

**City of Columbus
Regular City Council Meeting
September 13th, 2017**

The September 13th, 2017 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 Jeff Duraine, Bill Krebs, Denny Peterson, and Mark Daly; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Dennis Postler, and Recording Secretary Karen Boland.

Also in attendance were: Ron Hanesgraaf, Paul Peskar, Kris King, Norma Heuer, Dan Mike, Dave Schueler, Shelley Groh, Ken Zaczkowski, Andrew Halverson of NTIC, Jon Rausch, Kate Zaczkowski, Barb Bobick, Pat Preiner, Jackie Bussjaeger, Jesse Preiner, Mary Preiner, Jody Krebs, Brian Behm, John Derus of Running Aces, Paul Peterson of LATV, 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 – 7:02 P.M.**
- 2. Pledge of Allegiance**

B. CONSENT AGENDA

- 1. Motion – Approval of the Amended City Council Meeting Minutes 07.26.17**
- 3. Motion – Agenda Approval with Additions**
- 4. Motion – Pay Bills as Posted**
- 5. Motion – Proclamation 17-04 Domestic Violence Awareness Month**
- 6. Motion – Resolution Authorizing CPTO Excluded Bingo Premise**

Motion by Peterson to approve the Consent Agenda items 1, 3, 4, 5, and 6, to include Resolution No. 17-26. Seconded by Daly. Motion carried unanimously.

C. PRESENTATIONS

1. Planning Commission Report

Commissioner Jesse Preiner gave the Planning Commission report for their September 6th meeting. The Planning Commission held a Public Hearing on a CUP request from applicant, Northern Technologies, Inc., to allow a light manufacturing and processing use in an existing building at 13733 Lake Drive. Commissioners voted unanimously to send the application forward to the City Council with a recommendation for approval based on Planner Johnson's revised findings of fact and recommendations dated September 12, 2017. The revisions reflect allowance for the applicant to use hazardous materials in the manufacturing process, subject to local, state and federal licensing and regulatory compliance; and allowance for outside storage by the applicant, limited to a single container located behind the building or in a side yard location screened from view from Lake Drive NE.

Motion by Krebs to approve (PC-17-121) a CUP allowing light industrial manufacturing and processing (Northern Technologies, Inc.) in an existing building at 13733 Lake Drive NE (dated 08.04.17) based on Findings of Fact and subject to recommendations 1-19 as outlined in the Planner's Memo (dated 09.12.17). Seconded by Duraine. Motion carried unanimously.

Northern Technologies CUP Findings of Fact:

1. The City received an application for a CUP from Northern Technologies International Corp. (“NTIC”) on August 4, 2017 and supplemented on August 16, 2017. The application was found complete.
2. The 60-day review deadline is October 15, 2017. The 120-day review deadline, if extended, is December 14, 2017.
3. NTIC is proposing to lease an existing 5280 square feet building on a 2.07-acre parcel, owned by DLW Properties LLC, located at 13733 Lake Drive NE (Anoka County PID 33-32-22-24-0004), legally described as part of the Southwest Quarter of the Northwest Quarter of Section 33, Township 32, Range 22 (“Property”).
4. The Property is zoned C/I Commercial/Industrial.
5. NTIC is a corrosion management manufacturing and servicing business with four employees.
6. There ~~are no~~ are no may be hazardous materials used in the manufacturing process.
7. The existing building contains approximately 672 square feet of office space, approximately 1736 square feet of manufacturing space, and approximately 3442 square feet of warehouse space.
8. Parking required for the use of the building is 10 spaces.
9. There is an existing paved driveway and six paved parking stalls on the Property. There are at least four additional gravel parking spaces adjacent to the building.
10. There ~~is no~~ is no will be outside storage associated with NTIC’s use of the Property.
11. There is an average of 3-6 truck delivery/transport trips per day associated with NTIC’s use of the Property.
12. Waldoch Crafts has historically used the Property for seasonal overflow parking of recreational vehicles, vans and trucks and proposes to continue the practice.
13. There is an existing access drive in the southeast corner of the Property, which is occasionally used by Waldoch Crafts and Bergen’s for large truck/transport deliveries to adjacent properties.
14. No other changes to the Property or building are proposed at this time.
15. The Planning Commission held a public hearing to consider the CUP for NTIC on September 6, 2017.

Northern Technologies CUP Conditions of Approval

1. NTIC is authorized to operate a corrosion management manufacturing and servicing business on the Property, consistent with its CUP applications received on August 4 and August 16, 2017.
2. The CUP is subject to any recommendations of the City Engineer.
3. Any building improvements are subject to review by the Building Official.
4. The CUP is subject to any requirements of the Rice Creek Watershed District.
5. Access to Lake Drive NE is subject to requirements of Anoka County.
6. ~~NTIC has no~~ NTIC has no eOutside storage by NTIC use of use of on the Property shall be limited to a single container located behind the building or in a side yard location that is screened from view from Lake Drive NE.

7. Historical outside storage use of the Property by Waldoch Crafts for seasonal parking of recreational vehicles, vans and trucks is allowed.
8. Occasional truck deliveries through the Property to Waldoch Crafts and Bergen's are allowed.
9. Additional businesses, expansion or intensification of the use of the Property from what has been presented to date, shall require an amendment to the Conditional Use Permit.
10. All exterior lighting shall be downcast, shrouded and directed away from adjacent properties and public streets.
11. All refuse must be stored in a building, trash transport (dumpster), or in covered cans. Any outdoor refuse storage area shall be enclosed on all sides visible from adjacent property by screening, compatible with the exterior of the building, not less than two (2) feet higher than the refuse container.
12. Typical hours of operation for NTIC are 7:00 a.m. to 5:30 p.m. Monday through Friday, with periodic use allowed on weekends and evenings.
13. ~~No~~ **The use of** hazardous materials or **generation of** hazardous wastes ~~are~~ **are in the manufacturing process is** allowed on the Property, **subject to local, state and federal licensing and regulatory compliance.**
14. The operation of the corrosion management manufacturing and servicing business must be consistent with all local, Federal, and State laws that apply to the use of the Property.
15. In the event the City Council determines, in its sole discretion, that the use of the Property is not being operated in accordance with any term or condition contained herein, the CUP may be revoked by the City upon proper notice and a hearing. The City shall notify regulatory authorities that may have issued licenses or permits in connection with the CUP of any such revocation.
16. NTIC shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the CUP, including reasonable attorneys' fees and consultant fees.
17. The City Council has reduced the minimum number of required paved parking spaces, based upon the proposed use of the Property and evidence that sufficient areas exist to construct additional parking. At any time the City Council determines additional improved parking is necessary, and upon one-year written notice, NTIC shall construct additional parking consistent with minimum ordinance requirements and design standards.
18. The CUP does not eliminate the requirement for obtaining any other permits and approvals as may be required by City, watershed, county, or state laws, rules, ordinances, and policies, including but not limited to grading permits, building permits, plumbing permits, electrical permits, stormwater permits, sign permits, water appropriation permits, and sewage treatment system permits.
19. NTIC shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP, including any subsequent inspection and enforcement actions.

8. Public Open Forum

Norma Heuer – 8289 20th Avenue N., Hugo, MN

Heuer came forward to voice her concerns about the Bituminous Roadways plant. She said she called Deputy Mayor Krebs following his KSTP news interview on the plant, to let him know she was opposed to the project. She said Councilmember Krebs was very informative and told

her the asphalt plant will probably go in, and informed her of a semi-truck depot going in across the road, just north of Ziegler Cat. He said that there was nothing to worry about because the mayors of Columbus, Hugo, Forest Lake and Lino Lakes have an agreement. She asked to know more about this agreement.

Mayor Povolny said there is no agreement, and that mayors can't make agreements; Councils make agreements.

Heuer said she attended the Lino Lakes Council meeting and the mayor denied there was an agreement. He was offended someone would make that type of remark. She also called the Hugo mayor, and he said there is no agreement with Columbus about the improved increased industrialization of the southeast corner of Columbus and along 97 and 35.

Councilmember Krebs said he wanted to correct this. He said during his conversation with Ms. Heuer, he told her there was a company looking for property in Columbus. He said he never told her they were coming, he said there was an inquiry about property. He said he also told her that the mayors were working on some on and off ramps, possibly, in her area. He said Ms. Heuer asked him if there are ever joint-City meetings between the mayors to discuss these things. He said, to his knowledge, there are not.

Paul Peterson – Lakes Area Television

Peterson introduced himself and said with the budget on the agenda he came to explain the direction they are going.

It was decided to move the budget discussion up with Mr. Peterson present.

Part of the budget is a tech piece, that the City will help pay, for the upgrades to the City's system. The amount budgeted for that is \$25,000. Peterson said he did a tour with Elizabeth a couple weeks ago and they walked through the building and went through the system. They went through the Forest Lake system first to look at something somewhat comparable: three cameras, microphones, possibly the recording system. Peterson said he knows Columbus wanted individual microphone control. He said he should get a bid back any day. He will bring it to the Council in a week or two. Once approved, they should be able to get installation going in about a week. It shouldn't be a problem to get it in this year.

The Mayor pointed out the budget went up by a dollar.

Peterson said the budget is about the same. There are a couple of adjustments because of Scandia possibly leaving. The salary of one main employee was shifted down five hours from this year, but it's still up ten from the previous year. That allowed \$5000 more for filmmakers.

One proposal is to put away \$5000 for franchise fees every year, so when that gets renewed, the money is put away. With Scandia leaving, they are trying to hold off on that for this year. The agreement is that with any money made over proposed revenue, that gets paid back first. Those are about the only budget changes.

The Mayor asked if Forest Lake will be looking for a payback on the camera system they put in. Peterson said that gets paid back starting in 2018 –over the next three years. Peterson said the last page shows the four years of what's getting paid back through capital improvement.

The Mayor decided a budget motion could be entertained later in the meeting, per the agenda.

Dan Mike – 15123 Hornsby Street

Mike had questions about the upcoming Engineer's report. He was instructed to proceed with anything not related to the upcoming report, and to wait with those questions until they come up, per the agenda.

Mike asked if there was going to be any traffic control at Hornsby St. and trunk Highway 97. Engineer Postler said at this time MN-DOT's warranties for a traffic signal were not met, so, at this time the conduit will be put in for the future, but it won't be put in at this time. They cost around \$100,000. It is a state highway and they look at it for volume, accident history and that kind of thing to determine if it is warranted. A traffic count was done. The City staff discussed it with MN-DOT many times over the last five years. The City was going to be doing the improvements on 97 as part of Hornsby, but MN-DOT stepped up and is paying for that. That traffic signal could be part of the assessments to developing land around there. There may be options on how to pay for it in the future. It will depend upon the triggering event.

Mike feels there is more concern about traffic on the west side of the freeway versus the east side. There will be a roundabout where the two County highways come together on the west side. That is being designed and paid for by the County.

Mike said with all the ponding that is going to happen with this freeway project, he is concerned that the dams on 145th are making things more wet along the whole east side as the ponds fill up. Postler said the water goes in three different directions on the east side. Some goes under 35 and back to Howard Lake. In the northeast quadrant, some of the goes to Clear Lake and the smallest amount goes southeast.

Shelley G. of Forest Lake, MN

Shelley has been complaining about not having stripes on Hornsby. She said she drives that road all the time and is sick and tired of getting run off the road. She said Forest Lake has half of that road and has striped it three times in three years. She said she was told the road was going to be re-routed two years ago, and then a year ago, and now that is still being said. She said the road gets a lot of traffic and is dangerous. She asked why the City is not acting on this.

The Mayor agreed the road needs to be striped in some fashion.

Councilmember Peterson said the road was put in temporarily with reclaimed asphalt. He suggested taking a different route if the road is a problem.

Shelley said she isn't trying to solve the problem for her, but for the 500 other people who drive it every week.

Councilmember Peterson said the road is going to be closed and moved next year.

The Mayor said they are attempting to do something about the road, either shutting it down or doing temporary stripes or something.

Shelley said she has been calling about the road for two years, but just brought it to the Council's attention 2-3 weeks ago. She said she also went to Forest Lake and they re-striped it to the border within three days.

Councilmember Krebs said the road was gravel before it was recycled asphalt.

9. Acknowledgement – 6939 135th Avenue CUP Amendment Request

Kate and Ken Zaczkowski, owners of Zaczkowski Trucking Service on 6939 135th, told the Council they have experienced some growth and are selling a building in Osseo. They need to move trucks and add a building on their existing property. It should house 10-11 semis which are now in Osseo. It will have five doors. The same colors, style and brick will be used.

Mursko explained that Zaczkowskis are losing a lease where these trucks are currently housed. A new building is not allowed under the existing CUP. To make this legal, the City's current CUP amendment process must be followed, including publishing a notice giving 10 days notice of a public hearing. It will take roughly 60 days to process the CUP amendment. This is a hardship for Zaczkowskis, as they need to move these trucks quickly. She suggested they come before the Council so maybe it can be acknowledged that they have submitted a permit, but they need to begin building to put these trucks inside. It is a timing thing—they need a contractor to come in and construct the building. Mursko said it will be October before a public hearing can be scheduled. They will lose six weeks in the process. The permit will be issued as long as they meet the conditions, but, in this neighborhood, Mursko anticipates public will have comments/concerns. Mursko said they have been approved by Rice Creek. The biggest risk that they run is meeting conditions based on neighbors --things like screening and building placement. If they meet setback conditions they will be allowed to have an accessory building. Mursko said she has explained that were the Council to acknowledge they can move forward with the building, they must understand they will be building at their risk and will have to abide by all the conditions set out by the Planner and Engineer. Mursko told them she can't give them a nod to go ahead.

Zaczkowski would like to start as soon as possible. They have to be out of the other building by November 1st. The builder is lined up and site work could be started right away.

Attorney Griffith said the most the Council can legally do without an application is agree that they will not stop work if Zaczkowskis pull a permit and begin work. The Council cannot give them permission for something they haven't applied for and have not received approval on. There is no authority for the change without the CUP. It is a bad practice to give any kind of nod. It sets a bad precedent to others. He added that most contractors will require a building permit to begin, and no building permit can be issued until the CUP amendment is approved.

The Council asked Mursko to go over with Zaczkowskis any building prep that might be legally allowed on the property before the CUP amendment is approved. The Council will also look at whether a meeting can be held to consider the PC's recommendation and findings on the CUP amendment as soon as possible after the public hearing is held.

D. STAFF AND CONSULTANT REPORTS

10. Engineer Report

City Engineer Dennis Postler presented eight topics to the City Council.

Motion – Ziegler Pay Request No. 2

The work is basically done on the water tank at the Ziegler facility. This is not the final pay request, but it's all the quantities minus a retainage. There still needs to be a final inspection. Postler is requesting approval of pay request number two, to Forest Lake Contracting, Inc., in the amount of \$56,335.00 for Ziegler tank work.

Motion by Daly to approve the Ziegler Pay Request No. 2, for \$56,335.00 to Forest Lake Contracting, Inc. Seconded by Peterson. Motion carried unanimously.

Motion - 159th/Xingu Final Pay Request No. 2F & Comp. Change

The second topic is for the final pay request and associated compensating change order for 159th and Xingu paving project. The final quantities came in about \$3,900 dollars under the contract amount. Approval was requested for the compensating change order for (-\$3,955.13) for the as-constructed quantities.

Motion by Krebs to approve the compensating change order request in the amount of (-\$3,955.13) for the as-constructed quantities. Seconded by Peterson. Motion carried unanimously.

With that change order, the final payment remaining to be paid to contractor, North Valley, Inc., is \$10,722.41.

Motion by Peterson to approve the final payment of \$10,722.41 to North Valley, Inc., for the 159th Avenue NE and Xingu Street NE paving project. Seconded by Krebs. Motion carried unanimously.

Motion - Furman Street Final Pay Request No. 1F & Comp. Change

The third topic is for Furman Street paving. That one also came in under quantities with (-\$3,323.20) as a negative compensating change order. Also, the first and final pay request is for \$45,466.30 to Knife River Corporation.

Motion by Peterson to approve the compensating change order request in the amount of (-\$3,323.20) for the as-constructed quantities. Seconded by Krebs. Motion carried unanimously.

Motion by Krebs to approve the final payment of \$45,466.30 to Knife River Corporation, for the Furman Street NE paving project. Seconded by Daly. Motion carried unanimously.

Motion – 141st Avenue Final Pay Request No. 1F & Comp. Change

The fourth topic is for 141st Avenue paving final pay request and associated compensating change order. That had a compensating change order that came in under contract in the amount of (-\$12,228.00). The first and final pay request associated with that is for \$161,449.00.

Motion by Daly to approve the compensating change order request in the amount of (-\$12,228.00) for the as-constructed quantities. Seconded by Peterson. Motion carried unanimously.

With that change order, the final payment remaining to be paid to contractor, Knife River Corporation, is \$161,449.00

Motion by Krebs to approve the final payment of \$161,449.00 to Knife River Corporation, for the 141st Avenue paving project. Seconded by Peterson. Motion carried unanimously.

Postler noted that assessment hearings will be scheduled in the next month and a half or so for

those three paving projects, and final costs will be determined.

Update – Hornsby Street North Realignment

- **Funding and Timing**
The County is still negotiating with the legislature on the bonding bill to try to get all the costs included: construction, engineering, and right-of-way. If it all gets paid for, there's a chance construction could be delayed to 2019.
- **Final Alignment and Platting**
Two alignment proposals were presented. One (page 44) is the proposed alignment based on the architectural rendering from Architectural Consortium that came up with the plan in that quadrant. Postler asked the Council to consider the other alignment (page 45) which follows the existing road alignment. It still ties into 97 at the same location, but uses the same road bed. It has a little less right-of-way, gives more developable space on the freeway side. Curve radiuses are the same, just a little shorter, because it cuts off earlier. They are designed for 30-mph design speeds around corners. This was discussed at staff level too; staff thought this second alignment proposition (page 45) was a better plan for laying out future development.

Motion by Peterson to approve the Hornsby Street North Realignment as shown on page 45 of the packet. Seconded by Krebs. Motion carried unanimously.

- **Road Closure?**
Postler wanted to revisit the thought of closing Hornsby. From an engineering and construction standpoint it is favorable to close the road.
The Mayor said Forest Lake will be accommodating if Hornsby is closed, but they would rather see it open.
Two weeks ago, 2700 cars a day were counted on the road. It is closed to truck traffic.
Forest Lake's main concern is for residences on the north end of the road.
There was discussion about whether or not to close the road. Two Council members lean toward leaving the road open; three Councilmembers lean toward closing the road once construction begins. The decision was made to put off making that determination until seeing the calendar for work on the road.
- **Interim Striping**
Public Works Superintendent Jim Windingstad asked for direction on striping the road in the interim. He got a bid for \$2,450 for striping double yellow lines down the middle.
Postler suggested getting an agreement with Forest Lake to finish the striping and we will reimburse them.

Motion by Krebs to authorize Public Works Superintendent Windingstad to pursue striping (double yellow lines) on Hornsby Street N. through the City of Forest Lake. Seconded by Daly. Votes as follows: Peterson – nay, Daly – aye, Duraine – nay, Krebs – aye, Povolny – aye. Motion carried.

Update – I-35 Bridge Design Build Project

- **Storm Water System and Pond Location**
Postler presented a map to make Council aware of proposed stormwater and ponding with relation to the bridge project. There is a small pond in MN-DOT's right-of-way, next to the on-ramp, that takes water from the northeast quadrant. There are two ponds in the southeast quadrant: one on the Haluptzok property, one on the City property. The one

on the City property comes from 97 and will overflow into the wetland to the southeast. The storm sewer runs along the west side of old Hornsby. The City is trying to have MN-DOT put the storm sewer in the old road right-of-way. If the cul-de-sac is taken out and the storm sewer is moved over, it will save the Haluptzok property from condemnation. If this is possible through MN-DOT, it will be done.

Discussion/Direction – 2018-2019 City Paving Improvements

The seventh topic involves paving projects. About two miles of roadway were paved this year from petition projects. Public Works Superintendent Windingstad discussed plans for the next two phases. The Advisory Committee and the City Council came up with a five-mile paving plan for next year. This includes portions of 165th Ave. NE, Xingu, 162nd, and 161st. Notre Dame and 181st are part of a 2019 paving project, which is the City's project. Public Works suggests combining the 2018 project and moving it to 2019. Windingstad also wants to consider adding existing gravel roads surrounding Notre Dame and 181st to the 2019 project. He asked if the Council wants City Staff to move forward with the five-mile paving project for next year or if all can be combined for a 2019 project.

Council members would like to try to pave the five-mile area (depicted in blue on hand-out) in 2018, and proceed with neighborhood meetings.

Discussion – Camp III Road Traffic Count and Speed Charts

The eighth topic is Camp III Road traffic. Postler explained charts the City received from data collected by the County. Public Works put traffic counters on each end of Camp III Road at the end of May. They counted almost 10,000 cars off Potomac and 7,200 cars off of Kettle River. People are coming in and going back out. More of that is happening on the west end, from a traffic count perspective. The County had one counter in the middle of the road in July. They counted 5,000 cars the first week, 4,300 the second week, 3,400 the third week. With a middle counter you have some people coming in and out that never cross the counter. The average speed the County's counter took was around 41 mph. If you take the 85th percentile, which is how speed limits signs are typically determined, that averages about 51-52 mph. Postler said if you were going to post it, you'd post it at 50 or 55. It is unposted right now, which is 55. Postler said of the 5,000 cars that first week, there were 64 that went more than five miles over the 55 speed limit. Out of those, there were 30 that went up to 65 mph. No one went over that. Four to six cars/day went between 60 and 65 mph.

Brian Behm, a resident who requested the study, spoke. He believes the data misses other characteristics of the road, for instance pedestrian and bicycle traffic, and the occasional horse rider. The Mayor said that technically they should not be on that road. Behm said that's true and referred to the City being willing to spend money on a trail to keep people off the road by the new development along County Rd. 54. The Mayor said that cost is \$15,000. Behm said a couple of stop signs is much cheaper than that.

Behm said the data doesn't address the time of day the speeds occur. He said people typically speed when they are going to work, which is the same time school kids are gathered on the road, waiting for the school bus. He pointed out Camp III is the only paved road between Kettle River and Potomac. It has no shoulders. Behm requests the City put up a couple of stop signs.

Council members and Mr. Behm discussed stop signs, various speed limits, speed postings, and appropriate use of a roadway.

Motion by Duraine to post speed limit signs of 45 mph on Camp III Road. No second.

Postler said that from an engineering perspective, he doesn't recommend a speed limit lower than 50 mph.

Motion by Krebs to post speed limit signs of 50 mph on Camp III Road. Seconded by Peterson. Votes as follows: Peterson – aye, Daly – aye, Duraine – nay, Krebs – aye, Povolny – aye. Motion carried.

Windingstad was instructed to purchase two 50 mph speed limit signs and place one on each end of Camp III Road.

11. Attorney Report

City Attorney Bill Griffith presented three topics to the City Council.

Motion – MN-DOT Master Partnership Contract

The City had a question about a MN-DOT requirement that they pay up front for certain items. MN-DOT clarified that the items scheduled and agreed to, can be paid as a matter of course, not up front. It would only be if the City changes something and asks for a special work order that up-front payment would be required. With that, Griffith recommends the agreement (MnDOT Contract Number 1028125) that begins on page 56 of the packet.

Motion by Daly to accept the Master Partnership Agreement (MnDOT Contract Number 1028125) between the City and the State of Minnesota. Seconded by Peterson. Motion carried unanimously.

Update – Sunrise WMO Campaign Finance Disclosure

The second item is with regard to the City's question about the impact of not appointing someone to the Sunrise Watershed Management Organization. When there is a vacancy, there has to be notice from the WMO to the Board of Water and Soil Resources (BOWSR) within 30 days of that vacancy. So the City wants to make sure they get timely notice when there is a vacancy. Ninety days after that, the vacancy is to be filled. There are currently 2 vacancies—an at-large vacancy and now a Councilmember vacancy, so the City has no representation on the WMO Board. Griffith said the letter did go out to the Campaign Finance Board, and it will be e-mailed to the entire legislature. He noted it is much easier to report financial matters as a Council member than it is as a Water Management Board member. An at-large member would have to fill out all the same disclosures.

Motion – Magellan Pipeline Consent to Plat Blake Well Drilling

The third item is with regard to the Blake Well Drilling site. Magellan Pipeline has had a long-standing easement that covered the property. There is also a concurrent drainage and utility easement. The Council is being asked to approve, as part of the consent of plat, an acknowledgment that the City can't do anything within our easement, without Magellan's consent. Griffith has reviewed the consent to plat and recommends its approval.

Motion by Daly to approve the Consent to Dedication of Plat of Blake Well Drilling. Seconded by Peterson. Motion carried unanimously.

12. Mayor and City Council Member's Report

Council Member Krebs

Councilmember Krebs was approached by a developer about an Immigration/Customs holding facility for illegal immigrants. It will be a 50-70 million dollar project. They need 30 dry acres. Detainees would be there up to 50 days. It is privately owned. Krebs believes this could work well in a couple of locations on the east side of the highway. It would bring in 100-150 jobs. Following discussion, the consensus of Council members is that they are not interested in getting

more information on this type of facility at this time.

Council Member Duraine

Councilmember Duraine attended a Cable Commission meeting today. The 2018 budget was discuss.

Motion by Duraine to accept the 2018 LATV budget. Seconded by Daly. Motion carried unanimously.

Council Member Daly

Councilmember Daly mentioned that Fall Fest is this coming Saturday, 9/16.

Council Member Peterson

Councilmember Peterson attended the Public Works Advisory Committee meeting, which will be discussed next on the agenda.

Mayor Povolny

The Mayor said if we have minor infractions in our civil code, we call the Community Service Officer (CSO). We leave serious crimes to the Sherriff's department. The Sheriff's Office wants us to be more involved in a property in Columbus that has questionable activity going on. We have taken care of any code issues: nuisance of junk in the front yard, etc. What do we want to do? We've been asked to be more involved in it. We agree we want something done at the place, but there is not much we can do from our ordinance side.

Mursko said she was asked by the Sheriff's office if the City housing code talks about a disorderly house. We don't have an extensive housing code. Apparently some neighboring communities have passed one of these ordinances. We do not have the staff to do investigation. The Mayor asked if we want to pass more ordinances, like the social host ordinance, that get into people's homes. He believes that's what it would take to do what the Sheriff wants, and we don't have the staff or resources to do it.

13. Public Works Report

Public Works Superintendent Jim Windingstad was joined by Dave Schueler, Chair of the Public Works Advisory Committee.

Motion – PW Building Generator

Windingstad said he was approached by the City of Lino Lakes with a line on a generator at AID Electric. It is a 125K generator that would be hooked up to the Public Works building. Right now the City has a portable generator, a multi-use generator for the PW building and sewer and water. If it's needed in two places it will go to sewer and water. The City could buy this 125K generator for \$2,200.00. It has 263 hours on it; it runs on diesel. The Mayor said it will have to be hard-wired into the building. Windingstad asked the Council to approve the purchase.

Motion by Duraine to authorize spending up to \$2,200.00 to purchase the generator. Seconded by Daly. Motion carried unanimously.

14. Public Information Coordinator Report

Motion – Gander Mountain Utility Bill

Griffith said the City looked into the Gander Mountain Bankruptcy. The City has a claim in the amount of \$1,657. It would cost more to collect it than to satisfy the claim. Gander Mountain is

making payments going forward after the bankruptcy, so the City is getting paid its utility costs. The \$1,657 may ultimately be recovered, as well, from the new owners. Griffith requests the Council's concurrence to not pursue the bankruptcy claim for \$1,657.

Motion by Duraine to acknowledge Gander Mountain's outstanding balance of \$1,657 for first quarter 2017 utility billing and, if not collected in 2017, will be documented in the City's books as non-collectable debt and written off. Seconded by Daly. Motion carried unanimously.

15. City Administrator's Report

Discussion – 2018 Budget Discussion

Schueler and Windingstad presented the proposed Public Works budget. On Schedule A the proposal is to move \$180,000 to the 2018 budget for replacement of the John Deere Tractor/Mower, and move \$210,000 for purchase of a dump truck to 2019, and \$120,000 for replacement of the grader to 2020. Windingstad pointed out that by moving the grader to 2020, its warranty will be expired. It currently runs well, and has approximately 3,000 hours on it.

Motion by Peterson to authorize spending from the 2018 Public Works budget of up to \$180,000 to replace the 1998 John Deere. Seconded by Daly. Motion carried unanimously.

Schueler noted that the Public Works Equipment Fund (Fund 401) has remained flat for many years. The proposal is to increase the levy amount from \$80,000/year to \$90,000/year. Equipment has gotten increasingly expensive and they are beginning to lose ground. Windingstad pointed out that just the price of the mowers for the tractor went up \$6,200 from this year to last year. This is a cash fund, a capital fund. The intent is to save so we don't have to borrow. Councilmembers felt it was a reasonable increase.

Windingstad said a net increase of \$51,200 is being proposed for the Blacktop Fund (Schedule B). That went up because three miles of asphalt were added. Ultimately the levy from 2017 to 2018 will increase by \$51,200.

The Mayor asked Mursko if the budget can be held flat with our new tax capacity from building. Mursko said she believes the City will come close. The increase for the Sheriff's department and the blacktop and equipment increases come into play. Operational costs have increased minimally. The contract services and capital are where we are seeing the biggest changes.

Mursko reported there were three road projects this year and it was not worth bonding for them. She would like to use the blacktop fund to its fullest potential. These three roads could be funded with the blacktop fund and then the City can gain the interest from when assessments are being paid back. So, the blacktop money can be used in interim years that the City is not doing projects and the interest that would have been paid to a lender will then be paid to the blacktop fund. It will be a revolving fund. It looks like a good opportunity for the blacktop fund to make some revenue through the interest. The Council thought it sounds like a good idea.

Mursko asked if the Council wants special assessment hearings during a Council meeting or on a separate night. The Council opted for a separate night.

Mursko presented Council with the 2018 Budget disbursements. The preliminary levee has to be to the County by September 30th. The Council's next meeting is 9/27. There will need to be a vote on the preliminary levee at that meeting.

Mursko explained the reasoning behind any increases and decreases in the 2018 budget. She had a few items she wanted to point out to Council.

- 1) The City is paying out \$9,000 to Rice Creek for all the improvements and culvert projects.
- 2) There is no line-item in the budget for storm water, and the Council approved taking on the maintenance of storm water ponds. We will have to come up with a plan for inspection and cleaning of ponds, and determine future costs.
- 3) Mursko said blacktop patching should not come out of a capital fund. These funds are generally for expenditures over \$5,000. With all the blacktop roads we have, we have no line-item for patching. The cost of patching is about \$2,500 per spring.
- 4) The City gained 16 streetlights with the roundabout, and now will gain 32-35 more with the two new roundabouts. We have no line-item for maintenance of street lights.
- 5) Technology costs are increasing. Scan software and scanner infrastructure is needed. We now have to buy licenses every year for almost every piece of software we run. That cost never goes away now. All the technology is exciting and will streamline some things, but it does cost more money.

Mursko reported a likely increase of approximately 2% in the City's 2018 budget when all has been figured in.

E. ANNOUNCEMENTS & REMINDERS

**The next Planning Commission meeting is 09.20.17 at 7:00 p.m.
Calendar of Meetings.**

F. ADJOURNMENT

**Motion by Duraine to adjourn. Seconded by Daly. Motion carried unanimously.
Meeting adjourned at 10:02 p.m.**

Respectfully Submitted:

Karen Boland, Recording Secretary