

**City of Columbus  
Regular City Council Meeting  
09.27.17**

The 09.27.17 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 Public Communications Coordinator Jessica Hughes.

Also in attendance were: Steve Wagamon, Tom Schmidt, Phil Belfiori, Chris Otterness, Garrett Monson, Tom & Gerrie Olson, Jim Watson, Bob Schaller, Kris King, Paul Peskar, Jennifer Stone, Jennifer Trongard, Arlen & Shelly Logren, Dan Mike, Rob & Kathy Osterberg, Jared Wagner, Kathy Sianko, Pat Scherber, Tom Scherber, Ron Hanegraaf, Joe Bazey, Kent Peterson, Ken Rohlf, Jon Rausch, Frank Frattalone, Kim Taylor, John Taylor, Vern & Margie Roisum, Jesse Preiner, Pat Preiner, Mary Preiner, Jody Krebs, Public Works Superintendent Jim Windingstad, Julia Parent (Forest Lake Times), and Brandon Taylore (LATV).

**A. CITY COUNCIL REGULAR MEETING**

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

**B. CONSENT AGENDA**

- 3. Motion – Approval of the Amended City Council Meeting Minutes 08.23.17**
- 4. Motion – Approval of the City Council Meeting Minutes 09.13.17**
- 5. Motion – Agenda Approval with Additions**
- 6. Motion – Pay Bills as Posted**

**Motion by Peterson to approve the Consent Agenda items 3 – 6. Seconded by Krebs.  
Motion carried unanimously.**

**C. PRESENTATIONS**

**7. Rice Creek Watershed District and Anoka Conservation District**

Wetland Buffer & Wetland Replacement Rule Changes Presentation

Jared Wagner from the Anoka County Conservation District gave a presentation on Minnesota's new wetland buffer rule changes. Wagner started by explaining that the buffer law changes are a part of a campaign to clean up the state's waters, as buffers act like giant filter strips. The new rule requires an average buffer on public waterways of 50 feet, and a minimum of 30 feet by 11.01.17. Wagner explained that there is also an option to extend the deadline to 07.01.18. In addition, a 16.5-foot buffer is required for all ditches by 11.01.18. Wagner reported that at the current time, Anoka County is already over 99% compliant with the new buffer law. The Anoka County Soil and Water Conservation District (SWCD) will be monitoring, assisting, and reporting on compliance with the new buffer law.

Daly asked Wagner how the new buffer law would affect lakes and beaches? Wagner replied

that local shore land ordinances would take precedence over the buffer law. Krebs asked what cannot go in the buffer zone, specifically whether animals such as horses or cows can step in? Wagner replied that animals can step into the buffer zone, and the requirement is simply maintaining at least 80% coverage of perennial plants.

Mayor Povolny questioned the definition of public waterways, he asked Wagner why 10 acres of unincorporated land with a public waterway is equal to 2.5 acres of incorporated land with a public waterway? Wagner replied that this designation was determined by the DNR, and the SWCD must follow their maps of public waterways.

Mayor Povolny replied by asking if there is any repayment plan for the amount of land that must now be dedicated as a buffer zone? Wagner said that there is not a repayment plan, and the reasoning is that landowners will still own the property even though it must be dedicated as a buffer.

Krebs asked about farmers, explaining that they rely on their land as a livelihood, and wondered if they will be reimbursed for the property they are required to dedicate as a buffer? Wagner said that the only type of compensation available is a cost sharing program.

Mayor Povolny asked how one can be exempt from this rule? Wagner replied that there is a place on the SWCD website for comments to be made on the DNR map, and the DNR reviews those comments to determine if a change should be made. Mayor Povolny asked who the authorizing body is? The Rice Creek Watershed District is the usual ditch authority for anything within their wetland boundary, however they have not taken on any enforcement authority for this new law. So, at the moment Anoka County is acting as the enforcement authority for the entire county. With that the Council thanked Wagner for his presentation and moved on to the next.

### Rice Creek Watershed Ditch 31/46 Project Presentation

Phil Belfiori, Administrator of Rice Creek Watershed District (RCWD), as well as engineers Garrett Munson and Chris Otterness came forward to give a Power Point presentation on the Ditch 31/46 cleanup project. The project itself was a 2-3 year process, and Belfiori thanked everyone involved for their time and work. This was the largest ditch repair project that RCWD has ever done. Belfiori explained that the RCWD is large; it covers 186 square miles, encompasses 28 cities and four (4) counties, and manages 120 linear miles of public drainage system.

Belfiori went on to explain why public drainage systems are managed and repaired. He explained that the end goal is predictable drainage; as anyone interesting in developing land wants to know how and where water will flow on their property. RCWD also provides ongoing maintenance of ditches so that the drainage system can continue to run at its best.

In terms of this specific project, 100% of the ditches worked on were located in the City of Columbus. County Ditch 31 is located generally west of Kettle River Boulevard and mostly to the south of W Broadway Avenue. This area generally drains to the south and to the east, eventually leading into Howard Lake. County Ditch 46 is located generally along Potomac

Street NE, north of Camp Three Road, stretching as far south as 153<sup>rd</sup> Avenue NE. This system generally flows from west to east through the old Columbus Lake and then into Rice Creek.

Otterness went on to explain the process that this project went through. The project began by determining the size and dimensions of the ditches, as well as how much public right-of-way there is available to access the ditches for maintenance. The next step was generating an engineer's report (called a repair report) which determines the recommended approach during repair. As this process is being completed, there is also simultaneous work being done to securing funding. A key portion of this process is also public information meetings, to ensure that the public is informed and has an opportunity to provide input. RCWD held six (6) different public information meetings relating directly to this project.

Construction began with permit acquisition in 2016, with the contract being awarded in August of that year. Construction itself began in October 2016, with a substantial amount being completed by January 2017. The project was completed in the spring/summer of 2017. The work itself involved excavation, tree removal, sediment removal, excess vegetation removal, and culvert replacement. In terms of cost for the project, three different entities paid the bill; 57% was paid by RCWD, 40% was paid by landowners receiving benefit, and 3% was paid by road authorities. Belfiori clarified that there is also a maintenance fund, so any work needing to be completed in the future will not be assessed to benefitting landowners.

After the presentation, Council Members asked questions. To start, Mayor Povolny asked who owned the trees which were removed as part of the project? Belfiori explained that the trees were part of what is called the "right-of-way of the system"; an area identified by state statute which the drainage authority has the right of access to complete maintenance. He continued to say that they worked with some landowners to keep certain trees standing that were in the system's right-of-way. The next question from Mayor Povolny was where all of the water in these ditch systems end up? Belfiori explained that Ditch 31 drains into Howard Lake and Ditch 46 drains into Rice Creek. RCWD also, as part of the project, researched the effect additional water would have downstream, and it was minimal to none. Council Member Duraine asked how the RCWD works with the SWCD, who is enforcing wetland buffers? In general, RCWD makes sure that they are following wetland buffer regulations when the project is completed, and afterward it becomes the landowners responsibility to ensure they remain in compliance. Council Member Krebs asked if ditch cleaning projects such as this one help improve water quality? Belfiori explained that similar projects essentially maintain water quality along drainage systems. Although in some areas there may be an improvement in water quality, the sole focus of this project is improving drainage.

At this time, Mayor Povolny asked for advice on a drainage issue that the City is currently facing off of Pine Street. He explained that they are considering repairing the ditch along the north side of the road, in order to improve drainage. Mayor Povolny asked the RCWD representatives if they have any insight into how water flows through the area, and if there are any public ditches nearby? Otterness replied that there is a ditch nearby, which is Anoka County Ditch 1022-32 branch 4, and the water from that ditch flows from north to south. Mayor Povolny asked how it would work if the City cleared the road ditch so that water will flow to that public ditch? Otterness replied that he would have to do more research into the area, but generally if the water is flowing east to west it will eventually have to flow south through a culvert. City Engineer

Dennis Postler explained that the elevation change along Pine Street from Zodiac Street NE to the County Ditch is eight hundredths of a foot, which is basically a zero grade for half a mile. So, Postler's question is, in their experience, if the City were to clear the road ditch what type of an impact would it have? Otterness replied that clearing a ditch will generally help improve drainage, but because this ditch has such a shallow grade the improvement will be minimal.

Mayor Povolny asked about the process someone (or some City) would have to go through to dig a ditch that will empty into a public ditch? Otterness explained that it would depend on the scope of the project, and the best way to go about it would be to contact staff at RCWD and discuss what options are available. Belfiori continued by saying that RCWD offers free pre-application meetings with engineer assistance, and such a meeting would help determine whether a permit is necessary. There is also a competitive cost share program for regional flood control issues that Cities can apply for, which is becoming available at the end of October 2017. However, Belfiori explained that for the project to be considered "regional" more than one community should be involved with the application. Postler commented that there have been meetings with Lino Lakes (who borders Pine Street on the south) and they are not interested in taking up the issue at this time. Mayor Povolny asked about the process for requesting the RCWD put in a new ditch within the City of Columbus. Otterness explained that Cities are able to petition for a new ditch, however it would require petitions from a certain percentage of landowners in the proposed area. Belfiori added that if the City is having regional or inter-community issues with drainage, they should be listed in the local water plan which is part of the land use plan that Columbus is currently in the process of developing. With that the Council thanked RCWD representatives for their presentation.

## **8. Planning Commission Report**

Commissioner Jody Krebs presented the Planning Commission report on three different topics.

### Humber Estates Preliminary & Final Plat

At their September 20<sup>th</sup> meeting, the Planning Commission held a Public Hearing for a preliminary and final plat request from Construction Technology Inc. for Humber Estates. The request is to reconfigure lot lines and dedicate right-of-way to the public for the dedication of a cul-de-sac once Humber Street is terminated. The Planning Commission discussed revisions to condition #2 (altering the cul-de-sac right-of-way and culvert extension), and omitting condition #4. The Planning Commission is recommending approval.

**Motion by Daly to accept the Planning Commission's recommendation and approve PC-17-119 Humber Estates preliminary plat request (dated 08.18.17) and final plat subject to findings of fact and conditions 1-4 in the Planner's Memo (dated 09.27.17). Seconded by Krebs. Motion carried unanimously.**

### Humber Estates Preliminary & Final Plat Findings of Fact:

1. The combined preliminary and final plat application, received on July 28, 2017 and supplemented on August 21, 2017, was found complete for review.
2. The 120-day combined plat review deadline is December 19, 2017.

3. The proposed plat is a rearrangement of two parcels located on the east side of Humber Street NE, containing approximately 26.45 acres, legally described as part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 32, Range 22.
4. The proposed plat also accommodates a new cul de sac on Humber Street NE and partial street vacation, south of the new cul de sac.
5. The property is zoned C/I Commercial/Industrial.
6. Proposed Lot 1 includes an existing residence on the westerly half of the lot, currently owned by Andrew and Erika Ramsden (currently 4.82 acre parcel size).
7. The proposed new cul de sac occupies a portion of the existing Ramsden property. The existing Ramsden property will be nearly doubled in size as a result of the plat (8.71 acres).
8. Proposed Lot 2 is owned by Construction Technology, Inc. (CTI) and is approximately 17.46 acres in area. The lot includes an existing residence and is proposed to be redeveloped in the future for additional CTI garage condominiums.
9. The proposed lot areas and lot widths are consistent with the C/I District dimensional standards.
10. A Rice Creek Watershed District permit is not required at this time.
11. There is a large wetland area on the easterly portions of the two lots, which is protected with drainage and utility easements.
12. Required 10 feet property line drainage and utility easements are not illustrated on the preliminary or final plat.
13. The proposed plat is not affected by either Shoreland or Floodplain management standards.
14. The final plat is consistent with the preliminary plat.
15. The Planning Commission held a public hearing on the Humber Acres Preliminary Plat on September 20, 2017.

Humber Estates Preliminary & Final Plat Conditions of Approval:

1. The addition of the minimum 10 feet drainage and utility easements adjacent to all lot lines.
2. Recommendations of the City Engineer for cul de sac right-of-way modification and culvert extension.
3. Title review and recommendations of the City Attorney.
4. Future development in the plat is subject to local ordinances and permitting requirements.

13957 Lake Drive CUP Request (Mobile Mini)

Also at the September 20<sup>th</sup> Planning Commission meeting, a Public Hearing was held on a CUP Request from Mobile Mini for 13957 Lake Drive, to operate a storage container and servicing business on the property. Commissioner Krebs noted that the Planning Commission made some revisions to the findings of facts and conditions for approval. Number 14 from the Findings of Fact and number 13 from the conditions were altered to allow for stacking two containers high, and during seasonal high inventory periods allow a maximum of three containers to be stacked on top of each other. Number 25 in the findings of fact was added to allow for side yard storage

at the beginning of the second building. A revised site plan was also submitted at the Public Hearing showing the proposed container storage on the south side of the existing building. Lastly, number 26, also in the findings of fact, addresses a revised landscape plan which was presented showing proposed 6-12 foot tall trees to be planted along Lake Drive and the north property line. The Planning Commission also asked the applicant to submit a detailed illustration of the site, including screening, and recommends approval of the CUP request pending the submission of that illustration. Mursko explained that the illustration had been submitted since the last Planning Commission meeting.

At this time Mursko handed out information pertaining to this request which was submitted by a concerned citizen. The materials were documents from the City of Lino Lakes (where Mobile Mini is currently operating), that show compliance issues with outdoor storage and stacking heights.

Mayor Povolny asked if there were specific parameters for when stacking containers three high would be allowed? Commissioner Krebs replied that it was not specified, that the intention was to stack containers three high when business was slow and they needed to conserve space on the property. Daly commented that he would rather see an expansion of the storage area than containers stacked three high. Mursko clarified that storage would only be behind the second building and not in front. Povolny, Krebs, and Griffith agreed that stacking containers two high would be better legally and aesthetically.

**Motion by Peterson to accept the Planning Commission’s recommendation and approve PC-17-122 Mobile Mini CUP application (dated 06.14.17) at 13957 Lake Drive subject to findings of fact and conditions 1-27 from the Planner’s Memo (dated 09.21.17), with the adjustment to condition number 13 that storage containers may only be stacked two high. Seconded by Krebs. Motion carried unanimously.**

Mobile Mini CUP Request Findings of Fact:

1. The City received an application for a CUP from Mobile Mini, Inc. (“MMI”) on June 14, 2017. The application was found incomplete. Revised application submittals were found complete on August 15, 2017.
2. The 60-day review deadline is October 14, 2017. The 120-day review deadline, if extended, is December 13, 2017.
3. MMI is proposing to lease the entire 15.6-acre property located at 13957 Lake Drive NE (Anoka County PID 33-32-22-24-0004), owned by Daniel Graff, Graffco, Inc., and legally described as part of the Northwest Quarter of the Northeast Quarter of Section 33, Township 32, Range 22 (“Property”).
4. The Property is zoned C/I Commercial/Industrial.
5. MMI is a construction equipment leasing business, specializing in the rental of portable storage containers. MMI occasionally sells the storage containers.
6. MMI will use the two existing buildings (approximately 10,000 square feet each) on the Property for office space (portion of westerly building), equipment storage, minor equipment repair, and general storage.
7. MMI indicates there will be eight full time employees on the Property.
8. MMI generally maintains the fleet of storage containers in one corporate color with

- corporate logos. There may be up to a maximum of 20% of the total storage units on the Property that do not match the MMI corporate color or logo.
9. MMI indicates that the only minor repairs and “spot painting” of the storage containers will be done on the Property. There will be no sand blasting or complete painting of containers done on the Property.
  10. Parking required for the use of the buildings is 24 spaces (3000 square feet office and 17,000 square feet warehouse).
  11. The existing access drive and parking area south of the westerly building is gravel. A small parking area west of the westerly building and an area south and east of the easterly building have bituminous surfacing.
  12. MMI is also proposing to expand the existing gravel outside storage area to the east and northeast of the buildings by approximately 2.5 acres, according to the site and grading plans dated 7/26/17. Total impervious site area will be about 5.4 acres or approximately 35% lot coverage. [Note: the MMI Narrative, dated 8/14/17, indicates the landlord is responsible for adding approximately 4 acres of additional storage yard and fencing.]
  13. A permit application for the 2.5-acre expansion of impervious area has been submitted to Rice Creek Watershed District.
  14. MMI proposes to store anywhere from 100-500 storage units on the Property, depending on seasonal fluctuations. The storage units will be stacked at a maximum of three containers high, resulting in a maximum of 24-27 feet in height.
  15. The expanded storage area will be surrounded with 6-foot high security fencing.
  16. An air photo parcel sketch, dated 6/2/17, includes hand drawn illustrations of 10 “future trees” at approximately 100-foot spacing along the westerly and northerly property lines, as well as four “smaller plantings” and a “berm” located south of the access drive approximately 100 feet from Lake Drive NE.
  17. MMI indicates a heavy truck traffic day would involve 10 truck trips in and 10 truck trips out. Containers are loaded on trucks by fork lift.
  18. MMI indicates the majority (95%) of truck traffic flow is one directional, minimizing truck backups and excessive maneuvering.
  19. There are no hazardous wastes associated with the use of the Property, with the possible exception of waste oils generated from equipment repair.
  20. MMI is not proposing any changes or improvements to the existing buildings or adding any new site lighting.
  21. No plans have been received for any site or building signage.
  22. No other changes to the Property or building are proposed at this time.
  23. Normal hours of operation are 7:00 a.m. to 5:00 p.m., Monday through Friday, with only occasional weeknight or weekend container deliveries.
  24. The Planning Commission held a public hearing to consider the CUP for MMI on September 20, 2017.

Mobile Mini CUP Request Conditions of Approval:

1. MMI is authorized to operate a storage container and servicing business on the Property, consistent with its CUP application received on June 14, 2017 and as modified through August 14, 2017, as well as subsequent permit reviews and approvals.

2. The CUP is subject to detailed recommendations of the City Engineer.
3. Any building improvements or building permit requirements are subject to review and approval by the Building Official.
4. The CUP is subject to the permitting requirements of the Rice Creek Watershed District.
5. The CUP is contingent upon final wetland and floodplain elevation determinations.
6. Access to Lake Drive NE is subject to any permit requirements of Anoka County.
7. The access drive and a minimum of 24 parking spaces shall be improved with bituminous surfacing, consistent with minimum City design standards. The parking spaces shall be painted and include one handicapped accessible parking space. The paved access drive shall extend from Lake Drive NE to the fenced-in storage yard.
8. A maximum of 500 storage containers for leasing are allowed on the Property at any given time. A minimum of 80% of the storage containers kept on the Property at any given time shall be painted with MMI corporate colors and identified with MMI corporate logos.
9. The storage area for non-corporate painted containers shall be separate from corporate painted containers and shall be located on the least visible areas of the Property.
10. Occasional sales of storage containers are permitted.
11. The storage of containers shall be limited to the primary, secured storage area east of the existing buildings, except for temporary loading, unloading, staging or servicing of containers.
12. No sandblasting or major painting of containers is allowed on the Property. Painting shall be limited to minor touch ups or spot painting and shall be conducted within existing structures.
13. Storage containers may be stacked to a maximum of ~~three~~ two containers, ~~and to a maximum height of 29 feet.~~
14. A detailed landscape and screening plan shall be submitted to the City for review and approval prior to any MMI occupancy on the Property (Submitted 09.22.17).
15. A truck delivery and maneuvering plan, illustrating single direction traffic flow, shall be submitted for City review and approval prior to any MMI occupancy on the Property.
16. A revised site plan must be submitted and illustrate the primary and secondary waste treatment areas and the well location prior to any MMI occupancy of the Property.
17. 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 or new Conditional Use Permit.
18. The owner of the Property shall execute an agreement with the City, as recommended by the City Attorney, that all prior Conditional Use Permits on the Property are nullified and cease to exist.
19. All exterior lighting shall be downcast, shrouded and directed away from adjacent properties and public streets.
20. 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(s).
21. Typical hours of operation for MMI are 7:00 a.m. to 5:00 p.m. Monday through

- Friday, with only sporadic deliveries allowed on weekends and evenings.
22. The generation of hazardous wastes on the Property is limited to minor equipment repair and servicing, and shall be subject to local, state and federal licensing and regulatory compliance.
  23. The operation of the storage container leasing and servicing business must be consistent with all local, Federal, and State laws that apply to the use of the Property.
  24. 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.
  25. MMI 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.
  26. 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, fence permits, sign permits, water appropriation permits, and sewage treatment system permits.
  27. MMI 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.

#### Information on LI and Accessory Building Text Amendment

The final topic brought forward from the Planning Commission was information on the Light Industrial (LI) code and Accessory Building code text amendment. Commissioner Krebs explained that the Planning Commission is unanimously requesting a continuation of discussion from the Council for the LI text amendment. In terms of the Accessory Building text amendment, Commissioner Krebs clarified that the current draft was missing three points that the Council had requested be added; the maximum of 40-foot storage containers with no welding, the requirement of a non-degradable foundation under a storage container, and the factor of two (2) on total allowable accessory building square footage. Once these items are added into the text, it will be ready for the Council to review.

In terms of the LI text amendment, Mayor Povolny asked Griffith what his opinion was. Griffith commented that it is the Planning Commission's job to finalize the ordinance edits, so that the Council can hold a Public Hearing on the topic. He suggested that the Planning Commission do their best to view the work through the lens of a new ordinance, and understand that this ordinance will apply to multiple sites and situations throughout the City. To finish, Griffith clarified that it is important to only take input that is solely applicable to the ordinance work and can provide additional information to guide their decision making. After this brief discussion, the Council agreed to grant the Planning Commission a continuance.

### **9. Public Open Forum**

Dan Mike – 15123 Hornsby Street

Mike is concerned about the lack of traffic control at the intersection of Hornsby Street and Hwy 97, and asked the Council to consider adding a traffic light there. He explained that at peak traffic times it is extremely difficult to make turns that cross lanes. Mayor Povolny thought that since the traffic light at Zurich Street will most likely not be used after the roundabout is put in at Lake Drive and the new W Freeway Drive, that perhaps it could be relocated to Hornsby Street and Hwy 97. Postler said that he has asked MnDOT if this would be feasible by their standards, and is waiting for a response. Krebs agreed that the intersection is an issue, and spoke with someone at Anoka County to see if there was room left in the bonding bill to install a traffic light. However, the bonding bill, which includes the realignment of Hornsby Street, has unresolved issues and that question cannot yet be answered. Mayor Povolny spoke for the Council and said they agree that there should be a traffic light at that intersection, and will work through different options to place one there. Mike thanked the Council for their consideration.

#### Jesse Preiner – 8220 Lake Drive

Preiner had a question that related to the September 20<sup>th</sup> Planning Commission meeting. At the September 20<sup>th</sup> meeting, a study by the McCombs group was handed out as an exhibit with the LI text amendment conversation. Preiner was wondering if it would be possible to have the author(s) come to a future meeting and explain the study? Griffith clarified that there are a number of different applications being processed simultaneously with this issue; there is the CUP application from Bituminous Roadways, the Preliminary Plat application from Bituminous Roadways, and the LI zoning code text amendment process. The difficulty which occurs when documents such as the McCombs study are submitted, is determining which application the materials relate to best. Griffith continued by saying that it is up to the Planning Commission chair or the Mayor to determine which application such documents should be considered with, and it would be most appropriate for the author of the document to attend a meeting which addresses that specific application.

#### Glen Miles – 7828 Camp Three Road NE

Miles could not attend the City Council meeting, and submitted a letter in his absence. Miles is concerned about truck traffic on the short stretch of Camp Three Road between Lake Drive and Kettle River Boulevard. He argues that heavy truck traffic is damaging the road, and that trucks should travel a short distance further south and access Kettle River Boulevard where it directly intersects with Lake Drive. Public Work Superintendent Jim Windingstad said that there are two types of truck traffic – general traffic from large trucks, and truck traffic associated with a dedicated hauling route. In order to prevent trucks from driving on that road the City could either ban all types of truck traffic, or dedicate the road as a non-haul route. Mayor Povolny said that he has thoroughly considered the intersections in this area of the City thoroughly, and spoken with Doug Fischer from Anoka County about the best way to approach the issues associated with it. Mayor Povolny said that in conversation with Fischer they discussed that the bigger issue is the angle in which Kettle River Boulevard meets Lake Drive. Other Council members agreed, and added that trucks most likely take the Camp Three Road route because it is easier to maneuver than the Kettle River Boulevard – Lake Drive intersection. Mayor Povolny said that in the future he hopes to completely reconfigure that intersection to make the angle more ideal for all motorists, and that this could include closing Camp Three Road and perhaps

the addition of a roundabout at Lake Drive and Kettle River Boulevard. Overall the Council agreed that this is a bigger issue that should be addressed with the County's help at a future date.

## **10. Minnesota Machine 5K Run Road Closure**

Jennifer Stone and Jennifer Trongard from the Minnesota Machine Women's Tackle Football Team came forward to discuss a 5K run they would like to host in Columbus on December 2<sup>nd</sup>, 2017. The run would begin and end at the Columbus City Park, and they are requesting the closure of Notre Dame Street NE from 165<sup>th</sup> Avenue NE to Kettle River Boulevard. Stone anticipated the road would be closed from roughly 7:00 am to 12:00 pm in order to keep 5K participants safe during the run. Stone noted that she understands the unique challenges that will come with hosting a 5K in the winter. Mursko explained that there will need to be extra work done to provide trash and bathroom services, and Stone expressed her understanding. Mursko asked if the plan was to stage runners in waves? Stone replied that if there are enough people they plan to start the run in stages, and clarified that they are anticipating roughly 100 – 150 runners. Mayor Povolny asked if they have talked to Anoka County about running on Kettle River Boulevard? Stone said she has not yet. Mursko encouraged her to do so, as Anoka County may require a permit and potentially some signage indicating a 5K is going on. The Council agreed that closing that stretch of Notre Dame Street NE is acceptable for this event, but approval is pending Anoka County's approval of using Kettle River Boulevard.

**Motion by Duraine to close Notre Dame Street NE from 165<sup>th</sup> Avenue NE to Kettle River Boulevard on December 2<sup>nd</sup>, 2017 from 7:00 am to 12:00 pm for the Minnesota Machine 5K run. Seconded by Daly. Motion carried unanimously.**

## **11. 2018 Preliminary Levy and Budget**

At this time Mursko distributed the preliminary 2017 Levy and 2018 Budget. Mursko highlighted an 8.5% increase in the general levy, which translates to \$184,266. However, Columbus did experience growth resulting in allowing for an additional \$120,000 in the levy and no increase in property taxes. Therefore the increase in budget is actually closer to \$60,000. This increase will adjust the 2018 net tax capacity rate from 50.41% to 51.83%, which is a 2.82% increase to property owners. Next Mursko highlighted some detail within the budget.

The general government fund increased, mostly as a result of a larger IT Services budget. Administrative expenses also experienced a small increase, partly due to administrative wages, professional services, and Comprehensive Plan work. In terms of City Hall expenses, there was a small increase due to grounds maintenance items that are requiring additional attention. Mursko also pointed out a small increase in the cable franchise budget, and moved on to the Public Works fund.

Public Works experienced a minor increase in budget due to medical insurance costs. In terms of shop expenses, there was a \$5,000 increase in repairs and maintenance. In the road repair and maintenance section, there was an increase in the culverts/ditch work/ponds line item. This increase is to address maintenance of new storm water ponds that the City is going to be acquiring. There were also budget increases in the Public Works capital fund and the blacktop gravel fund, while the transportation capital fund did not change.

Moving on to the public safety fund, there was a \$60,000 increase in the police fund to reflect additional hours of service included in the 2018 Anoka County Sheriff's Office police contract. Looking at the fire department, the City of Forest Lake created a capital fund for the fire department which includes Columbus' share of the 5-year plan at \$46,080 per year. This change will allow the City of Columbus to pay cash for new equipment that will be needed in the future. Mursko pointed out that on the books for this year is a debt of \$22,500 which will be paid off next year. So, she asked the Council how they would like this to be reflected. At the moment, only \$23,580 of the \$46,080 out of Forest Lake's capital fund is shown in the fire reserve line item, as the \$22,500 of equipment debt can be transferred to the fire reserve after the debt is paid off next year. The other options Mursko provided were to dedicate the full \$46,080 to the fire reserve, dedicate a different amount to the fire reserve, or choose to bond for new equipment instead of paying cash. Mursko explained that the \$46,080 is Columbus's share for each year of the 5-year plan, so this line item will carry over for five (5) years and can be a source of money for future equipment purchases. She went on to explain that the City will likely be short money for their portion of the fire fund when Forest Lake decides to buy new equipment. Mayor Povolny stated that he thought the full \$46,080 should be added into the budget this year, and the money for a fire inspector should be removed.

Council Member Krebs asked what the problem is with the current fire equipment? In general, Council Members were uncertain, but the belief is that something is wrong with the water tank. Daly asked why the fire inspection budget is at zero, if Forest Lake added a new fire inspector? Mursko replied that the budget for the fire inspector is included in Columbus' operating portion, and is \$11,222. Mayor Povolny argued that the \$11,222 portion for the fire inspector should be removed, and this will help the City be closer to the financial requirement in 2019 (when Forest Lake plans to buy new fire equipment). Mursko confirmed that she will remove the budget for the fire inspector, giving a new fire fund total at roughly \$122,500. Mayor Povolny also confirmed that he believes the fire reserve line item should stay at \$46,080, and Council Members agreed. Mursko finished by saying there were no changes in the fire hall fund, nor in the fire hall capital fund. She reminded the Council that the fire hall was built in 1998, and the roof has never been replaced.

Moving on through the levy and budget conversation, there was an increase in the budget for the Sunrise Watershed Management Organization (SRWMO), which was approved at a previous City Council meeting. Peterson stated that the best way to prevent such an increase in budget would have been for a Columbus Council Member to argue against it as a member of the SRWMO board. Krebs pointed out that the citizens of Columbus are not getting much out of the \$10,150 being paid in to the SRWMO, because most of the work they do is in the northern part of the watershed.

Mayor Povolny noted that the bigger issue is the \$240,201 in land taxes that are being paid on City land for sale. Mursko clarified that the \$240,201 also includes the cost for the Green Acres senior hardship deferral program for Columbus residents. Addressing the sewer and water funds, Mursko pointed out that there was no change. She continued to say that the City is building up its utilities funds; the sewer fund is holding its own, the water fund is still negative around \$675,000.

Looking at the Economic Development Authority budget, Mayor Povolny asked about the \$24,000 budget for marketing. Mursko replied that the amount was meant to be used for purchasing “Land for Sale” signs, producing marketing materials related to the land for sale, and hiring Kathy Anderson to create a Land Use plan for the remaining land for sale. Mayor Povolny is wondering if the City should continue to budget the \$24,000 for marketing in 2018? Mursko said ultimately it is the Council’s decision to make. She also pointed out that the other large line item of \$46,800 for land expenses will be used to complete the necessary items to sell the land (platting, wetland delinations, traffic study, etc...).

**Motion by Daly to approve Resolution 17-27, a Resolution approving the 2017 Preliminary Tax Levy & Tax Abatement for Property Taxes Collectable in 2018, with the following updated numbers:**

City of Columbus (General)	\$ 2,432,697
2017 Columbus Preliminary Levy	\$ 2,960,502
2017 HRA EDA Levy	\$ 91,000

**Seconded by Peterson. Motion carried unanimously.**

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

##### **12. Engineer Report**

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

##### 159<sup>th</sup> Avenue NE and Xingu Street NE Resolution 17-28 Special Assessment and Resolution 17-29 Call for Hearing

Postler is presenting information on proposed assessments and calls for public hearings for the three road paving projects that were completed this year. The first project being presented is the paving of 159<sup>th</sup> Avenue NE and Xingu Street NE from Kettle River Boulevard to 162<sup>nd</sup> Avenue NE. Postler explained that in preparing the proposed assessment he used an interest rate of 4.6%, which was used on a previously assessed project. Mursko received updated information that the current interest rate is around 2.5-3%, and the standard is to add 1.5% for City administrative fees. Mursko and Postler asked the Council what number they would like to go with, and members agreed to go with 3% plus 1.5% for administrative fees to equal 4.5% for all projects.

**Motion by Krebs to approve Resolution 17-28, a resolution declaring cost to be assessed and ordering preparation of proposed assessment for the improvement of 159<sup>th</sup> Avenue NE and Xingu Street NE at a total cost of \$112,950. Seconded by Peterson. Motion carried unanimously.**

**Motion by Peterson to approve Resolution 17-29, a resolution declaring a public hearing on the proposed assessment for the improvement of 159<sup>th</sup> Avenue NE and Xingu Street NE for October 24<sup>th</sup>, 2017 at 7:00 p.m. in the City Hall located at 16319 Kettle River Boulevard, Columbus, MN. Seconded by Krebs. Motion carried unanimously.**

### Furman Street NE Resolution 17-30 Special Assessment and Resolution 17-31 Call for Hearing

The second paving project that Postler presented to the Council was Furman Street, from W Broadway Avenue to approximately 0.3 miles south. The total cost of the improvement was \$59,320.

**Motion by Duraine to approve Resolution 17-30, a resolution declaring cost to be assessed and ordering preparation of proposed assessment for the improvement of Furman Street NE at a total cost of \$59,320. Seconded by Peterson. Motion carried unanimously.**

**Motion by Daly to approve Resolution 17-31, a resolution declaring a public hearing on the proposed assessment for the improvement of Furman Street NE for October 24<sup>th</sup>, 2017 at 7:00 p.m. in the City Hall located at 16319 Kettle River Boulevard, Columbus, MN. Seconded by Peterson. Motion carried unanimously.**

### 141<sup>st</sup> Avenue NE Resolution 17-32 Special Assessment and Resolution 17-33 Call for Hearing

The final paving project presented by Postler was 141<sup>st</sup> Avenue NE from Lake Drive to approximately 1 mile west. The total cost of the improvement was \$184,600.

**Motion by Peterson to approve Resolution 17-32, a resolution declaring cost to be assessed and ordering preparation of proposed assessment for the improvement of 141<sup>st</sup> Avenue NE at a total cost of \$184,600. Seconded by Krebs. Motion carried unanimously.**

**Motion by Krebs to approve 17-33, a resolution declaring a public hearing on the proposed assessment for the improvement of 141<sup>st</sup> Avenue NE for October 24<sup>th</sup>, 2017 at 7:00 p.m. in the City Hall located at 16319 Kettle River Boulevard, Columbus, MN. Seconded by Duraine. Motion carried unanimously.**

### John's Black Dirt – Forest Lake Contracting Site Inspection Update

Postler gave an update on the situation with John's Black Dirt and Forest Lake Contracting, after having completed an inspection of the site. He noted that because of the agreement with the City, the next area of excavation will be basin 2, and they will likely not make it to basin 1. Postler also explained there are building pads on the site, which will most likely be used for homes in the future. Mayor Povolny asked if it seems likely that they will complete the requirements set out in the agreement for the end of the project? Postler replied that everything seems to be on track, and he does not have any concerns.

### Hornsby Street North Realignment – Interim Striping Update

The question on whether Hornsby Street should be closed during the I35 bridge project was raised at the previous City Council meeting. Postler mentioned that the design-build contractor reports that most of the activity on the project won't likely begin until April, and he recommends closing Hornsby at that time. However, Postler clarified, that City staff is still waiting to hear if the CSAH 54 realignment project will be included in the County's bonding bill.

Also related to the realignment of Hornsby Street is the question of striping the center of the road. Public Works Superintendent Jim Windingstad has been looking into the cost after receiving complaints about the safety of that road without center line stripes. Windingstad said he approached Forest Lake to see if they would stripe it, however they said that Washington County does their road striping. So Windingstad asked Anoka County if they would do the same, to which they replied no. Therefore he requested a quote from Century Fence for a double yellow stripe, which came in at \$2,450. To add white lines on either side would be an additional \$1,300. The Council agreed that the white lines were unnecessary, however some argued that the yellow lines should be added as a safety precaution. Others felt it should not be done because the road may be closed in the spring, and will be redone within two year's time.

**Motion by Povolny to stripe the center of Hornsby Street with a double yellow line by Century Fence at the cost of \$2,450. Seconded by Daly. Votes as follows: Peterson – nay; Krebs – nay; Duraine – nay; Povolny – aye; Daly – aye. Motion did not pass.**

#### I35 Bridge Design Build & County Road 54 Project

Postler also presented an update on the I35 design build project and the CSAH 54 realignment project. Lane closures during off-peak times on I35 will start next week going northbound. In 2018 there will be work done on I35, north of the Hwy 97 bridge. In 2019 the work will be south of Hwy 97. In terms of the CSAH 54 realignment, Anoka County hosted a well-attended open house the week of September 18<sup>th</sup>. Postler is also reporting that right-of-way negotiations and acquisitions will begin soon, and there is still work to be done on ponding configurations to minimize impact to City property. The goal is to advertise the project for bids in November, and to complete the project in its entirety in 2018.

#### Pine Street Ditch Work Direction

Discussion about drainage on Pine Street was continued at this time. After discussions with RCWD and Lino Lakes, it seems unlikely that a regional approach to the issue will work, Postler noted. However, there are some funding mechanisms that could be explored further. Windingstad was able to get two quotes from one contractor for cleaning the ditch on the north side of Pine Street; one bid was for the entire project and one bid was for the contractor digging and the City's Public Works team doing the remaining work. The entire project bid came in at roughly \$19,000. The second bid was \$6,500 for the contractor, roughly \$7,000 to the City for materials, and \$4,200 for labor. Thus the total cost to the city for splitting up the work would be roughly \$17,000.

With that information, Windingstad asked the Council for additional direction. He clarified that he is not comfortable with clearing out that half mile portion of ditch because of things like power lines and pipelines scattered throughout that half mile creating a liability. Poster believes that if the ditch is cleaned, it will certainly function better, but how much better is difficult to quantify. Mayor Povolny expressed his concern that with such a shallow grade (.08 feet), clearing the ditch may not be effective at all and the water could end up flowing to an undesirable location. Krebs wondered if replacing culverts along that stretch of road could be effective? Daly noted that when he surveyed this situation he noticed one culvert in particular

that was not flowing effectively, and was holding up 2-3 feet of water. Windingstad said that while it is true there are some culverts that are not working effectively, he doubts that repairing those would alleviate the problem. Mayor Povolny asked, if they were to clear the ditch, how they plan to navigate around the pipeline? Windingstad said that he spoke with pipeline employees, and their initial thought was that there would be enough cover over the pipeline for Public Works to excavate what they need. Daly asked if it is the landowners responsibility to maintain their driveway culverts? Mursko answered that it is. She continued to say that there are a lot of road ditches in the City that need to be cleared out, and determining where to spend money on ditch clearing projects is a difficult policy decision. Daly recommended that at least one of the culverts should be replaced at the expense of landowners. Peterson agreed that some culverts should be looked at for replacement. However, Windingstad disagreed by saying the grade is so shallow, even if the problem culverts are replaced the water still will not flow well. Postler commented that the culverts are an issue, however things like the cattails, pipeline, and telephone poles in the area would really complicate the project.

At this time Griffith said there is a possibility that the cost for this project could be assessed to benefitting property owners, if they petition to have it completed. Mursko also suggested the policy that when a road is paved, the road ditch is evaluated to determine the potential for a ditch cleaning project. Griffith commented that there may be a chance to do either a developer's agreement or a special assessment process for this type of project, but he would have to do additional research to determine the true feasibility of either option. He continued by saying a good alternative could be asking the neighborhood to come forward with a petition, and act on the petition if there are enough landowners interested. The Council agreed this would be a good approach. Mayor Povolny suggested that the City send a letter to the landowner who is most interested in this project suggesting they gather petitions from neighbors to gauge interest. Griffith requested that before the letter goes out, the Council allows him time to confirm that the petition process can be applied to road ditches.

### **13. Attorney Report**

No report.

### **14. 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

No report.

**15. Public Works Report**

**16. Public Communications Coordinator Report**

No report.

**17. City Administrator's Report**

City Administrator Elizabeth Mursko reported that the City received a letter from the Minnesota Environmental Quality Board (EQB) stating that after evaluation, the Minnesota Pollution Control Agency (MPCA) denied the need for an Environmental Assessment Worksheet (EAW) for the proposed Bituminous Roadways facility in Columbus.

Secondly, Mursko asked the Council for direction on conduit bonding. She spoke with Julie Eddington, who said there are several opportunities for conduit bonding this year, but it must be issued before the end of 2017. Because the City has not bonded yet this year, it would be possible to take advantage of this opportunity. The Council agreed this was the direction they would like to go. Mursko recommended charging \$75,000 for the issue, and the Council agreed to do so.

**E. ANNOUNCEMENTS & REMINDERS**

**The next Planning Commission meeting is 10.04.17  
Calendar of Meetings.**

**F. ADJOURNMENT**

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

**Meeting adjourned at 10:34 p.m.**

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator