Larkin Hoffman
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Memorandum

To: City Council, City of Columbus

From: Jacob W. Steen

Date: March 22, 2023

Re: Bonfire Farmstead - Title Review
Our File #: 22274-04

We have reviewed the Title Commitment issued by First American Title Insurance Company, dated February 10, 2023 (the "Commitment"), and the final plat (the "Final Plat"), for the plat of Bonfire Farmstead prepared by Widseth and submitted by 3 Beacon Holdings L.L.C. (the "Applicant"). The purpose of this title review is to assure that the ownership and legal descriptions of the property to be platted as Bonfire Farmstead, Anoka County, Minnesota (the "Property") are consistent with the City's approval and the reports of various City offices and consultants, as well as to assure that there are no easements of record which conflict with any rights to be granted to the City of Columbus (the "City").

1. Legal Description. The Application includes multiple parcels, which are legally described in Exhibit A.

   The legal description for the Property on the Final Plat does appears to match the legal description on the Commitment. Applicant must either amend the documents to provide identical legal descriptions in the Commitment and Final Plat or provide written assurance from a licensed surveyor that the legal description on the Commitment describes the identical portion of land described on the Final Plat.

2. Fee Title. As of the date of the Commitment, fee title to the Property is vested in the following parties ("Owners"):

   3 Beacon Holdings L.L.C., a Minnesota Limited Liability Company

   Any party having an interest in the Property must sign or consent to the Plat.

3. Taxes. The Commitment does not include any information regarding the payment of 2023 taxes. However, it does state that the parcel identified as Tax ID No. 243222430002 appears to have been assessed under Minnesota Statutes Section 273.111 (Green Acres).

Any levied or pending special assessments, penalties and interest for the Property which are due and payable in 2023 must be paid prior to, or contemporaneously with, the recording of the Final Plat. This shall include any taxes, assessments, penalties and interest that may become due as part of the Green Acres tax deferment program, pursuant to Minnesota Statutes section 273.11.

4. Billboard Consent Required. There is an existing billboard located in the proposed drainage and utility easement along Interstate. **The Billboard owner must provide a written recordable consent to the easements prior to recording the Final Plat.** The consent must be recorded with or before the Final Plat.

5. Development Agreement. The Final Plat approval is contingent on the execution of a development agreement with the City consistent with the City Council approvals. **The development agreement must be signed by the Applicant prior to release and recording of the Final Plat.**

6. Reimbursement of Expenses**.** Applicant must reimburse the City for all expenses associated with plat review, processing, and approval ("Expenses"). **Applicant must reimburse the City for any outstanding Expenses incurred to date prior to release of the Final Plat.** Within 60 days of City approval, the City will prepare a final invoice ("Final Invoice") to include any remaining un-reimbursed Expenses and any outstanding utility fees. The Final Invoice will be due upon receipt.

Exhibit A

Legal Descriptions

Parcel 1:
That Part of the South Half of the Southeast Quarter of Section 24, Township 32, Range 22, Anoka County, Minnesota, described as follows:
Commencing at the intersection of the centerline of Old County State Aid Highway No. 21 with the South line of said Section 24, said point being 1337.98 feet West from the Southeast corner of said Section 24 as measured along said South line; thence South 88 degrees 19 minutes 30 seconds West along said South line a distance of 320.90 feet; thence on a bearing of due North a distance of 704.00 feet; thence North 89 degrees 53 minutes 50 seconds East a distance of 371.10 feet to its intersection with the centerline of said County State Aid Highway as now laid out and traveled; thence South 11 degrees 28 minutes 55 seconds West along said centerline a distance of 10.09 feet; thence Southerly on a tangential curve concave to the East having a radius of 2353.06 feet for a distance of 458.54 feet; thence South 0 degrees 19 minutes West and tangent to said curve a distance of 230.0 feet to the point of commencement.

Parcel 2:
All that part of the South Half of the Southeast Quarter of Section 24, Township 32, Range 22, Anoka County, Minnesota, lying Westerly of the center line of County Road No. 21 as now laid out and established, and Easterly of the right-of-way of Interstate 35 acquired by the State of Minnesota, excepting the following described tract:

Commencing at the intersection of the center line of Old County State Aid Highway No. 21 with the South line of said Section 24, said point being 1,337.98 feet West from the Southeast corner of said Section 24 as measured along said South line; thence South 88 degrees, 19 minutes, 30 seconds West along said South line, a distance of 320.90 feet; thence on a bearing due North, a distance of 704.0 feet; thence North 89 degrees, 53 minutes, 50 seconds East, a distance of 371, 10 feet to its intersection with the center line of said County State Aid Highway as now laid out and traveled; thence South 11 degrees, 28 minutes, 55 seconds West and along said center line, a distance of 10.09 feet; thence Southerly on a tangential curve concave to the East having a radius of 2,353.06 feet, for a distance of 458.54 feet; thence South 0 degrees, 19 minutes West and tangent to said curve, a distance of 230.0 feet to the point of commencement, Anoka County, Minnesota.

Abstract Property

4895-3351-1768, v. 1

Personnel Committee Report - 03.22.23

The Personnel Committee, consisting of Elizabeth Mursko, Janet Hegland, and Sue Wagamon met on March 21, 2023.

Code Compliance Inspector

Background

The Code Compliance Inspector position was developed last year after discussions around public nuisances, CUP conditions not being enforced, and other compliance concerns. We discussed this at length during the Residential Home business moratorium. Several council members felt that it didn't make sense to revise the RZB ordinance if we were not going to have a resource to ensure compliance of the CUPs. The position will focus on "The City's code enforcement program that will be carried out through complaint-based and proactive enforcement efforts, with an emphasis on respect, customer service, and problem solving."

The budget for this position was approved in December. The job description was approved by the council at the 1/25/23 meeting and posted shortly thereafter. The posting was made on the LMC and Columbus websites, Indeed, LinkedIn, MN Works, and Facebook. There were 8 resumes submitted, five were scored and invited to interview. Of the five invited to interview, one did not respond, three accepted other offers and one was interviewed on March 10 and with second interview on March 14th.

Candidate

The Personnel Committee is pleased to have identified Aaron Lewicki as a great candidate for this position. Aaron currently works as a Permitting Inspection Coordinator and Safety Director at Renewal by Anderson. He has a Bachelor's Degree in Recreation and Sport Medicine and 5 years experience in reviewing installation plans and performing onsite inspections. He has held other positions in Property Maintenance Management, Health & Safety, Sales, and was a Foreman and Journeyman Ironworker for 15 years. He has also been a youth Hockey coach for almost 20 years.

Besides Aaron's experience, the committee feels that his personality fits the expectations of what we are looking for. In the examples he gave in his current role, he showed leadership, great communication skills, an importance on listening to his customers to understand both sides of an issue, and logic to come to a mutually agreed upon outcome. He said he tries to help his customers understand how the solution benefits both sides. He has worked with success on complex projects that took a lot of planning, scheduling, and coordination. Aaron has a positive attitude and is respectful to his current customers. The committee feels that he has what it takes to manage this position.

Requested Action

The Personnel Committee recommends extending an offer of employment to Mr. Lewicki for the full-time position of the Code Compliance Inspector. Starting pay would be at step 1 or 2 and is currently being discussed. Starting date is also being discussed.

Planning Technician Update

The Council accepted Ella Giefer's resignation at the March 15th Joint Planning Commission/Council meeting. Her last day was March 10th. The Personnel Committee reviewed and updated the job description. We removed one of the duties for field investigations that will be taken over by the new Code Compliance Inspector. There are a few additions related to tracking of invoices, escrow, permits, and preparing and taking notes for Planning Commission meetings. With the busy planning season upon us, we feel it's important to get this posted as quickly as possible.

Requested Action

The Personnel Committee is recommending the Council to review and approve the revised job description for the Planner Technician position.

Respectfully, Sue Wagamon, Columbus City Council and Personnel Committee Member

CITY OF COLUMBUS
JOB DESCRIPTION

POSITION:	**PLANNER TECHNICIAN**
DEPARTMENT:	ADMINISTRATION
LOCATION:	CITY HALL
IMMEDIATE SUPERVISOR:	CITY ADMINISTRATOR
HOURS WORKED:	40.0 HOURS PER WEEK
FLSA STATUS:	Non-Exempt (Confidential – Private Data Employee)

SUMMARY

Under direction of City Planner or Zoning Administrator, performs a variety of planning tasks at the public counter and the office, including basic intake and review of a wide variety of land use and development proposals, basic file research and maintenance, and map reading; prepares simple technical reports; creates and maintains databases; assists City Planner and Zoning Administrator with research and planning studies; and performs other duties as required.

This position provides support to City Planner and Zoning Administrator by applying basic procedures of City Land Use Ordinances, Comprehensive Plan, and other regulatory guidelines to receive and review various land use proposals in response to public inquiries. This position will assist in the most routine applications and planning studies regarding land use interpretation; complex problems are referred to the City Planner or Zoning Administrator including the handling of private and confidential data.

DUTIES

- Receives zoning and land use application questions from the public in-person, phone or via email and responds or forwards the questions to the appropriate staff in a timely manner.
- Maintains records of all permits issued and applications in progress; logs information into computer; supervises and assists in departmental record retention management program; maintains database to track permit review process, permit compliance, and progress towards performance measures.
- Provides first level review of land use proposals for basic conformance with land use policies and procedures contained in Comprehensive Plan, City zoning ordinance and other regulatory guidelines; reviews building permits involving residential construction, grading, signs, change of use, parking and other similar permits; advises applicants of required land use standards and application contents; assigns house numbers.
- Provides a timely documented response to a variety of procedural and recorded information requests by the public, including case file information, zoning, and land use requirements, and assessor's parcel number; receives and records permit fees
- Assists City Planner, Zoning Administrator and Planning Commission with research and planning studies by compiling data and preparing reports; assists researching cases and compiling reports for zoning complaints; assists in the coordination of regular departmental meetings.

FUNCTIONS

- Provides technical assistance and information to staff and the public in the administration of specific planning programs areas or ordinances
- Develops and maintains automated tracking systems, hard copy files and records to include invoicing and escrow tracking for all planning & zoning permits
- Reviews non-complex building plans and zoning permit applications to assure compliance with zoning requirements.
- Attends and records minutes of planning commission meetings and workshops, public hearings (verbatim recording of testimony) and other related public meetings, assisting other staff as appropriate.
- Prepares and distributes Planning Commission minutes, meeting packet materials, and operates Zoom for meetings. Provides staff support for Planning Commission.
- Prepares narrative staff reports and recommendations of limited complexity, such as event licenses, driveway, and sign permits.
- Research and compiles information from multiple relevant sources on a variety of planning issues.
- Prepares supporting maps, charts, and tables of limited complexity for use by staff, consultant, Planning Commission and City Council.
- Performs routine office tasks in designated program areas, including data entry, file management, copying and answering telephone inquiries.

OTHER DUTIES AND/OR RESPONSIBILITIES

- Participate with other city employees to staff and support elections
- Performs other duties as assigned by City Administrator.

MINIMUM REQUIREMENTS

- Baccalaureate degree in urban planning or related field.
- One year of experience in plans review, zoning administration, issuing building permits.

ESSENTIAL KEY ABILITIES

Knowledge of:

- Planning principles and practices, including pertinent specialties at a level to complete assigned responsibilities.
- Principles and practices of research and data collection as necessary to complete assigned responsibilities.

Skills and Competencies

- Respond tactfully, clearly, concisely, and appropriately, to inquiries from the public, staff members, Planning Commissioners, Council Members and members of other governmental units.
- Proficiency in effective writing techniques.
- Mastery of computer hardware and software programs, which may include but is not limited to Microsoft Office, Internet applications, and GIS.
- Ability to effectively and clearly communicate in oral and written form.

- Establish, organize, and maintain complex, specialized, and extensive files and records.
- Ability to plan and organize workflows to meet deadlines, needs, expectations, and rapidly changing priorities.
- Execute effective problem-solving skills and ability to gather relevant information to clarify and respond to vaguely defined practical questions and issues.
- Ability to review site plans.
- Ability to effectively work on several projects or issues simultaneously prioritizing them appropriately.
- Ability to work with equal competence, independently or in a team environment.

Professional Attitude:

- Must be committed to public service; having the willingness to take initiative and demonstrate dependability, maturity, and self-confidence.
- Demonstrates ability to represent the organization and administrative operations effectively and professionally, both internally and externally, with a courteous, helpful, accurate, and businesslike attitude in all telephonic, written, electronic, and personal contact.
- Demonstrates ability to establish and maintain an effective and respectful working relationship with department heads, elected officials, staff, and other agencies.

PHYSICAL REQUIREMENTS

- Speak, read, write and understand English.
- Hearing normal or corrected to normal.
- Eyesight 20/40 or corrected to 20/40.
- Sit 8 or more hours per day, with occasional breaks.
- Bend, stoop, squat, crouch, kneel, balance or reach as required.
- Ability to operate a keyboard and view a computer monitor for up to 8 or more hours per day, with occasional breaks.
- Ability to occasionally lift, push or pull up to 20lbs.

WORK ENVIRONMENT

Work is performed primarily in an office environment and includes everyday risk and discomforts which require sound safety precautions typical of an office, with the need to observe safe work practices in the use of typical office equipment and public health practices.

City of Columbus

Administration Dept.
16319 Kettle River Blvd
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Telephone: (651) 464-3120

To: **Mayor & City Council Members**
From: **Elizabeth Mursko, City Administrator**
Cheryl Jenkins, Deputy Treasurer
Date: **March 22, 2023**
RE: **Fraud Mitigation Services – Positive Pay & Payee Positive Pay**

Background

According to Associates for Financial Professionals (AFP) Payment Fraud Survey (www.afponline.org) checks are the largest vehicle for payment, AFP stated 71% (2022) and 76% (2021) of organizations who were targets of payment scams were targeted via check fraud. Checks provide an easy way to replicate vital account information such as account, routing, and check sequence numbers. It's easy for fraudsters to obtain this sensitive account information by stealing a check from your check register at the office, finding paid or canceled checks that were not securely disposed of, or a check found in a mailbox intended to pay a vendor.

The use of fraud monitoring tools like positive pay are currently the most effective means against check payment fraud. With Positive Pay, the bank only pays the checks preauthorized in the City's positive pay file. Any unauthorized checks are not paid, and you are notified of any suspected fraud. Positive pay aids in the detection of suspicious transactions, reduce errors and safeguard account assets.

How does positive pay work?

Check Positive Pay is a fraud mitigation service that provides early detection of fraudulent, altered, or counterfeit checks through a daily verification of checks presented for payment against your check register.
Check Positive Pay – Provides your check issue information (serial number and amount) to our financial center systems on an automated basis.

What does payee positive pay?

Payee Positive Pay –Compares the payee name to your issue information to determine if the payee name has been potentially altered.

Is positive pay worth it?

While Positive Pay comes at a fee, most government agencies find the tool well worth the investment to protect against check fraud and financial losses.

What is the cost to the City?

Attached is the cost per item per batch from Wells Fargo. For the month of September 2022, the cost was 21.68 for positive pay and payee positive pay. The cost will vary depending on the amount of checks processed and if there are suspected fraudulent checks.

The City of Columbus recognizes that common types of check fraud include a valid check that has payee names and dollar amounts altered and then counterfeit checks are drawn on real accounts.

Fraud protection services will benefit the City of Columbus as a tool against financial losses due to check fraud of lost, stolen, or counterfeit checks. Implementing the Positive Pay service will assist in preventing fraudulent activity on unauthorized checks issued by the City by verifying check number and amount. Further protection, payee validation, which is an extension of positive pay that identifies discrepancies between payee information on check and payee information uploaded by the City will further enhance our fraud protection service in achieving our overall goal of protecting public funds.

Recommendation: Based on the information presented, the City Administrator and Deputy Treasurer recommends that the City enroll in the positive pay and positive payee fraud protection services with Wells Fargo Bank for the City's checking account. The cost for this service will be paid out of the general fund and can be covered with reserve funds for the remainder of 2023 and budgeted for in 2024.

Treasury Management Pro Forma

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City of Columbus Positive Pay

Pricing as of September 2022

SERVICE DETAILS

WF Code	AFP Code	Service Description	Unit Price	Volume	Service Charges
		PAPER DISBURSEMENT SERVICES			
DS194	150299	PAYEE VALIDATION MANUAL REVIEW/ITEM	0.25000	0	0.00
DS191	150122	PAYEE VALIDATION STANDARD-ITEM	0.01000	56	0.56
34336	150724	POSITIVE PAY EXCEPTION - CEO IMAGE	2.00000	0	0.00
12908	150310	POS PAY CHECKS WITH NO ISSUE RECORD	0.50000	0	0.00
12505	150222	POSITIVE PAY EXCEPTION CHECKS RETND	25.00000	0	0.00
12903	150310	POSITIVE PAY EXCEPTIONS - ITEM	8.00000	0	0.00
12682	150120	POSITIVE PAY ONLY - ITEM	0.01000	56	0.56
12681	150030	POSITIVE PAY ONLY MONTHLY BASE	20.00000	1	20.00
12906	150401	POSPAY VERIFICATION CALL-CASHED	20.00000	0	0.00
34337	200201	CEO CHECK ISSUES-ITEM	0.01000	56	0.56
12687	209999	ARP AGED ISSUE RECORDS ON FILE-ITEM	0.02000	0	0.00
34123	40022Z	CEO ALERTS SERVICE - EMAIL	0.50000	0	0.00
		Total Service Charges			**21.68**

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WELLS FARGO

Disclosures

We created this proposal for you based on our understanding of your requirements and the services in which you expressed interest. This proposal confirms the deposit and treasury management services and the pricing we plan to provide you based on certain assumptions including projected volumes and other relevant information you provided.

This document is confidential. Please do not share it without first obtaining our written permission. The services and pricing contained in this proposal are valid for 90 days. The pricing is subject to change if the actual volume or scope of services differs from the assumptions upon which we based the pricing.

Please let us know if you believe this proposal does not accurately represent the prices or services we discussed with you. If you have questions about the services in this proposal, please contact your Treasury Management Sales Consultant or visit: www.wellsfargo.com/accountanalysis for additional information about the services.

Regarding your services

Services with No Volumes

Services listed with zero volume are not included in the estimated monthly analysis fee but are included in the event the service is used in the future.

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