

City of Columbus
Regular City Council Meeting

April 26, 2023

ATTENDANCE SHEET

PLEASE PRINT

Name:

Name: Marsha Savetkaur Address: 4428 St. Andrews Dr. NE Blaine
Dan Mike Hornsgy St MN 55449

Address:

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Hornsbj ST mn 55449

**City of Columbus
Regular City Council Meeting
Alternative Meeting Format
MN Statute, Section 13D.021
04.26.2023**

The 04.26.23 meeting of the City of Columbus City Council was called to order at 5:59 p.m. by Mayor Jesse Preiner at City Hall. Present were Councilmembers Ron Hanegraaf, Janet Hegland and Sue Wagamon; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Bill Bittner, Public Communication Coordinator Connor Keith, City Engineer Tim Olson and Public Works Director Jim Windingstad.

Also in attendance: Karen Blaska (via teleconference), Anoka County Assessor Alex Guggenberger, Bill Krebs, Dan Mike, Dave Povolny, Marsha Savelkoul, Matthew Weiland and +1-651-353-7482

Not in attendance: Councilmember Rob Busch

A. CITY COUNCIL REGULAR MEETING

1. Call to Order Regular Meeting – 5:59 p.m.
2. Pledge of Allegiance

B. CONSENT AGENDA

3. Agenda Approval with Additions
4. ~~Approval of the 04-12-2023 City Council Meeting Minutes~~
5. Pay Bills as Posted

Motion by Hegland to approve Consent Agenda Nos. 3 and 5. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

C. PRESENTATION

6. Public Open Forum

No participation.

7. Reconvene: Local Board of Appeal & Equalization

The LBAE meeting was reopened at 6:01 p.m.

Guggenberger presented to the Council, sharing that he and his office had made contact with many of the property owners that had presented at the original LBAE meeting to further discuss the County's valuations.

Marsha Savelkoul of 4428 St. Andrews Drive NE, Blaine, MN 55449 regarding PID: 33-32-22-43-0032

Savelkoul presented the appeal her husband, Ed Savelkoul, had started at the LBAE meeting on April 18, 2023. Savelkoul requested his property value be increased by only 7 percent (\$186,394) as compared to the rate suggested by Anoka County (\$209,800; 20.44 percent increase). She argued for the

compromised 7 percent increase because it fell between an 8.7 percent increase in inflation and the new construction cost index of 6.7 percent.

Guggenberger said the Anoka County Assessor's Office recommended no change, justifying the valuation increase by applying the cost adjustment analysis percent increase (17.9 percent) to Savelkoul's original sale price (\$180,000), which yields an indicated value of \$212,200, a value similar to the County's \$209,800.

Dan Mike of 16423 Potomac St. NE regarding PID: 24-32-22-41-0010

Guggenberger said County Senior Assessor Jim Ryan visited Mike's property to reassess its value. The County is now recommending valuing the property at \$317,300, a 47.57 percent decrease from the \$605,200 originally suggested.

Dave Povolny of 16731 Potomac St. NE regarding PID: 10-32-22-32-0003

Povolny said Anoka County has increased the value of this property by 27.08 percent this year to \$172,200 despite Guggenberger saying land values only increased 2-3 percent at the original LBAE meeting. Povolny stated that the comparable sales the County is using to value this property are not in his neighborhood and there are sales closer that were lower. Due to these reasons, Povolny argued that this property's value should only be increased by 10 percent to \$149,050.

Guggenberger attested that aggregate agricultural land values went up by 8 percent, but that residential building sites in Anoka County increased more. Guggenberger said that the property in question increased in value similarly to comparable lots and recommended no change to the County's \$172,200 valuation.

Bill Krebs of 14746 Lake Drive NE, PID: 28-32-22-11-0015

Taking into account comparable sales, Guggenberger said the County Assessor's office is recommending a new value of this property at \$759,000, an 18.61 percent decrease from the \$932,500 originally recommended.

Hon & Kim Siow of 13849 Kendall St. NE, PID: 35-32-22-24-0009

Due to a clerical error erroneously overstating the 2023 Estimated Market Value, Anoka County is working to abate the property's taxes paid in 2023. The County is recommending reducing its original valuation from \$617,100 to \$584,500, a 5.28 percent decrease.

Paulie & Pete Szurek of 13807 Julliard St. NE, PID: 35-32-22-24-0011

To fall within the midpoint of comparable sales to this property, Anoka County is recommending valuing this property at \$655,000, a 7.46 percent decrease from the \$707,800 originally suggested.

Wendy Tester of 7756 W Broadway Ave. regarding PID: 03-32-22-34-0007

Guggenberger said this property is different than others heard at this meeting as it is enrolled in the Green Acres Program. Anoka County recommended changing the Estimated Market Value from \$223,800 to \$223,100, a 0.31 percent decrease, due to removing an ancillary building from the valuation. Anoka County will be correcting the overstated 2023 Agricultural Value since the Columbus LBAE does not have authority over that.

Janet Hegland of 14025 Julliard St. NE regarding PID: 35-32-22-12-0001

Guggenberger said Anoka County is recommending reducing this property's value from \$37,500 to \$35,700, a 4.8 percent decrease.

Alice Horkey of 1190 Boone Ave. N, Golden Valley, MN 55427 regarding PID: 35-32-22-11-0003

As a result of Hegland's appeal regarding the property listed above, Anoka County is recommending reducing this property from \$71,200 to \$35,700, a 49.86 percent decrease, in efforts for equalization due to both parcels being similarly sized and usable.

Jim Watson of 17352 Potomac St. NE, PID: 04-32-22-44-0001

Watson called to appeal for his property after the LBAE recessed on Tuesday, April 18, 2023. Guggenberger said that due to discovering the building did not have a basement as previously recorded and an addition that is unfinished despite being recorded otherwise, the Anoka County Appraiser's Office is recommending reducing the valuation of this property from \$626,500 to \$450,000, a decrease of 28.17 percent. Anoka County is working on abating this property to recover the over-charged taxes.

John Mastel of 16273 Kwei St. NE, PID: 16-32-22-13-0007

This parcel was read into the record to preserve Mastel's right to appeal to the County Board, but Guggenberger is currently recommending no change to its assessed valuation.

Guggenberger listed all of the properties being recommended for altered valuations, but excluded PID: 35-32-22-12-0001.

Motion by Preiner to approve recommendations by our tax assessor from Anoka County. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Guggenberger listed PID: 10-32-22-32-0003 and recommended no change to its valuation, while Povolny requested his property value only increase 10 percent from the valuation last year to \$149,050.

Motion by Wagamon to approve the recommendation to leave it the same. Seconded by Hanegraaf. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Guggenberger listed PID: 33-32-22-43-0032 and recommended no change to its valuation, while Savelkoul requested her property value only increase 7 percent from the valuation last year to \$186,394.

Motion by Hegland to accept the assessor's recommendation of no change. Seconded by Hanegraaf. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Guggenberger listed PID: 35-32-22-12-0001 and recommended reducing its estimated value to \$35,700.

Motion by Hanegraaf to approve Anoka County's recommendation. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – abstained; Preiner – aye. Motion carries.

Motion by Hegland to correct the recommended market value for PID: 24-32-22-41-0010 for \$317,300. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Motion by Preiner to adjourn the LBAE meeting. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

The LBAE meeting adjourned at 6:55 p.m.

The City Council meeting reconvened at 6:56 p.m.

8. Planning Commission Report

Weiland presented to the City Council to request approval for the Clear Channel Dynamic Billboard IUP. Weiland said that one of the points of concern was the ladder, which may be totally removed on these digital billboards.

Motion by Preiner to approve the Interim Use Permit for Clear Channel Dynamic Billboard Panels 92780 and 92781 at 9500 145th Ave. for a 20-year term starting upon installation based on Planner Report dated April 7, 2023, Findings of Fact 1-23 and subject to Conditions 1-19. Seconded by Hanegraaf.

Hegland asked if the conditions needed to be amended to state that the existing ladder will be removed or if the removal being mentioned in Weiland's presentation sufficed. Griffith recommended adding that stipulation as a condition.

Motion by Preiner to amend his motion to include Condition No. 20 which will include the ladder being removed. Seconded by Hanegraaf. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

9500 145th Ave. - Clear Channel Outdoor, LLC Interim Use Permit Findings of Fact

1. The Interim Use Permit (IUP) application to allow for conversion of a static Large Off-Premises Sign (billboard) to a dynamic billboard owned by Clear Channel Outdoor, LLC (Clear Channel) was received on February 1, 2023, and was deemed complete upon review with a letter sent.
2. The 60-day review deadline was April 2, 2023.
3. The 120-day review deadline is June 1, 2023.
4. Written notice of 60-day extension was sent March 13, 2023.
5. Ordinance 20-05 (effective November 5, 2020) amended the City Code regulating I-35 Corridor Large Off-Premises Signs (Section 7B-310).
6. The billboard is located on "Property" that is approximately 4.7 acres at 9500 145th Ave. NE (PIN: 25-32-22-42-0004) on property legally described as Lot 1 Block 1 Columbus Wilds.
7. The Property is zoned as the Light Industrial (LI) District.
8. The use of erecting a Highway Billboard is an interim use in the LI District, subject to the conditions and requirements of Section 7B-310 of the City Code.
9. The neighboring properties to the north contain legal nonconforming single-family dwellings and agricultural uses. The properties to the east and south are primarily vacant and lowland, and includes a large parcel owned by the Rice Creek Watershed District. West of the property is Interstate 35.
10. The existing billboard consists of two static signs arranged in a "V-shaped."
11. The billboard has been in place approximately 23 years. The first IUP was granted on February 16, 2000.
12. The billboard was granted the existing IUP on July 28, 2021, after the previous permit expired. The existing permit is for a term of 10 years and would expire on July 27, 2031.
13. The existing column enclosure consists of a six-foot wide by 12-foot high base, constructed of a steel frame surrounded by "Cultured Stone" Stone Veneer (Cobblefield). On top of the base there are four-foot wide by 15-foot high stucco panels set in a steel frame, as identified in Interim Use Permit PC21-123.
14. The billboard is located more than 3,750 feet from another dynamic sign.
15. The billboard is located more than 750 feet from a state, county or city park, historic site, public picnic grounds, highway rest area, on-ramp or off-ramp, church or school.
16. The billboard is located more than 500 feet from any area zoned Rural Residential.
17. The billboard is located as to not obstruct the view of any permitted on-premises sign.
18. Dynamic sign messages will not change at intervals less than once every eight seconds. The duration of the transition of the electronic image message change shall be instantaneous and include no fading, scrolling or other special effects.
19. The two dynamic signs will be the same size as the existing static panels (14'x48') and remain arranged in a "V-shape."
20. The existing structure will be upgraded and reinforced to support the installation of the new dynamic signs.
21. Clear Channel Outdoor, LLC will provide the City of Columbus up to 20 hours of public messaging per face per month on each new dynamic faces.

22. The design appears to fulfill the intent of Section 7B-310 (E. 16.a-d.) of the City Code. However, the proposed design does require Planning Commission approval in conjunction with the IUP application approval process as outlined in Section 7B-310 (E.16.a).
23. The Planning Commission held a Public Hearing to consider the Interim Use Permit on April 5, 2023.

9500 145th Ave. - Clear Channel Outdoor, LLC Interim Use Permit Conditions

1. The IUP is subject to the review and recommendations of the Building Official.
2. The IUP is subject to the review and recommendations of the City Attorney.
3. The IUP shall comply with and is subject to all provisions of the City's Zoning Ordinance regarding Large Off-Premises Signs, including but not limited to the provisions of Section 7B-310.
4. The IUP shall be valid for a term of 20 years from the date of approval, subject to earlier expiration or revocation as provided in Section 7B0-310 (F.).
5. Prior granting of an Interim Use Permit does not give an applicant any vested right to renewal per Section 7B-310 (F) of the City Code.
6. The billboard shall retain column cover design and "Columbus" sign logo, as identified in Interim Use Permit PC21-123.
7. The "Columbus" sign shall remain on the column cover at two-thirds (2/3) the height of the billboard column, as identified in Interim Use Permit PC21-123.
8. In the event the City Council determines, in its sole discretion, that the billboard is not being conducted in accordance with any term or condition contained herein, the Permit may be revoked by the City Council upon proper notice and a hearing.
9. The billboard column cover shall be kept in good condition with routine maintenance as required to prevent failure of the aesthetic enhancements.
10. The billboard must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
11. The billboard must be equipped with and automatic dimmer control or other mechanism that automatically controls the sign's brightness according to ambient conditions. In addition, all dynamic signs must be equipped with a default mechanism that will eliminate sign lighting or freeze the brightness at 500 nits when a malfunction in the automatic dimmer control occurs.
12. All electrical power lines located on the subject property and serving the sign structure must be buried.
13. All electrical equipment and wiring must be enclosed in a shroud or other equipment box that is visually integrated into the sign structure.
14. The new dynamic billboard is prohibited from conversion to a static off-premises sign.
15. Clear Channel Outdoor, LLC will provide the City of Columbus up to 20 hours of public messaging per face per month on each new dynamic face.
16. The new dynamic billboard and required upgrading/reinforcing of the existing structure will require approval of building permit application.

17. The applicant shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the Permit, including reasonable attorney's fees and consultant fees.
18. The Permit provide herein is issued solely for the benefit of Clear Channel Outdoor, LLC and may not be sold, assigned or otherwise transferred in any manner whatsoever.
19. The applicant shall reimburse the City for all out-of-pocket expenses incurred in the review and issuance of the IUP and for all ongoing inspections and enforcement actions required for the IUP.
20. The existing ladder serving the static Large Off-Premises Sign shall be removed during the sign's conversion into dynamic signage.

Turning to Ordinance 23-01 amending Small Animal Facilities codes within Chapter 7A, Mursko said that the City Council did not pass a resolution ending the small animals moratorium when they adopted the ordinance amendments.

Motion by Hegland to approve Resolution 23-03 to end the Small Animal Facilities moratorium. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Motion by Hegland to approve Resolution 23-04, a Summary Publication for Ordinance 23-01, amending Chapter 7A amendment Small Animal Facilities as presented. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

9. Anoka County Parks

Anoka County Park Planner Blaska presented to City Council to share the Coon Lake Regional Park Long-Range Plan, detailing scheduled improvements and long-term priorities, including improving roadway access to the park, building or repaving trails, improving the beach and dock areas, refurbishing the County Public Works Building and other items. An anticipated \$5.5 million is expected to be invested into the park over the next 10-15 years.

Motion by Preiner to approve Resolution 23-05 in support of the Coon Lake Regional Park Plan. Seconded by Hegland. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

D. STAFF & CONSULTANT REPORTS

10. Engineer Report

Bittner shared that work has resumed on the W. Freeway Drive project, with the focus currently on reinstalling sewer and water mains.

11. Attorney Report

Griffith shared the amendments to Chapters 7C and 7D compiled between his office and the City Engineer regarding wetlands and stormwater. Olson said the stormwater chapter has been amended to

align with Rice Creek Watershed's rules, while the new wetland ordinance is now better aligned with state statute and the Wetland Conservation Act.

Mursko asked if the exemptions detailed in Chapter 7D-402 applied to properties within the Coon Lake Overlay, because the City would prefer those lots still be required to provide a stormwater management plan. Olson said the shoreland ordinance included provisions that stormwater plans must adhere to 7D, but that he would verify that before the public hearing.

Mursko expressed concerns about being able to effectively enforce drainage ordinances under the proposed ordinance due to subdivisions that are not developed by the same developer, such as the Kettle Kove subdivision. Griffith said this situation may be avoided by adding specific language during developers agreements to ensure compliance.

Motion by Preiner to call a Public Hearing for Chapter 7C Wetlands and 7D Stormwater Ordinance amendments at the May 17, 2023, Planning Commission meeting. Seconded by Hegland. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Griffith continued, sharing a proposed administrative variance ordinance amendment for low floor elevations. The variance is being proposed for single-family homes constructed before 1990 applying for an expansion to the existing structure. The proposal includes a stipulation that the City Engineer would be consulted to determine if any additional drain tile is necessary for the proposal, among other provisions to protect the integrity of the neighborhood and neighbors' rights to appeal.

Motion by Hegland to direct the Staff to move forward with this administrative variance ordinance change for low floor elevation. Seconded by Wagamon.

Wagamon asked if this ordinance would require all applicants to install drain tile. Griffith said it could be modified to read "if needed as approved," which Bittner agreed to due to drain tile being required on a case-by-case basis.

Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Griffith continued, sharing further hearings on transportation funding will take place at the State Capitol tomorrow, including the Small Cities Transportation Funding bill.

Mursko read an email from City Criminal Attorney Joe Murphy, sharing that the case against 16658 W. Iverson St. NE has been scheduled for pre-trial hearing on June 15, 2023. Mursko suggested having MNSPECT visit the property on two different occasions and write a letter detailing how the property needed to be cleaned up.

Griffith suggested Murphy be paired with City Attorney Megan Rogers and her expertise in civil property cleanup. Mursko proposed the June workshop.

12. Mayor & City Councilmembers' Report

Hegland shared a report from the Park Board's most recent meeting, highlighting staff assignments. Hegland also said that there was a Fall Fest meeting last night, at which they've mapped different areas in the park for different types of events, displays and booths.

Wagamon shared that the Personnel Committee interviewed a Planning Tech application. The Personnel Committee recommends extending a full-time offer of employment at \$24.41 per hour to Eleanor Hahn.

Motion by Wagamon to extend an offer to Eleanor Hahn for the full-time position of the Planning Tech with a starting pay of \$24.41 per hour. Seconded by Preiner. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Preiner – aye. Motion carries.

Hanegraaf thanked Mike Angle, Lindsey Mooney and Danielle Poukait for shoveling the bridge in the park over winter and cleaning up after dogs. Hanegraaf also commended Ms. Lindquist for cleaning out the ditch near her home of garbage.

13. Public Works Report

No report.

14. Public Communications Coordinator Report

No report.

Hegland asked for an update on the newsletter. Keith said the newsletter is very close and a draft should be circulated after some final edits.

15. City Administrator's Report

No report.

E. ANNOUNCEMENTS & REMINDERS

- Planning Commission Meeting May 3, 2023, at 6 p.m.
- City Council Workshop May 9, 2023, at 5:30 p.m.
- City Council Meeting May 10, 2023, at 6 p.m.
- Calendar of Meetings

F. ADJOURNMENT

Motion by Preiner to adjourn. Seconded by Hegland. Roll call vote: Hegland – aye; Hanegraaf – aye; Wagamon – aye; Preiner – aye. Motion carries.

Meeting adjourned at 8:08 p.m.

Respectively submitted:

Connor Keith

Connor Keith, Public Communications Coordinator

City of Columbus

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City Council

April 26, 2023