

**City of Columbus  
Regular City Council Meeting  
August 23<sup>rd</sup>, 2017**

The August 23<sup>rd</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: Sandra Wood, Lynn Carver-Quinn, Jim Hoffman, Doug Hedberg, Jeff Joyer, Pamela Olson, Troy Vrieze, Kris King, Paul Peskar, Roger & Patsy Wismer, Glenn Grubbs, Barb Bobick, Bill Bobick, Annette Rivard, Don Santanni, Janet Hegland, Margie Roisum, Tom Olson, Jackie Bussjaeger, Allen & Shelly Logren, Pat Preiner, Mary Preiner, Jody Krebs, 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 08.09.17**
- 4. Motion – Approval of the City Council Special Meeting Minutes 08.18.17**
- 5. Motion – Agenda Approval with Additions**
- 6. Motion – Pay Bills as Posted**
- 7. Motion – Proclamation 17-03 Constitution Week**
- 8. Motion – Approve 2018 Law Enforcement Contract with Anoka County Sheriff's Office**

**Motion by Peterson to approve the Consent Agenda items 1-8. Seconded by Krebs.  
Motion carried unanimously.**

**C. PRESENTATIONS**

**9. Planning Commission Report**

Commissioner Jim Watson presented the Planning Commission report. The report contained four topics including a variance request, final plat request, ordinance discussion, and Comprehensive Plan discussion.

6550 145<sup>th</sup> Avenue NE Variance Request

The Planning Commission is unanimously recommending denial of the 6550 145<sup>th</sup> Avenue NE Variance request.

While completing the variance checklist, the Planning Commission had a few findings. The first

was that the landowner proposes to use the property in a manner that is not reasonable. The property was originally subdivided with the intent that no further subdivision would be possible without the dedication of a public street. Thus, the landowner is proposing to vary from the City's driveway ordinance, which the Planning Commission found would effectively lower development standards in the City. In asking whether circumstances are unique to the property, the Planning Commission answered no, that the failure to obtain consent of abutting property owners is not unique to the property. When asked if the variance will alter the essential character of the neighborhood, the Planning Commission found that it would. This is because it is inconsistent with the existing Subdivision Agreement's intent of only ever allowing a single lot on the property. In addition, the variance is not in harmony with the purpose and intent of City Code, as allowing two properties access off a single driveway without an agreement governing the maintenance of a driveway would lower the City's standard.

City Attorney Bill Griffith noted that the applicant's attorney submitted a new driveway location for consideration by the Council. However, the Council cannot vote on this design because it was not included in the application that the Planning Commission considered.

**Motion by Daly to deny the 6550 145<sup>th</sup> Avenue NE Variance request adopting the findings below as recommended by the Planning Commission, that the applicant has not demonstrated the practical difficulties. Seconded by Krebs. Motion carried unanimously.**

6550 145<sup>th</sup> Avenue NE Variance Request – Planning Commission Findings:

**1. The landowner proposes to use the property in a reasonable manner.**

Question: Does the proposal put property to use in a reasonable manner?

Finding: Do the requirements in the Zoning Ordinance prohibit the property from being used in a reasonable manner? Yes or **No**

The landowner proposes to use the Property in a manner that is not reasonable. The Property was originally subdivided with the intent that no further subdivision is possible without the dedication of a public street. The landowner proposes to vary the provisions of Section 7A-800.C of the City Code, which are intended to be minimum standards for driveways that serve as street frontage to landlocked lots. By varying the applicable provisions, the City is effectively lowering the standards for development.

**2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.**

Question #1: What are the unique physical characteristics of the particular piece of property?

Question #2: How is it not like other pieces of property?

Question #3: Did the landowner create the circumstances?

Examples:

- Topography
- Wetlands

- Trees
- Irregularly shaped or sized lot
- Shape or size of existing buildings
- Placement of existing structures on lot

Finding: Are the circumstances unique to the property? Yes or **No**

The practical difficulty is created by the landowner's desire to not comply with the zoning code and is not unique to the Property. The applicant has requested to vary provisions of the code that are intended to be minimum prerequisites for allowing further subdivision of a parcel without direct street frontage. The applicant is seeking a variance to provisions that effectively require consent of abutting property owners. The failure to obtain consent of abutting property owners is not a circumstance unique to the Property.

**3. Granting the variance is in harmony with the purpose and intent of the Zoning Ordinance.**

Question: Will the resulting use or structure be compatible with the underlying purpose and goals of the Zoning Ordinance?

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. Agree or **Disagree?**

Granting the variance will alter the essential character of the area. The Property was originally subdivided with the express intent of only ever allowing a single lot on the Property, as is evidenced by the Development and Subdivision Agreement. The variance is inconsistent with the original intent of the owners of the Property and the Hoffman Property and will alter the essential character of the area by allowing for a doubling of the density on the Property.

**4. Granting the variance is consistent with the City's Comprehensive Plan.**

Finding: The variance will not create a conflict between the Comprehensive Plan and the proposed use or structure. **Agree** or Disagree?

The proposed density of one (1) dwelling unit per ten (10) acres is consistent with the density guidelines of the Rural Residential Designation in the Future Land Use Plan of the Comprehensive Plan.

**5. The variance if granted, will not alter the essential character of the neighborhood or City.**

Question: Will the resulting structure be out of scale, out of place, or otherwise inconsistent with surrounding area?

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. Agree or **Disagree?**

The proposed variance is not in harmony with the purpose and intent of the City Code. City Code Section 7-800.C is intended to provide relief to property owners seeking to subdivide

property where minimum standards are present and abutting property owners agree to enter into an agreement governing the maintenance of a driveway. Approving the variance would further lower the standard and would be inconsistent with the City Code.

**6. The practical difficulty is not created solely by economic considerations.**

Finding: Economic considerations are not the only reason for the practical difficulty. **Agree** or Disagree?

The practical difficulty is not created solely by economic considerations, but rather is the result of circumstances created by the prior owners of the Property.

Blake Well Drilling Final Plat

At the May 10<sup>th</sup>, 2017 City Council meeting, Blake Well Drilling was instructed to bring their Preliminary Plat back for consideration after they obtained consent from Magellan Midstream Partners to condense their easement. Since then, Blake Well Drilling did receive consent and submitted a revised Final Plat which shows the Magellan Midstream Partners blanket easement condensed to a width of 70 feet.

**Motion by Peterson to approve (PC-16-117) the Blake Well Drilling Final Plat submitted on 08.23.17 based on Findings of Fact and subject to conditions 1-7 as outlined in the Planner’s Memo (dated 09.01.16). Seconded by Krebs. Motion carried unanimously.**

Blake Well Drilling Final Plat Findings of Fact:

1. The City received a preliminary and final plat application from MN Management, LLC on behalf of Blake Drilling Co. (“Blake”) on August 18, 2016 and revised on August 19, 2016. The application was found complete.
2. The combined 120-day preliminary/final plat review deadline is December 17, 2015.
3. The proposed 59-acre plat is located on the west side of Lake Drive, just north of 135th Avenue NE, legally described as the Northwest Quarter of the Southwest Quarter, Section 33, Township 32, Range 22, and that part of the Northeast Quarter of the Southwest Quarter, Section 33, Township 32, Range 22, lying westerly of CSAH 23 (“Property”).
4. Proposed Lots 1, 4 & 5 are zoned C/I Commercial/Industrial and account for approximately 49 acres of the proposed plat.
5. Proposed Lots 2 & 3 are zoned RR Rural Residential and are 4.6 net acres and 4.9 net acres respectively.
6. The three C/I lots are limited to access from Lake Drive and the two RR lots are limited to access from Zodiac Street NE.
7. All lots meet minimum street frontage and minimum lot area (net of ROW) requirements of the Zoning Ordinance.
8. There are soils tests and potential SSTS sites located within each lot.
9. The Property is not located within the regulatory floodplain or any shoreland area.
10. There are several delineated wetlands on the property, which are protected by drainage and utility easements.

11. Required drainage and utility easements are also located adjacent to all property lines according to the Subdivision Ordinance.
12. Anoka County has reviewed the plat and is requesting that access to Lot 1 be located as close to the alignment with 135th Avenue NE, as possible with a south bound right turn lane, and that access to Lots 4 & 5 be shared at the common lot line.
13. The Final Plat is consistent with the Preliminary Plat.
14. The Preliminary Plat public hearing was held by the Planning Commission on September 7, 2016.

Blake Well Drilling Final Plat Conditions of Approval:

1. Detailed recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. Requirements of Anoka County Transportation Division and Anoka County Surveyor.
4. Requirements of Rice Creek Watershed District.
5. Cash in lieu of park land dedication.
6. Reimbursement of all City expenses associated with plat approval.
7. Future development within in the plat is subject to local ordinances and permitting requirements.

Chapter 14 Ordinance Amendments and Summary Publication

The Planning Commission is presenting the final draft of Ordinance 17-01, an ordinance amending Chapter 14 Public Health, Wells, Sewers, and Utilities. This ordinance requires all lots in Columbus to maintain two (2) soil treatment areas, and requires that accessory structures be located outside of both soil treatment areas identified for septic system treatment.

**Motion by Peterson to approve Ordinance 17-01, an ordinance amending Chapter 14 Public Health, Wells, Sewers, and Utilities, as well as the summary publication format. Seconded by Daly. Motion carried unanimously.**

Conex Box Ordinance Discussion

Based on feedback from the April 26<sup>th</sup>, 2017 meeting, the Planning Commission has been working on a text amendment addressing the use of Conex boxes as accessory structures in Columbus. Commissioner Watson explained that the Planning Commission has separated the use of Conex boxes into four categories; residential temporary, residential permanent, commercial temporary and commercial permanent.

The draft presented by the Planning Commission allows Conex boxes to be temporarily placed (up to 180 days) in front of a residence, which the City Council agreed to with little discussion. However, there was an extended discussion on the topic of permanent Conex boxes. The City Council all agreed that permanent Conex boxes should only be allowed behind the primary residence, not in the side lot or in front of the home. There was also agreement that the Conex box must be at least 80% screened from adjoining properties, as well as from the right-of-way. In terms of the requirement that Conex boxes must be harmonious with the surrounding structures, Mayor Povolny asked if the language could be clarified to say “similar color” instead of just “harmonious”. Council Members agreed this was a good idea. Council Members also

agreed that they would like to see Conex boxes located more than 50 feet from the property line. Mayor Povolny asked if a person has screened their Conex box 100%, should the 50-foot setback still be required? Council Members agreed that it should. Mayor Povolny also suggested that there be a slab requirement; that Conex boxes must be placed on a level, non-degradable slab, and also must be elevated at least six (6) inches to help air flow underneath the box.

The next topic raised was what size Conex boxes should be allowed on a permanent basis – as there are 20, 40, and even 53 foot boxes available. Mayor Povolny suggested that the maximum allowable length for a permanent Conex box in the residential district be 40 feet. Watson suggested adding the additional note that a Conex box be defined as how it left the factory, so that a person does not, for example, weld together two (2) boxes. The Council agreed both items should be included in the ordinance. A related question was whether the square footage of a Conex box should be included in the total allowable square footage for accessory buildings in the residential district? Mayor Povolny suggested that a Conex box's square footage count twice when considered with the total allowable accessory building square footage. City Attorney Bill Griffith said this would not be a problem, and Council Members agreed that is the direction they would like to go.

The final topic of consideration for permanent, residential, Conex boxes was the number that would be allowed. Duraine, Krebs and Daly agreed that the maximum allowed on lots greater than five (5) acres only, should be one Conex box, with at least 80% screening year-round. While Peterson and Povolny argued that the ordinance should be one (1) box allowed for each five (5) acres, the majority of Council Members were in favor of a maximum of one (1) box (only on lots larger than five (5) acres). This topic concluded the discussion on residential Conex box, and the final direction back to the Planning Commission was one (1) Conex box (with a maximum length of 40 feet, as it left the factory) would be allowed on lots greater than five (5) acres, with a 50-foot setback from adjoining property lines, at least 80% screening, a properly leveled non-degradable slab/foundation, and it must be elevated at least six (6) inches off the ground.

Next the discussion turned toward commercial uses of Conex boxes. The main concern from Council Members regarding commercially used Conex boxes was, if they are to be stacked, how many boxes high can they be? Mayor Povolny suggested that the restriction be that Conex boxes cannot be stacked higher than the building. Daly said he preferred the regulation be no more than two boxes stacked, and the remaining Council Members agreed this was a good idea.

After discussion concluded, Watson thanked the Council for their direction, and said he will return to a later City Council meeting with an updated version of the ordinance.

### Comprehensive Plan Discussion

The Planning Commission has had a number of discussions recently about the 2018 Comprehensive Plan, and have brought forward some recommendations for the City Council to consider. The Planning Commission is recommending that Columbus change their designation from diversified rural to rural residential. The logic behind this recommendation is that many neighboring communities such as Nowthen, Oak Grove and Ham Lake, are classified as rural residential, and changing Columbus' designation would be in tune with the area.

Griffith elaborated on the topic, explaining that the Metropolitan (Met) Council created the rural diversified classification as a way to preserve low density, and maintain efficient extension of Met Council sewer and water services at the same time. However, the likelihood of Met Council extending sewer and water services to the majority of Columbus residents is minimal. Changing from rural diversified to rural residential is recommended because it would allow for higher density development while maintaining reliance on private septic and well systems. The change would also give autonomy to the City Council for determining minimum acreage for lots in Columbus. Daly asked what the City Planner thought the probability was that the Met Council would approve this change? Watson reported that City Planner Dean Johnson is confident that the Met Council would approve such a request.

Mayor Povolny asked how this change would affect the farms that remain in Columbus? Griffith replied that it could encourage higher density development of farmland. Mayor Povolny asked the Council what they would like to see in terms of minimum acreage for the City. Peterson, Daly, and Krebs agreed that going to a 2 ½ acre minimum would not be a bad idea for the City, as realistically would not increase density that much when considering the abundance of wetlands in Columbus. Duraine said that he would prefer to see a very limited number of 2 ½ acre lots, while Mayor Povolny said he is against anything less than five (5) acres.

At the conclusion of this discussion, Watson thank the Council for their direction and said he will bring this information back to the Planning Commission.

## **10. Public Open Forum**

No report.

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

### **12. Engineer Report**

City Engineer Dennis Postler presented his report on six (6) different topics.

#### Crack Seal & Sealcoat Change Orders and Final Payments

The first was a crack seal change order request from KAMCO, Inc. The amount of crack seal material in the contractor's bid form was based on pounds per mile of crack seal material estimated from the last several crack seal and sealcoat projects done in the City. However, as the midway point of crack sealing approached, it became evident the overall number of cracks was considerably underestimated. Thus, an additional 10,625 pounds of material was added to the contract, increasing the total cost of the crack seal project by \$14,660. The City was, however, able to save \$0.10/lb (\$2,362) by the contractor using a grade of crack seal material more applicable to rural roadways than what the City has historically specified. Another factor to the cost of this project was that the south half of Pine Street is within Lino Lakes city boundary, and as such they will be invoiced for their share of the project which totals approximately \$14,900.

Secondly, the sealcoating contract remained the same as the bid price because it was based on

contract amounts measured by the square yard and linear feet for paint restriping.

The total project budget set for both the crack sealing and sealcoating projects this year was \$240,000. Due to favorable bids and keeping engineering costs down, the total project costs came in at \$220,000, including the additional crack sealing quantities. Factoring out Lino Lakes' share, the total project cost for Columbus is \$205,000.

**Motion by Peterson to approve:**

- **Change Order No. 1 in the additional amount of \$13,362.50 for additional quantities less a unit price adjustment for the Crack Seal project.**
- **Final Payment Certificate No. 2F in the amount of \$14,324.50 for the Crack Seal project.**
- **Final Payment Certificate No. 2F in the amount of \$13,852.83 for the Sealcoat project.**
- **Invoicing the City of Lino Lakes for their share of the 2017 Crack Seal and Sealcoat improvements for the south half of Pine Street in the amount of \$14,898.00.**

**Seconded by Krebs. Motion carried unanimously.**

Preiner's Preserve Letter of Credit Reduction

The City received a request from Ms. Debra Marohn, V.P. of Finance for Woodland Development Corporation (the developer of Preiner's Preserve), to reduce their Letter of Credit based upon the amount of work completed to date. The amount requested is \$550,000. Postler has reviewed work completed up to date and provided part-time inspection of the site improvements thus far, and based on that information Postler determined that a Letter of Credit reduction in the amount of \$458,036.36 is warranted at this time.

**Motion by Krebs to approve a Letter of Credit reduction for Woodland Development in the amount of \$458,036.36. Seconded by Peterson. Motion carried unanimously.**

County Road 54 Project

Postler attended a meeting with Anoka County to discuss the CSAH 54 relocation project, and reported back to the Council. In terms of street lighting, Postler displayed a diagram of the new roundabouts, which showed continuous lighting between. When the project is completed, roundabouts will be completely lit and the City will own 29 new street lights. Postler also reported that the location of the pedestrian trail is finalized. However, there is a chance that Running Aces' sign, which is located near the pedestrian trail, could be relocated closer to I35.

The last topic relating to the relocation of CSAH 54 is utilities along Lake Drive. Currently the public sewer and water is stubbed out there, however with the new configuration of Lake Drive near the new roundabout, utilities will have to be extended. This cost will be the City's responsibility, unless something changes with funding. Anoka County is currently in conversation with MnDOT about the bonding bill, and if all goes well the cost for the extension of utilities and the relocation of Hornsby Street will be covered by the bill.

Lastly, Anoka County would like to have an open house at the City Hall on September 19<sup>th</sup>, 2017 to share details regarding the project.

## I-35 Bridge Project

Postler attended the official I-35 bridge project kickoff meeting, and reported on a couple takeaways. The first is that they hope to begin construction on October 5<sup>th</sup>, 2017, and accomplish some items this fall. The second is that the overlay on I-35 north of Hwy 97 will be done in 2018, while the portion south of Hwy 97 will be done in 2019. Also, the north half of the bridge will be reconstructed in 2018, and the south half in 2019.

## I-35 Land Rental Proposal

The City received a proposal from Shafer Contracting to rent up to four (4) acres of City-owned land in the Northeast quadrant. Troy Vrieze of Shafer Contracting came forward to answer questions and discuss the proposal. City staff worked through details of the proposal and presented the basic outline of a terms sheet. The site will be used to stockpile gravel and eventually to set up a concrete batch plant. Shafer Contracting plans to begin stockpiling this fall as well as begin preparing the site for the 2018 construction season. Griffith explained that if the Council approves the terms sheet, he will draft a right-of-entry agreement which would include a rental fee of \$75,000 for a term of 24 months. At the completion of the 24 months, the City could opt to have the site restored to its original state or to leave it as is. Shafer Contracting plans to grade the site and put down gravel, essentially making an impervious surface throughout most of the site.

Mayor Povolny asked if they have gotten approval from the Rice Creek Watershed District? Vrieze replied that Shafer Contracting carries a multi-sector permit with the Minnesota Pollution Control Agency (MPCA) which pre-emptively grants watershed approval for a certain number of sites, and this site will be added to that permit. Vrieze also clarified that through the permit they are still required to do erosion control plans, storm water plans, and other such items. Mayor Povolny asked if there will be any concrete grinding at the site? Vrieze replied that to the best of his knowledge there would only be concrete production and no grinding. The next question was whether they will have any stock piles on site? He replied that they will have piles of coarse aggregate on site, and they have daily requirements from their MPCA permit to combat fugitive dust as well as a separate dust control system. Griffith asked how high the piles would be? Vrieze replied that he doesn't believe they would exceed 50 feet. Peterson asked if the site would be fenced? Vrieze said that was not the plan, however they do have a portable alarm system that will be used at the plant.

Postler then suggested adding an additional condition that Hornsby Street be must remain in good shape for the duration of the 24 months. Griffith replied that there is currently a condition that approval is subject to recommendations from the City Engineer, which should cover this concern. Mayor Povolny asked how many trucks will be hauling out of the site? Vrieze replied that it would be roughly 40 or more trucks per hour, all access will be off of Hwy 97, with no traffic going north on Hornsby Street. Mayor Povolny asked whether Hornsby Street will be swept to combat gravel dragging out onto the street? Vrieze said that their design build agreement might contain such a requirement. To finish, Mayor Povolny asked where the \$75,000 rental fee came from? Griffith replied that an appraiser from his office calculated it; \$75,000 is 8% of the land value, which is a typical rental amount for this type of project.

**Motion by Krebs to approve the terms of a right of entry agreement with Shafer Contracting for the lease of four (4) acres for a concrete batch plant and storage of gravel for the I35 Bridge Project. Seconded by Peterson. Motion carried unanimously.**

MnDOT Right of Entry Agreement

The last topic Postler presented was a right of entry agreement with MnDOT for the I35 bridge project. MnDOT has requested this agreement to test soil on City land for ponding, as there will be a pond on the south side of Hwy 97 along old Hornsby Street. Griffith commented that it is a standard agreement and MnDOT will be required to restore the site and report any contamination.

**Motion by Krebs to approve the right of access permit for MnDOT Project #8280-47RW for the I35 Bridge Project. Seconded by Peterson. Motion carried unanimously.**

**13. Attorney Report**

No report.

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

Mayor Dave Povolny

No report.

Council Member Duraine

Council Member Duraine asked where Forest Lake Contracting (FLC) was hauling sand from John's Black Dirt to? Mursko replied that it is going to a site in Wyoming. Duraine asked why they are not using Wyoming's roads to haul on if that is the case? Mursko replied that she did ask the City of Wyoming if FLC could use their roads to haul temporarily while Columbus removed downed trees after the July 12<sup>th</sup> tornadoes, and they said that wouldn't be possible unless they applied for a hauling permit. Council members discussed that Wyoming recently re-classified some of their roads to no longer allow hauling. Mayor Povolny, Peterson, and Duraine will consider going to a Wyoming Council meeting to discuss this situation.

Council Member Daly

Council Member Daly reported on the final Fall Fest meeting which he attended. He said the Sheriff's Office is planning to bring a K9 Officer to the event and to do some drone demonstrations. Otherwise plans are moving ahead smoothly.

Council Member Peterson

Council Member Peterson reported that a member of the Maintenance board wanted to discuss last year's street paving projects, and how the City can ensure additional roads are paved. Windingstad reported that the paving projects were delayed due to other obligations, and agreed

to give the chair of the Maintenance board a phone call to discuss. Krebs asked if the plan was to pave 181st Avenue NE after the City's agreement with John's Black Dirt is completed? Windingstad replied that 181<sup>st</sup> Avenue NE is on the 2019 paving plan, because Forest Lake Contracting will continue to haul through mid-June which does not leave enough time to pave 181<sup>st</sup> Avenue NE before the 2018 season is over.

### Council Member Krebs

Council Member Krebs thanked the Forest Lake Times for writing a great article on the success of Columbus' Lake Drive business district. Krebs also commented on the article about Running Aces' halting their hotel plans, saying that the City has received three (3) requests for the Hotel Feasibility study since their plans were halted. He is looking forward to working with another entity to bring a hotel to the area.

## **15. Public Works Report**

Windingstad and Park Board member Sandra Wood came forward to discuss the Park Board budget. Wood reported that the 2018 budget was discussed at their August 3<sup>rd</sup> meeting, and the budget will be the same as 2017's. Wood also reported there is one year left in the mowing contract, and the 2019 budget will be discussed in depth when the new mowing contract is considered. Mayor Povolny asked how the Park Board felt about getting rid of the Howard Lake Drive Park? Wood replied that that topic is on the agenda for their October meeting. The Council agreed that the park should eventually be abandoned.

Based on direction from the August 9<sup>th</sup> City Council meeting, Windingstad obtained a quote for the cost to stripe Hornsby Street. The quote was between \$850 and \$2,450, depending on how quickly the job could be done.

Related to the question of Hornsby Street is the condition of the road once Schafer Construction begins operations. It is Windingstad's opinion that the truck traffic on Hornsby Street will do significant damage to the road, and he thinks that the road should be closed while the construction of the new TH 97 bridge, the overlay of I35, the relocation of CSAH 54, and the relocation of Hornsby Street are occurring. There was debate among the Council, and agreement was not reached. Consensus was to consider the topic at a future City Council meeting.

To finish, Mayor Povolny asked if Public Works has the budget to upgrade stop signs throughout the City? Windingstad said that there is room in the budget, however there has not been time to work on that initiative.

## **16. City Administrator's Report**

Mursko reported that the City's hauling contract with John's Black Dirt and Forest Lake Contracting will be completed on June 24, 2018. She is recommending that a representative from Forest Lake Contracting come to a City Council meeting in November or December of this year to discuss their exit strategy, restoration plan, and any other items which would promote a smooth transition. Krebs commented that they should come before the Council sooner than November. Mayor Povolny asked when the last inspection of John's Black Dirt was? Mursko

said it was last fall, so they are due for a spring inspection. Postler said that he will complete the spring inspection and report back.

Secondly, Mursko is looking for direction on the issue of hauling itself. Since the City passed an ordinance last year requiring permits for excavating, mining, and filling projects over 200 cubic yards, a couple people have approached the City to apply for a permit. Mayor Povolny said that his understanding of the permit process was anything over 200 cubic yards would require coming before the Council. Griffith agreed to look at the City's ordinance and bring back a summary for the Council to consider before any permits are issued, to best understand the process and what is allowed.

Mursko also reported that at the July 26<sup>th</sup>, 2017 City Council meeting, the Council Members did not make a motion to accept the 2016 audit, and asked them to do so at this time.

**Motion by Duraine to accept the 2016 Audit completed by Redpath Inc. Seconded by Krebs. Motion carried unanimously.**

At this time the City is looking to hire a new employee for accounting duties. In the meantime, there is need to hire part time work to meet basic accounting requirements. Mursko is recommending the City use services from AEM Financial Solutions to do this work, as it would be an easy transition to work with them again. The cost would be the same as their previous contract, and would include two days a month for payroll and three days a month for reporting services.

**Motion by Daly to accept the contract with AEM Financial Services for payroll and accounting services while the City looks for a new Deputy Treasurer. Seconded by Peterson. Motion carried unanimously.**

## **E. ANNOUNCEMENTS & REMINDERS**

**The next Planning Commission meeting is 09.06.17  
Calendar of Meetings.**

## **F. ADJOURNMENT**

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

**Meeting adjourned at 9:09 p.m.**

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator