminous street project (City Project No. 2017-1).**

#### Pine Street Ditch & Drainage

After direction from the City Council to clear a half mile of ditch on Pine Street, Postler gave the Council an update on the project. With the completion of ditch cleaning, Postler met with Council Member Peterson, Public Works Superintendent Jim Windingstad, and representatives from Lino Lakes to consider what steps need to be taken next. The consensus was to team up with Lino Lakes and jointly approach the Rice Creek Watershed District in an effort to make the project a regional concern and get additional support.

## Columbus Improvements and Developer Projects

To finish, Postler gave the Council an update on the improvements and developer's projects happening in the City. Preiner's Preserve is done installing sanitary sewer and water, and storm sewer work should have been completed today. Developers are also hoping to install streets on site next week. After sealcoating is completed Howard Lake Drive will be striped. The 159<sup>th</sup> Avenue NE and Xingu Street NE road paving project is almost completed, the last step (saw and seal) will be happening the week of July 3<sup>rd</sup>. The 141<sup>st</sup> Avenue NE and Furman Street NE road paving project is completed, after finishing saw and seal today. Lastly, the Ziegler Water Tank Conversion project is in full swing; the driveway is completed and pump equipment will be arriving the week of July 3<sup>rd</sup>.

## **9. Attorney Report**

### Senior Center CDBG Rules

At the May 24th, 2017 City Council meeting, Council members requested City Attorney Bill Griffith to research rules and regulations for the use of Community Development Block Grant funds for Columbus' Senior Center. The main questions to research were; whether the building can be used for a community center, if it is possible to return grant funds, and if so, how much is required to be returned.

In order for the building to be used as a community center, Griffith explained that 51% of those using it must be considered low income. Because a relatively small percentage of Columbus residents are low income, it is unlikely that this option would work.

In terms of repaying the grant, Griffith explained that other cities have been required to pay back 100% of grant funds if they want to be removed from the contract, however the person he is working with said she can look into it further. Mayor Povolny was confused by this, because the Senior Center building has depreciated since it was built and thus it does not seem right that Columbus should have to pay back the entirety of the grant. Griffith said he will continue to research the situation and get back to the Council. Griffith also said that if he does not find anything new, the Council will likely have to choose between the following three options; continue as is with the Senior Center, combine the Senior Center with the City, or shut down the Senior Center and repay the full amount of the Community Development Block Grant.

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

### Mayor Dave Povolny

No report.

### Council Member Duraine

No report.

### Council Member Daly

No report.

Council Member Peterson

No report.

Council Member Krebs

Council Member Krebs discussed his resignation from the Sunrise Watershed Management Organization (SRWMO). He is being asked by the organization to submit extensive financial information to confirm his appointment (because of campaign finance disclosure requirements). Krebs has not yet responded because he believes this is an overreach and he should not be required to disclose such a large amount of personal financial information to be appointed to the SRWMO board. Mayor Povolny agreed that this is an over reach, and asked that Griffith look into the rules and see if something can be done about it. The Council agreed that regardless they still believe it is important to have someone on the SRWMO board. Griffith agreed to look into the campaign finance disclosure rules as they apply to the SRWMO board (as long as Krebs provides the applicable documentation he has received) and get back to the Council with his findings.

**Motion by Povolny to direct City Attorney Bill Griffith to look into campaign finance disclosure rules as they apply to membership on the Sunrise Watershed Management Organization board. Seconded by Peterson. Motion carried unanimously.**

**Motion by Daly to accept Council Member Krebs' resignation from the Sunrise Watershed Management Organization's board. Seconded by Peterson. Motion carried unanimously.**

**11. Public Works Report**

No report.

**12. City Administrator's Report**

Mursko attended a Cable Commission meeting, where they discussed Scandia's withdrawal from the Commission. Conversation was had about the Joint Powers Agreement, which still needs to be amended accurately. It does not appear that any assets should be divided according to the Joint Powers Agreement. To finish, Mursko clarified that Scandia still has one year left in their withdrawal process.

**E. ANNOUNCEMENTS & REMINDERS**

**The next Planning Commission meeting is 07.19.17 at 7:00 p.m.  
Calendar of Meetings.**

A special meeting to discuss the vacation of Humber Street NE and drainage, flowage, and utility easements in the Preiner Family Addition will be held tomorrow, June 29<sup>th</sup>, 2017 at 7:00 pm in the Columbus City Hall.

A joint Planning Commission City Council workshop will be held on July 19<sup>th</sup>, 2017 at 6:00 pm.

#### **F. ADJOURNMENT**

**Motion by Peterson to adjourn. Seconded by Daly. Motion carried unanimously.  
Meeting adjourned at 8:16 p.m.**

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator