

**City of Columbus**  
**Regular City Council Meeting**  
**12.27.18**

The 12.27.18 meeting of the City of Columbus City Council was called to order at 7:01 p.m. by Mayor Povolny at the City Hall. Present were Council Members Bill Krebs, Jeff Duraine, 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: Joe & Deb Pribyl, Povolny family, Tom Olson, Myron & Cindy Angel, Barb & Bill Bobick, Shelly & Arlen Logren, Mike Kempf, Janet Hegland, and Julia Parent (Forest Lake Times).

**A. CITY COUNCIL REGULAR MEETING**

- 1. Call to Order - Regular Meeting – 7:01 P.M.**
- 2. Pledge of Allegiance**

**B. CONSENT AGENDA**

- 3. Motion – Approval of the 09.26.18 City Council Meeting Minutes**
- 4. Motion – Agenda Approval with Additions**
- 5. Motion – Approve Internal Fund Transfers**
- 6. Motion – Resolution to Declare Surplus Equipment**
- 7. Motion – 2019 Fee Schedule Ordinance Publication Summary**
- 8. Motion – 2019 Agreement for Residential Recycling Program**
- 9. Motion – Pay Bills as Posted**

**Motion by Krebs to approve the Consent Agenda items 3-9 including resolution. Seconded by Daly. Motion carried unanimously.**

**C. PRESENTATIONS**

**10. Planning Commission Report**

Planning Commission Chair Garth Sternberg gave the Planning Commission report.

Variance Request – 14744 Hornsby Street NE

The first application the Planning Commission saw was a request for a variance from the company Bare Home to allow 96” tall letters on their new building to be located at 14744 Hornsby Street NE. The Planning Commission unanimously recommended the application for approval.

**Motion by Daly to approve the request for a variance to increase letter size from 48” to 96” for two wall signs in two locations on the Bare Home building at 14744 Hornsby Street NE. Seconded by Peterson. Motion carried unanimously.**

14744 Hornsby Street NE Variance Checklist Review:

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

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

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

**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? **On the freeway and a large sized building.**

Question #2: How is it not like other pieces of property? **Size of building is large.**

Question #3: Did the landowner create the circumstances? **No.**

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

**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? **Yes.**

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

**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?

**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? **No.**

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

**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?

A variance shall not be granted unless the Planning Commission makes specific findings of fact based directly on the particular evidence presented to it, and the City Council determines that these support conclusions that the standards and conditions as stated above have been met by the applicant.

Planning Commission Recommendation: **Approval: 12/19/2018**

City Council Action: **Approval: 12/27/2018**

#### Forest Lake Comprehensive Plan Comments

City Planner Dean Johnson recommended responding with no comment to Forest Lake's Comprehensive Plan. The Planning Commission agreed.

**Motion by Peterson to reply with "no comment" to the Forest Lake Comprehensive Plan. Seconded by Krebs. Motion carried unanimously.**

#### 2040 City of Columbus Comprehensive Plan

The Council was presented with the final list of all comments received regarding the 2040 Comprehensive Plan.

**Motion by Daly to accept all comments relating to Columbus' 2040 Comprehensive Plan and direct Bolton & Menk to submit the Plan to the Metropolitan Council. Seconded by Krebs. Motion carried unanimously.**

#### Final Plat Approval – Chollett Addition

Mursko presented information to the Council regarding a Final Plat for the Chollett addition at 7620 161<sup>st</sup> Avenue NE. She said this is the property with cul-de-sacs on the north and south ends. The Cholletts will be required to improve the cul-de-sac just outside of the subdivision's property on the south end. City staff recommended approval subject to the maintenance agreement and obtaining consent from the Magellan pipeline.

**Motion by Peterson to approve the Chollett Addition Final Plat application (dated 07.16.18) based on Findings of Fact and subject to Conditions of Approval 1-11 as outlined in the Planner's Memo (dated 08.30.18), as well as the maintenance agreement and consent from the Magellan Pipeline. Seconded by Krebs. Motion carried unanimously.**

#### Chollett Addition Final Plat Findings of Fact:

1. The preliminary plat application was received on July 16, 2018 and found complete for review.
2. The 120-day preliminary plat review deadline is November 14, 2018.
3. There are a total of 12.46 gross acres in the proposed plat, located at 7620-161st Avenue NE, on property legally described as Lot 6, Block 1 Stagecoach Junction.
4. The property is zoned RR Rural Residential.

5. Two residential lots are proposed. There is one existing dwelling on the proposed northerly 7.46-acre lot (Lot 1, Block 1).
6. The proposed southerly lot (Lot 2, Block 1) is 5.0 acres and includes adequate areas for a future home, accessory building and SSTS area.
7. The density of the proposed development is one home per 6.23 acres, which is consistent with the Comprehensive Plan and Zoning Ordinance.
8. Proposed Lot 1 is served by existing access from the cul de sac on 161st Avenue NE.
9. Proposed Lot 2 abuts the dead end of 159th Avenue NE. There is an existing 33 feet drainage and utility across the southerly boundary of proposed Lot 2, which aligns with the northerly half of the right-of-way on 159th Avenue.
10. The property owners of the land abutting the southerly boundary of Proposed Lot 2 are opposed to any dedication of right-of-way on their property for an extension of 159th Avenue NE.
11. All properties abutting the proposed plat are developed with existing residences.
12. The applicant is willing to convert the existing 33 feet easement on proposed Lot 2 to public right-of-way. The lot exceeds the minimum lot area of 4.5 acres (with right-of-way dedication).
13. The applicant has applied for a variance to the minimum street frontage requirements on proposed Lot 2.
14. There may not be a public purpose in the physical extension of 159th Avenue NE.
15. The proposed drainage and utility easements on both lots are consistent with City Code requirements.
16. Soil borings have been submitted for the home and SSTS locations on proposed Lot 2.
17. A wetland delineation "Notice of Decision" was issued by Rice Creek Watershed District on August 15, 2018. A small wetland is located adjacent to the existing cul de sac on proposed Lot 1. The wetland is protected by a drainage and utility easement, including a 16.5 feet buffer.
18. The proposed plat is not affected by the shoreland overlay district. A floodplain determination is not included with the plat.
19. Driveway access permits are subject to City approval.
20. Subsequent NPDES II permits will be required for any individual site grading that exceeds one acre.
21. The Planning Commission held a public hearing on the Chollett Addition Preliminary Plat on September 19, 2018.

Chollett Addition Final Plat Conditions of Approval:

1. Approval of a variance to the minimum street frontage requirements on Lot 2.
2. A turn-around sufficient for public maintenance and emergency vehicles and disposition of the dedication of 159th Avenue NE on Lot 2.
3. A floodplain determination within the plat.
4. Recommendations of the City Engineer.

5. Title review and recommendations of the City Attorney.
6. Recommendations of the Anoka County Survey Department.
7. Recommendations of the Rice Creek Watershed District.
8. Wetland buffer plaques at locations determined by the City.
9. Cash in lieu of park land dedication requirements.
10. Reimbursement of City expenses associated with plat review.
11. Subsequent NPDES II permit(s) for any individual site grading that exceeds one acre.

## **11. Public Open Forum**

Tom Olson – 13332 Lyons Street NE

Olson came forward to thank Council Members individually for taking time away from their personal life to serve the City. He wished them good health and future success.

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

Prior to the staff reports, Mursko asked the Council to re-adopt a motion because publication was missed. It is a resolution setting a Public Hearing for 01.23.19.

**Motion by Daly to approve Resolution 18-37A, a resolution setting a Public Hearing for a drainage and utility easement vacation at 19158 Lyons Street NE for 01.23.19. Seconded by Peterson. Motion carried unanimously.**

## **12. Engineer Report**

City Engineer Dennis Postler recommended approval of as-built plans for Preiner's Preserve as well as accepting public infrastructure improvements for City ownership and maintenance.

**Motion by Krebs to accept the Preiner's Preserve as-built plans and public infrastructure improvements for City ownership and maintenance of the stormwater ponds as indicated in the Maintenance Agreement. Seconded by Peterson. Motion carried unanimously.**

## **13. Attorney Report**

No report.

## **14. Mayor and Council Members Report**

Council Member Krebs

Council Member Krebs said he is very proud of what the current Council was able to accomplish. He noted the City's good credit standing, new bridge over I-35, and property sales. It took a lot of work to accomplish these items and he is happy to be leaving the City in such good shape. He thanked City staff and fellow Council Members for a great term.

Council Member Peterson

Council Member Peterson thanked the Council members who will not be returning for another term.

#### Council Member Daly

Council Member Daly expressed his gratitude to the Mayor, Council, and City employees for everything they have done throughout his terms.

#### Mayor Povolny

Mayor Povolny thanked fellow Council Members, Mursko, and the people of Columbus for their support as Mayor. He said that the new Council will have to deal with fast development in the City, and is hopeful that they can make the most of opportunities as they're presented.

#### Council Member Duraine

Council Member Duraine thanked the Council Members who will be leaving and wished them good luck in the future.

### **15. Public Works Report**

Windingstand thanked the Council Members who are leaving and wished them good luck in the future.

### **16. Public Communications Coordinator Report**

Hughes thanked the Council Members who are leaving and wished them good luck in the future.

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

#### Human Resources Report and Pay Equity Compensation Scales for Submittal

Mursko reported that City employees Tim Sawatzky and Bill Karth are eligible for step increases this month. Windingstad and Mursko recommended approval of the step increases.

In addition, once every three years the City must submit pay equity reports to the state. Mursko presented pay scales to the Council reflecting two recommended adjustments in points. The Public Communications Coordinator position is assessed at 204 points, which is an increase for that position from 175 points. The Administrative Tech position also increased to 124 points from 117.

**Motion by Daly to approve the respective performance step increases for Tim Sawatzky and Bill Karth effective 2018 pay period 01 (2019). Seconded by Peterson. Motion carried unanimously.**

**Motion by Daly to approve the pay equity compensation scales as required with the increase to 204 points for the Public Communications Coordinator position and to 124 points for the Administrative Tech positions, for submittal to the State (MMB). Seconded by Peterson. Motion carried unanimously.**

#### Building Department Overview

The number of building department permits have been steadily increasing and the expectation is that it will continue to do so in the near future. Mursko said that as a result there is a surplus in the department. The expectation from the state is that surpluses are used to purchase new equipment. The City's Building Official's recommendation is to purchase a new truck for the department. The current truck has a lot of miles on it and a few mechanical issues. As a result, Windingstad received a state contract bid for a new truck and presented it to the Council, noting that the bid does not include tax, licenses, or decals for the truck.

Krebs asked if it was possible to purchase a truck with a 5.3L base engine instead of the 5.3L EcoTec3 V8 engine? Windingstad said he wasn't sure and would look into it. Mayor Povolny asked if the truck would be used for snow plowing? Windingstad said it would not. Mayor Povolny followed up by asking what will happen to the old truck? Mursko said it would be sold.

**Motion by Peterson to purchase a new truck for the Building Department, without the 5.3L EcoTec3 V8 engine, if possible. Seconded by Krebs. Motion carried unanimously.**

Treasurer's Report

Receipts:	\$	0.00
Disbursements:	\$	1,411,567.92
Balance:	\$	9,055,714.04

In closing, Mursko conveyed that it has been a pleasure working with this Council. She said that she has worked with many Councils as City Administrator and would like to especially thank this group for their support of her and City staff. She and other staff members appreciate everything that the Council has done for them and hope that they keep in touch.

**E. ANNOUNCEMENTS & REMINDERS**

**18. Calendar of Meetings.**

The next Planning Commission meeting will be on 01.16.18.

**F. ADJOURNMENT**

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

Meeting adjourned at 7:31 p.m.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator