

**City of Columbus
City Council Meeting
Alternative Meeting Format
MN Statute, Section 13D.021
06.22.2022**

The 06.22.22 meeting of the City of Columbus City Council was called to order at 6:32 p.m. by Mayor Jesse Preiner at City Hall. Present were Councilmembers Robert Busch, Janet Hegland, Shelly Logren (via teleconference) and Sue Wagamon; City Administrator Elizabeth Mursko, City Attorney Bill Griffith (via teleconference), City Engineer Kevin Bittner, Public Communication Coordinator Connor Keith and Public Works Director Jim Windingstad.

Also in attendance: Cindy Angel, Myron Angel, Ella Giefer (via teleconference), Planning Commission Chairman Ron Hanegraaf, Planning Commissioner Kris King, Mark Olson, Natalie Ryder (via teleconference), 16128 (via teleconference)

1. CITY COUNCIL REGULAR MEETING

- 1. Call to Order – Regular Meeting – 6:32 p.m.**
- 2. Pledge of Allegiance**

2. CONSENT AGENDA

- 3. Motion – Agenda Approval with Additions**
- ~~**4. Motion – Approval of the 05-25-2022 City Council Meeting Minutes**~~
- ~~**5. Motion – Approval of the 06-08-2022 City Council Meeting Minutes**~~
- ~~**6. Motion – Approval of the 06-08-2022 City Council Closed Meeting Minutes**~~
- 7. Motion – Approval of the 2022 Primary Elections Election Judges, Absentee Ballot Board and Election Wages**
- 8. Motion – Pay Bills as Posted**

Motion by Hegland to approve Consent Agenda items 3 and 8, removing Items 4-6 to defer to the next Council meeting and moving Item 7 to the regular agenda for further discussion and explanation.

Seconded by Busch. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

3. PRESENTATION

- 9. Public Open Forum**

No participation.

10. Planning Commission Report

King recapped the Joint City Council and Planning Commission meeting that took place June 15, 2022, in which a concept plan was reviewed for land on West Freeway Drive south of Ziegler. The property owner wants to design a light industrial park of seven pre-engineered steel buildings, all between 8,000 and 10,000 square feet, leased to small businesses like contractor warehouses, small machine shops, general storage and like businesses. The property owner intends to start the project in the next year by constructing two of the seven buildings, then build as interest grows. The City is determining how to process the application, as a single CUP for the entire property doesn't properly manage the individually

leased buildings. The meeting also discussed the Residentially Zoned Businesses moratorium and are making headway towards meeting its December 2022 deadline.

11. Animal Control Contract

Griffith indicated he'd been working with Hegland on fine-tuning the animal control contract with Companion Animal Control, comparing it to other contracts the City has worked on and adding language to result in the contract submitted to the Council at this evening's meeting. Griffith shared that animal impounding services still need to be finalized. Hegland indicated this is a three-year contract effective July 1, 2022 if approved this meeting.

Motion by Preiner to approve the animal control contract with Companion Animal Control LLC for a term of three years effective upon its execution. Seconded by Wagamon. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

12. Resolution 22-11 Authorizing Gamble Premise for Invisible Wounds Project

Mursko indicated an application had been received for an exempt permit for charitable gambling. The City Council is charged with approving the premise permit, which approves the gambling site at Running Aces Harness Park, but not the gambling activity. City Staff recommends approval of the application.

Preiner asked if this application was for a single-day event. Mursko confirmed it is a single-day raffle event scheduled for September 24, 2022.

Motion by Preiner to approve Resolution 22-11, approving a gambling premise for Invisible Wounds Project at 15021 Zurich St. for a raffle on September 24, 2022. Seconded by Busch. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

4. STAFF & CONSULTANT REPORTS

13. Engineer's Report

Bittner provided an update of ongoing projects in the City. The start date for the Hornsby Street project associated with the Love's Travel Stops and Country Stores project has been delayed and is now projected to start after Independence Day but should still be completed before Love's opens on August 1, 2022. Contracts have been signed for the Kettle River Heights reclamation project and a preconstruction meeting has been scheduled for July 6, 2022. All underground work is completed at the St. Clair Lakes project. The Waldoch project is still waiting for power poles to be relocated for the completion of the Lake Drive turn lane.

14. Attorney's Report

Griffith pointed the City Council to a grant opportunity to expand broadband connectivity to underserved Columbus residents and businesses. \$95 million is available in state funding this round, but the deadline is June 23, 2022 for the City to send a letter to service providers. Two letters of notice have been drafted and are ready to be sent to three telecommunications companies in and around Columbus pending City Council approval to draft an application for the grant. Final applications are due August 4, 2022 to the Minnesota Department of Employment and Economic Development (DEED).

Preiner asked if there was any reason to not apply for this grant. Griffith said there isn't and that it was at the direction of the Council at a previous meeting to search for federal and state funding for broadband.

Wagamon asked how much money could be awarded. Griffith said similarly sized cities had received between \$200,000 and \$1 million, but that the grant does require local matches that could be provided by private sources, such as service providers, the City or Anoka County. Because the City does not know the value of that match or where it would come from at this time, it is hard to predict an awarded grant's value.

Motion by Preiner to direct the City Attorney to draft a letter to broadband vendors and approve the submittal of grant application to DEED for broadband projects in Columbus. Seconded by Hegland. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Griffith next turned to St. Clair Lakes and asked Preiner to invite Olson to the presentation table.

Olsen, of 7867 Eastwood Road in Mounds View, MN, updated City Council on progress being made at the St. Clair Lakes development, indicating that six homes have already been sold and that the first foundation should start being dug in 2-3 weeks. Preiner asked if there was still customer interest in buying the new homes. Olsen said this development is getting better reviews than a similar neighborhood in Lino Lakes that he developed. Preiner asked how many constructions would be finished before winter. Olsen said he expected six or seven finished homes, and 8-10 framed houses by then, and hopes to have all the lots sold by the end of the year.

Griffith indicated the City had received notice from Lighthouse Management, the receiver, that the property had transferred successfully on June 9, 2022. The City requested all transfer documents and recorded plat documents, including the development agreement and has received them all. As required by the DNR, Olsen has signed a deed transferring Outlot C to the City.

Hegland asked if the loose ends brought up at the point of final plat approval had been taken care of. Griffith said all the legal documents were in line and that Joshua Markum Homes and Lighthouse Management have done a good job tying up loose ends in the past 6-8 weeks. Hegland asked if the City was incurring any cost for the City taking control of Outlot C leading up to Howard Lake. Griffith said the transfer was completed without cost and that he does not anticipate any costs. The only costs the City could incur is the cost of any enforcement in the area, but that would have been the case regardless of whether the City owned the land or not. If the association does not properly maintain any of its private utilities like roads or retention ponds, the City can step in and maintain them, but since they're private those costs would be assessed back to the community.

Busch asked what part of the neighborhood would be on a private road. Griffith confirmed that all roadways north of Lake Drive will be private and maintained by the association because the planned road will not be sized to City specifications.

Motion by Preiner to approve St. Clair assignment of development rights to Joshua Markum Builders Inc. subject to two conditions: No. 1 – Payment of all fees, and No. 2 – compliance with all conditions and requirements of the approval. Seconded by Wagamon. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

15. Mayor & City Councilmembers' Reports

Hegland reported on behalf of the Personnel Committee, sharing that the bridge contract with Lissa Grabowski interim accountant will expire June 30, 2022. An applicant for the Senior Accountant was tested and interviewed on June 17, 2022, and if the Council wanted to extend an offer for the position after scoring the test and following-up with references, it would need to schedule a special meeting. Hegland suggested the week of June 27, 2022.

Motion by Hegland to direct Staff to schedule a special meeting on Wednesday, June 29, 2022, with a time finalized once all Councilmembers' availability is known, to either extend an offer to the applicant that the City interviewed or, should that fall through, to extend a longer-term contract or another bridge contract to take the City into the future. Seconded by Preiner. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Hegland continued, saying the Personnel Committee interviewed Sarah “Ella” Giefer, an applicant for the Planning Technician position, on June 15, 2022.

Busch asked if this position would be a second person in the Planning Department. Hegland confirmed it was, as this is the position that former Associate Planner Ben Gutknecht started at. The Planning Tech is responsible for phone calls, counter work, paperwork and filing.

Motion by Hegland to extend an offer of employment to Ms. Giefer for a full time, 40 hours per week position of Planning Tech, starting at Step 1 in the pay scale at \$23.95 per hour subject to a reference and background check. Seconded by Preiner. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Hegland continued, turning to Public Works employee Brady Baker, who recently underwent his six-month performance review with Windingstad, who reports he is doing well and learning the City's equipment. As such, Baker is recommended for a step increase.

Motion by Hegland to direct City Staff to advance Mr. Baker to Step 4 in the salary range for the Public Works 1 position, effective July 3, 2022. Seconded by Busch. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Mursko turned to the IT contract with Paragon Development Services (PDS), recommending an ad hoc contract service to ensure a monthly visit for IT service, compared to the current contract which requires the City to schedule maintenance appointments in advance, for a duration of one year.

Wagamon noticed the contract said work is primarily remote and that the City is responsible for covering any travel costs if PDS must come in-person. Since the business is headquartered in Wisconsin, Wagamon asked if the City has to pay travel fees from out-of-state or is there a team in the Twin Cities. Mursko said there is a local team when in-person service is needed, but there is a lot of work that can be completed remotely. Wagamon continued, asking about stipulations for completion times of projects sent to PDS. Mursko said that the current contract has left the City waiting five weeks for service, but the new contract should eliminate that wait time and result in quick project completion.

Hegland wanted to make sure the scope of work in the contract says the City has the opportunity to schedule a particular day once per month. Hegland also noticed the contract wanted the City to provide

passwords to the company, which she was uneasy about giving to contracted work. Hegland asked if the contract had stipulations about meal compensation to limit these costs to the GSA per diem.

Motion by Preiner to approve the statement of work dated 6.8.2022 ad hoc services with Paragon Development at the rates listed in the contract for one year with a change to the per diem rate for meals and to make sure scheduling one day per month is included. Seconded by Hegland.

Wagamon asked about a confidentiality requirement for any passwords the contract does require and if there is a non-disclosure or confidentiality agreement in place. Hegland said the contract indicates passwords are held on another server behind a firewall, which was confirmed by Mursko.

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

16. Public Works Report

Windingstad updated the Council on re-graveling four or five City roads and that Well No. 3 was refurbished under budget at less than half of the original estimate.

17. Public Communications Coordinator's Report

Keith reminded the Council of the 170th Avenue Neighborhood Meeting scheduled for June 23, 2022, at 6 p.m. in the City Council chambers.

Keith continued, sharing he'd been approached by a company that archives postings to social media platforms, as well as interactions, such as reactions and comments, from the public since social media is considered a public forum.

Wagamon asked how long the State's data practice law has been in effect. Griffith said the League of Minnesota City's position on the data practice law has been evolving and that Columbus is in a similar position to other cities in the state, but that he doesn't feel the City is legally exposed at this point. Griffith recommended a workshop so that the City Council and Staff can discuss current social media policies and options to better prepare for data inquiries. Wagamon requested an estimate of the amount of time saved as well as other options on the market.

18. Assistant City Administrator Report

Reporting on behalf of Assistant to the City Administrator Jessica Hughes, Mursko brought two ordinances in the municipal code which have been recommended for edits. Drafted edits were submitted by MNSPECT, then reviewed and edited by the City Attorney. The first ordinance related to Chapter 11, the City's fire code, which needed to be minorly edited to be brought back into date.

Motion by Preiner to approve Ordinance 22-03, an ordinance amending Chapter 11 in the Minnesota State Fire Code as presented. Seconded by Wagamon. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Motion by Preiner to approve Ordinance 22-03 Publication Summary as presented. Seconded by Wagamon. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Mursko continued, sharing that Ordinance 22-04 modified Chapter 16B, the City's Dangerous Building Code.

Wagamon asked if this ordinance required house numbers to be posted in the front yard if the house cannot be seen from the road. Hegland said that was part of the fire code. Mursko said that was a requirement even before passing Ordinance 22-03.

Motion by Preiner to approve Ordinance 22-04, an ordinance amending Chapter 16B: Dangerous Buildings Code as presented. Seconded by Hegland. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Motion by Preiner to approve Ordinance 22-04 Publication Summary as presented. Seconded by Busch. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

19. City Administrator's Report

Mursko pointed the Council back to Item No. 7 which had been taken out of the Consent Agenda.

2022 features a state primary election on August 9, 2022. Historically, the City has recruited 26-32 election judges as temporary employees to help put on elections in the City's one precinct at the Public Works building. The memo submitted to the City Council contained the election judges to be appointed, and their rate of compensation, for the primary.

Hegland asked if the list of people provided are appointed, but aren't yet eligible to work until they complete training. Mursko said that since the appointees cannot be trained without being hired, the election judges' eligibility will be determined if they do don't complete their training in time for election day.

Motion by Hegland to approve the list of election judges as presented in the memo dated June 22, 2022, for the 2022 State Primary; any substitutions or appointments of additional judges for both elections as deemed appropriate by the City Clerk and appoint the Absentee Ballot Board as listed below for the 2022 State Primary or substitute other appointed election judges as needed. Seconded by Preiner. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Motion by Hegland to approve Resolution 22-10, appointing election judges and Absentee Ballot Board for the 2022 State Primary along with approving the election wages for 2022 as presented in the memo dated June 22, 2022. Seconded by Preiner. Roll call vote: Wagamon – aye; Hegland – aye; Busch – aye; Logren – aye; Preiner – aye. Motion carries.

Hegland asked if there is early voting in addition to absentee voting available this election. Mursko confirmed that was the case: absentee voting will start Friday, June 24, 2022, and early voting will open seven days before, which allows direct balloting. In-person voting will be available on election day. The City employs late filing for municipal elections, therefore City offices won't be on the primary election. Late filing opens August 2, 2022.

20. SW Quad 35 Land Sale

This will be a CLOSED meeting under Minnesota Statutes Section 13D.05, subd. 3(c)(3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.

5. **ANNOUNCEMENTS & REMINDERS**

21. **170th Avenue Neighborhood Meeting 06.23.2022 at 6 p.m.**

22. **City Council Workshop 07.12.2022 at 5:30 p.m.**

23. **City Council Meeting 07.13.2022 at 6:30 p.m.**

24. **Planning Commission Meeting 07.20.2022 at 6:30 p.m.**

25. **Calendar of Meetings**

6. **ADJOURNMENT**

Meeting closed at 8:09 p.m.

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

Meeting adjourned at 8:34 p.m.

Respectively submitted:

Connor Keith, Public Communications Coordinator