

City of Columbus
Regular City Council Meeting
April 27, 2016

The April 27, 2016 meeting of the City of Columbus City Council was called to order at 7:02 p.m. by Mayor Dave Povolny at City Hall. Present were Povolny, Council Members Denny Peterson, Mark Daly, Jeff Duraine and Bill Krebs; City Administrator Elizabeth Mursko; Attorney Bill Griffith; Engineer Dennis Postler; and Public Information Coordinator Bronwyn Pope.

Absent: None.

Also in attendance were: Public Works Superintendent Jim Windingstad, Pat Preiner, Jesse Preiner, Mary Preiner, Paul Peskar, Kris King, Jody Krebs, Garth Sternberg (Planning Commission) and Terri Hodges (Forest Lake Cable Commission).

CONSENT AGENDA

- Motion – Approval of the City Council Meeting Minutes 04/13/16
- Motion – Pay Bills as Posted
- Motion – **Resolution 16-06** Mulvihill Special Assessment Change

Motion ASG03000/ADM05000 by Daly to approve the consent agenda including **Resolution 16-06** Mulvihill Special Assessment Change. Motion seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Additions to the Additions

Mayor and City Council member's reports will add a Park Board Report update, and the City Administrator's Report will add Internet Discussion and Assessment Role Determination for Special Assessments.

Motion by Krebs to approve the additions to the additions. Motion seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

PLANNING COMMISSION REPORT

The Planning Commission met April 6, 2016 and Garth Sternberg reported.

Winiecki Estates Preliminary Plat

Planning Commission recommends approval of the Winiecki Estates Preliminary Plat. They are subdividing the lot and it meets all the criteria for a subdivision.

Planner Findings of Fact

- 1) The revised preliminary plat application was found complete for review on March 21, 2016.

- 2) The 120-day preliminary plat review deadline is July 19, 2016.
- 3) There are a total of 15.5 acres in the proposed plat, located at 14805 Furman Street NE, in Section 26, Township 32, Range 22.
- 4) The property is zoned RR Rural Residential.
- 5) Two residential lots are proposed. There is one existing dwelling on the proposed northerly 9.1-acre lot (Lot 1, Block 1).
- 6) The proposed southerly lot (Lot 2, Block 1) is 6.4 acres in size and includes adequate areas for a future home and SSTS area.
- 7) The density of the proposed development is one home per 7.75 acres, which is consistent with the Comprehensive Plan and Zoning Ordinance.
- 8) Both proposed lots exceed the minimum lot area of 5.0 acres and exceed the minimum street frontage of 220 feet. All other dimensional standards and setback requirements are met.
- 9) Wetland delineations and floodplain elevations are noted on the preliminary plat.
- 10) The proposed plat is not affected by shoreland or floodplain regulations
- 11) The wetland areas are protected with drainage and utility easements at least one rod beyond the delineated wetland boundaries. Drainage and utility easements are also located adjacent to all property lines.
- 12) The wetland delineations have been approved by Rice Creek Watershed District.
- 13) A wetland buffer vegetation management plan is required by Rice Creek Watershed District.
- 14) Driveway access permits are subject to City approval.
- 15) Subsequent NPDES II permits will be required for any individual site grading that exceeds one acre.
- 16) The Planning Commission held a public hearing on the Winiacki Estates Preliminary Plat on April 20, 2016.

Engineer Findings of Fact:

1. Lot Size. The preliminary plat proposes to divide a lot of 15.5 acres into two lots of 9.1 acres and 6.4 acres. The two new lots both exceed the minimum lot size of 2.5 acres required by Section 7A-801 of the City Code.
2. Buildable Area. City Code requires that each lot have a buildable area for house and septic system of at least 11,000 SF. Each lot has a buildable area exceeding this minimum required.
3. Building Elevations. The low floor elevation of houses on each lot is required to be at least 3-feet above high groundwater. Evidence of high groundwater is usually evidenced by mottled soil (staining in the soil), or by actual groundwater elevations measured by piezometers. Soil borings indicated mottled soil varying from 22" – 30" below the existing surface. Low floor elevations will therefore be need to be constructed 6" – 14" above existing ground elevation accordingly.
4. Water Supply. It is presumed each lot will be served by its own private well. Locations of the wells need to meet the setback requirements of the State Well Code. Since Lot 1 (the northerly lot) has buildings under construction at this time, the location of the well should be shown on the site plan/preliminary plat.

5. Septic System. Each lot has the required 6,000 square feet of tested area suitable for septic purposes. Soil borings indicate there is at least 12-inches of unsaturated soil above mottled soil. Mound drain fields will be required.
6. Access. Each lot is proposed to be served with its own driveway to Furman Street NE.
7. Easements/Setbacks. The existing parcel has drainage easements on the east end of the lots encompassing existing wetlands. This preliminary plat lists proposed drainage and utility easement encompassing the same general area, but expanded slightly further westerly.
The plat shows a 33-foot roadway easement for Furman Street NE on the west end of both lots set back from the westerly property (section) line. The centerline of Furman Street NE varies just east of the property (section) line from approximately 1-foot on the north end to approximately 6-feet on the south end.
8. Drainage. A letter from the Rice Creek Watershed District (RCWD) indicates this proposal is below the thresholds requiring a permit for storm water treatment and water quality, as well as erosion control, so no permit is required. However, they have deemed the application incomplete until such time a vegetation management plan for the buffer area of the Wetland Management Center (WMC) is submitted.

Conditions:

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1. Recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. Recommendations of the Anoka County Survey Department.
4. Recommendations of the Rice Creek Watershed District.
5. Permanent wetland buffer plaques at intervals determined by the City.
6. Cash in lieu of park land dedication requirements.
7. Subsequent NPDES II permit(s) for any individual site grading that exceeds one acre.
8. If a new well is being proposed, it should be shown on the site plan/preliminary plat to check setback distances.
9. A Vegetation Management Plan is required to be submitted to the RCWD as part of the WMC buffer area.

Motion PLZ01400 by Krebs to approve Winiecki Estates Preliminary Plat based on the findings of fact and conditions from the Planner's Memo dated April 20, 2016, and Engineer's Memo dated April 19, 2016. Seconded by Duraine. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Possible Joint Planning Commission & City Council Meeting

The Planning Commission is looking for direction for projects to work on and asked if the Council would consider a joint meeting. Council discussed whether or not a joint meeting was needed at this time. Council consensus was to have a joint meeting on May 18 during the regular Planning Commission meeting night. The May 4 Planning Commission meeting will be canceled.

Motion by Krebs to set a joint Planning Commission and City Council meeting for May 18, 2016 at 7:00 p.m. Seconded by Peterson. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

PUBLIC OPEN FORUM - No one for public open forum.

Anoka County State CDBG & HOME Programs

Columbus can opt in or out of continuing to be a part of the Community Development Block Grant Program (CDBG) and the HOME Investment Partnerships Program. Mursko recommended that the City continue to opt in to the programs which are no cost to the City. Council discussed briefly.

Motion HRA 00200 by Peterson electing to remain a participating community in the Anoka County Community Development Block Grant and HOME Investment Partnerships programs for federal fiscal years 2017-2019. Seconded by Duraine. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

ENGINEER REPORT

Update – 2017 County Road 54 Realignment Project

Postler gave an update on the regular meetings the City has been having with the County about the realignment project for County Road 54 which includes improvements on Lake Drive. This project would be coordinated with the MnDOT CSAH97/I35 bridge project. The alignment will be moved slightly west to avoid requiring the City to move a sewage lift station. Upcoming meetings will discuss impact to private and public utilities and address access concerns for Holiday. The existing roadway would become a City road. The County plans to bid the project in June 2017. Council discussed briefly and asked about impact to existing businesses. The County asked for direction from the City regarding including either a shared cost trail along the new roadway or have the County put in six foot paved shoulders.

Motion PWE01200 by Duraine to support the six foot paved shoulder on the new road. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – nay; Duraine – aye; Krebs – aye; Povolny – nay. Motion carries.

County Road 54 Realignment Right of Entry Request

Anoka County is asking for a right of entry to City owned property to do soil borings and analysis along the realigned Country Road 54 route.

Motion CON00050 by Peterson to directing staff to negotiate and execute a right of entry agreement with Anoka County for the County 54 Realignment Project (Contract Number #CO04965). Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Forest Lake Noise Abatement Resolution

Mursko updated the Council on a resolution passed by the City of Forest Lake requesting MnDOT incorporate noise abatement into the 2017 I35 overlay project. MnDOT already determined that the area did not qualify for noise walls.

Rice Creek Watershed Update

Rice Creek Watershed District (RCWD) held a workshop last week for Cities and Counties in the District. Purpose was to discuss new modeling which has been done for the entire area. In Columbus we have areas that drain directly to Rice Creek and the two ditch areas. Columbus last updated their Local Water Management Plan in 2010, plan updates will now coincide with the Comp Plan schedule once every 10 years. The new plan will be due at the end of 2018, and Columbus signed up with RCWD to have the City plan reviewed in July of 2018. This is different than the Water Supply Plan which the City is doing this year. Water reuse was also discussed and encouraged at the RCWD meeting. Proposed RCWD rule revisions include one which is not supported by the City, it would require more stringent storm water rate controls likely taking up more area for ponding and added costs.

ATTORNEY REPORT

2016 Legislation Updates

Griffith reported the meetings today with teams in the Senate and the House about funding the CSAH23/TH97 bridge project were very productive. The City has a very strong position of support in the House and is working on getting to the same place with the Senate. Project funding would not come from the Bonding Bill, but would be drawn from a variety of sources depending on support by various leadership bodies.

There is a hearing for the latest bill on the appropriation for the water supply feasibility study on Friday, April 29 at 8:30 a.m. in room 1200 of the Senate Building. Griffith indicated that the Mayor had signed the letter from the Council opposed to the augmentation efforts, and asked if the Council would like that letter distributed to the entire delegation. Council consensus was to approve distribution of the letter to the City's delegation.

MAYOR AND CITY COUNCIL MEMBER REPORTS

Council Member Daly – No report.

Council Member Duraine – Forest Lake Cable Commission Update.

Cable Commission Director Sarah Chatwin has resigned and the option position has been advertised. The joint powers agreement for the Cable Commission includes Columbus, Scandia and Forest Lake. Duraine asked the Council if they would like to stay in the Commission or opt out. If one member opts out there is a two year period before they are out, but if two of the three opt out the Commission would immediately dissolve. Council discussed whether this is a good opportunity to look what is in place, determine what would best serve the community and how the Commission could be updated. Povolny suggested the commission member cities get together and explore options at a joint meeting. Duraine will relay that request to Scandia and Forest Lake.

Council Member Krebs – Krebs went to the Legislature for first time today to talk about the bridge project and reported it was very educational, and City staff did a very good job.

Council Member Peterson – No report.

Mayor – Povolny went to the Legislature today to promote the bridge project and reminded Council members there is a potential that the authors of the funding bill won't support it the first time through because of the large expense.

Fire Board Report

Mursko gave the Council copies of an email from Fire Chief Al Newman to the Fire Board providing updates and statistics on calls from March and April 2016.

Park Board Report

Park Board met last week. There is some money in the budget to do update the City Park parking lots but the project is big and requires additional funding. Windingstad provided the Council with two options for refurbishing the three lots which would require additional funds from the Gravel Fund to supplement the money in the Park Board budget. In Option 1 the large main City Park parking lot would be updated with Modified Class 5 which an outside company would deliver. In Option 2 the City would use recycled fill which Public Works would haul in. Windingstad recommended Option 1 because the Modified Class 5 is the preferred surface, and the project would probably be done in one afternoon. Council asked a variety of questions, and discussed costs and options for materials and labor for the project.

Motion FIN01320 by Peterson to approve use of the Gravel Fund to upgrade the City Park parking lots with materials and labor recommended in Option 1. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – nay; Krebs – aye; Povolny – aye. Motion carries.

PUBLIC WORKS REPORT - No report.

PUBLIC INFORMATION COORDINATOR REPORT – No report.

CITY ADMINISTRATOR REPORT

Public Information Coordinator Job Description

Mursko recommended a job description to be posted with the current Public Information Coordinator ad. Council discussed briefly.

Motion HRS02200 by Peterson to approve the Public Information Coordinator job description. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

Internet Discussion

Mursko updated the Council about what Midco and Centurylink provide to residents and businesses in the community. Centurylink recently received some federal funding to service the underserved areas, which could include some neighborhoods in Columbus. There are several underserved areas in the City, and these residents are regularly contacting the City asking for help getting internet service. Some communities are lobbying providers who have received federal funds, to ensure their underserved areas get service. Mursko asked the Council if they would like to lobby CenturyLink to recommend areas of Columbus which need internet service, and how they would like to address neighborhoods which are still without internet. Griffith asked if the Council would like to look into a potential assessment vehicle for residential neighborhoods. Council consensus was to approve City staff bringing potential assessment information to the Council, facilitating meetings between providers and underserved neighborhoods, setting up an initial neighborhood meeting for one of these areas, and scheduling a meeting with CenturyLink to look into the federal funds available.

Assessment Role Determination for Special Assessments

A property in the City which was part of a road improvement assessment in 1985 has been in green acres ever since. That property is now for sale and the title company asked Murkso to provide a payoff amount for the deferred assessment. A resolution passed in 1985 set the interest rate at 10% until 1992, but there was no direction given in the original minutes and is no policy in place directing how, or if, deferred assessments accrue interest over longer periods of time. Mursko and Griffith cautioned that any policy or decision made regarding this property would set a precedent for all deferred assessments in the City, of which there are many. Griffith advised the Council deal with this case as a single issue and then look at a larger policy more in depth before a policy decision is made. Council discussed this issue extensively and how to handle interest for this parcel in particular.

Motion ASG01600 by Peterson to direct staff to prepare a resolution for the Mayor's signature based on the April 27 City Council meeting discussion. Seconded by Krebs. Votes as follows: Peterson – aye; Daly – aye; Duraine – aye; Krebs – aye; Povolny – aye. Motion carries.

TREASURER REPORT

Receipts: \$0

Disburse: \$32,234.87

Balance: \$2,007,477.61

ANNOUNCEMENTS & REMINDERS

Planning Commission Meeting cancelled 05/04/16.

ADJOURNMENT

Motion by Daly to adjourn. Seconded by Peterson. Meeting adjourned at 8:57 p.m.

Respectfully Submitted:

Bronwyn Pope, Public Information Coordinator