City of Columbus
Regular City Council Meeting
October 11, 2023

ATTENDANCE SHEET

PLEASE PRINT

Name:	Address:
Jerry Mueck	14647 Lake Dr
Barb Bobick	8414 140TH
John Swanson	16646 W. Iverson St.
Denis Kochokar	3862 Oak Ln
Ivan Kochokar	3862 Oak Ln

City of Columbus
Regular City Council Meeting
Alternative Meeting Format
MN Statute, Section 13D.021
10.11.2023

The 10.11.23 meeting of the City of Columbus City Council was called to order at 6 p.m. by Mayor Jesse Preiner at City Hall. Present were Councilmembers Rob Busch, Ron Hanegraaf, Janet Hegland and Sue Wagamon; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Kevin Bittner, Code Compliance Inspector Sean Lessard, Public Communication Coordinator Connor Keith and Public Works Director Jim Windingstad.

Also in attendance: Planning Commissioner Barb Bobick, Denis Kozhokar, Ivan Kozhokar, Derek Lind, Vladimir Sivriver, John Swanson, Jerry Winiecki, +1 612-803-1112

A. **CITY COUNCIL REGULAR MEETING**
   1. Call to Order Regular Meeting – 6:05 p.m.
   2. Pledge of Allegiance

B. **CONSENT AGENDA**
   3. Agenda Approval with Additions
   4. Approval of the 09-13-2023 City Council Meeting Minutes
   5. Pay Bills as Posted

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

C. **PRESENTATION**
   6. Public Open Forum

Lind of Ramsey, MN presented to Council representing ACIT advocating for election reform in Anoka County.

   7. Planning Commission Report

Reporting on the October 4, 2023, Planning Commission meeting, Preiner said the first order of business was the Interim Use Permit application by DAVCO Technology to continue as a Residential Zoned Business. Mursko advised that the applicant had been informed of the possibility the application could be continued to the November 20, 2023, City Council meeting because, due to the late submission of the applicant's responses to the questions, staff did not have time to update the report and that the applicant had declined the Council's request for a site visit.

Motion by Wagamon to continue discussion of the Residential Zoned Business for DAVCO Technology at 16731 Potomac St. in order for City Staff to update the Planning Report with updated information from applicant and answer additional questions from City Councilmembers to November 20, 2023, at 6 p.m. Seconded by Hegland. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

Preiner continued, reporting on the preliminary and final plat to combine two lots and Planned Unit Development (PUD) application submitted by Ivan Kozhokar for KI Auto, an auto service and sales shop located at 14755 Lake Drive NE. The Planning Commission voted to unanimously recommend the preliminary and final plat and PUD application to the City Council for approval.

Preiner noted there were some questions raised. One concern was the screening on the south side of the property. Preiner asked Kozhokar if he would be willing to return to a previously submitted landscaping plan that featured a fence installed on the southern property line from the highway right-of-way to the wetlands on the eastern side of the property instead of the proposed arborvitae trees, as a fence would provide better screening. Kozhokar agreed to that proposal. A second concern pertained to the direction of stormwater runoff leaving the property. Kozhokar said he has submitted revised plans that show the water will be directed to his stormwater pond. Mursko acknowledged receipt of the revised drawings, but staff had not had time to update reports.

Hanegraaf asked whether an enclosure was required for the trash receptacle since it would be within a fenced-in yard. Mursko replied trash enclosures are required of all properties. Hanegraaf also asked Kozhokar where tires or salvage materials would be stored on the property and if any work would take place outside the building on the property. Kozhokar said all repair materials, parts and work would remain indoors and damaged cars will be parked behind the building. Hanegraaf asked if any work would be done outside. Kozhokar stated all work will be performed within the building. Hanegraaf suggested the Council add a condition to the permit similar to one implemented on California Cars in 2019 which required that company to follow all applicable federal, state and local legislation and that no chemicals, odors, hazardous gases, waste or fumes would be on the property as a result of the business. Hanegraaf also requested language requiring disposal of hazardous materials according to county rules.

Mursko said City Planner Dean Johnson will add two new conditions, one requiring Kozhokar to abide by all federal, state and local standards as detailed by Hanegraaf, and another similar to Condition No. 9 in Unique Street's permit about gas and fumes. Referencing a Pollution Control Agency (PCA) memo, Hegland suggested also adding that the PUD CUP be contingent upon any permitting requirements of the Minnesota PCA, including by not limited to air quality and hazardous materials.

Hanegraaf asked what working hours Kozhokar was planning for the business. Kozhokar said work will be conducted from 7 a.m. until 7 p.m., Monday through Saturday.

Hegland expressed concern about a semi being able to turn around in the submitted parking lot. Griffith recommended adding a condition that prohibited semis backing out or unloading on Lake Drive. Hegland also suggested adding conditions prohibiting salvage vehicles from being stored outside and materials stored outside cannot be taller than the screening fence.

The Council added a condition to limit the number of cars stored on the property overnight to 51, the same number of parking spots as will be on the property.

Motion by Hegland to continue discussion of the Preliminary & Final Plat Kozhokar Addition at 14755 Lake Drive to the October 25, 2023, City Council meeting at 6 p.m. to allow City Staff to update the Planning Report with the new information submitted by the applicant and discussed tonight. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

Motion by Hegland to continue discussion of the Conditional Use Permit Planned Unit Development for Kozhokar Auto Repair at 14755 Lake Drive to October 25, 2023, to allow City Staff to update the Planning Report with the new information submitted by the applicant and the items discussed tonight. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

D. **STAFF & CONSULTANT REPORTS**

8. Engineer Report

Bittner told the Council that the discussion pertaining to driveway aprons in the Thurnbeck Preserve development will continue at the next City Council meeting.

9. Attorney Report

On behalf of the Personnel Committee, Hegland turned the conversation to formalizing a plan to fill the position of City Administrator. The Committee recommended that the Council accept Mursko's resignation, approve amending the Personnel Committee composition to remove Mursko's voting privilege in discussions pertaining to the topic of the new City Administrator, approve appointing a representative from Larkin-Hoffman to fill Mursko's voting position and approve drafting a Request for Proposal to solicit for interested search firms and drafting a letter of inquiry to potential interim city administrators. Mursko's resignation letter proposes her last day working for the City of Columbus would be March 31, 2024, after three months of full-time remote work.

Motion by Hegland to accept Mursko's letter of resignation. Seconded by Busch. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

Motion by Hegland to approve the Personnel Committee drafting an RFP for a search firm for a new City Administrator and bringing it back to the Council for approval at the October 25, 2023, meeting. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

Motion by Hegland to appoint a Larkin-Hoffman designee to the Personnel Committee for business related to the search for a new City Administrator. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

Motion by Hegland to direct the Personnel Committee to draft a letter of inquiry that would be sent to people on the list received from the League of Minnesota Cities of individuals interested and qualified to act in the interim City Administrator position and bringing it back to Council for review. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

10. Mayor & City Councilmembers' Report

Reporting on the October 5, 2023, Park Board meeting, Hegland said a bid was requested from Connexus Energy to move two park lights. Windingstad said that the bid received for the work was approximately $5,200, for which only $1,000 was budgeted. The bid will be submitted to the Park Board for direction. Hegland said the Park Board had also directed Windingstad go out for bids for installing fencing around the west side of the park. Windingstad said a revised bid with an additional opening was for $20,800, with an additional $5,175.60 for tire curb stop.

Motion by Hegland to approve executing a contract with Century Fence in an amount not to exceed $26,000 to install a new fence along the Notre Dame Street border of the park as outlined. Seconded by Wagamon.

Hegland amended her motion to include that $5,175.60 of the $26,000 total would be going to Cemstone. Seconded by Wagamon. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

Hegland continued, sharing the Park Board agreed that the return of Fall Fest was a success and supported the City potentially hosting a spring event in the park. Hegland also informed the Council that the four member municipalities in the Sunrise River Watershed Management Organization have agreed to accept the updated Joint Powers Agreement. Hegland suggested adding follow-up compliance on septic system pumping inspections to ensure tanks are inspected every three years. Currently, reminders are sent out but no fee is applied to ensure the tanks are pumped and inspected.

11. Code Enforcement Report

Lessard updated the Council on his Code Enforcement efforts over the past three months, as well as advised the Council on work he's been doing to have security and ADA doors installed on City property. Since July, Lessard has started 32 compliance cases in the City and closed 23 of them. The remaining nine cases pertain to zoning and general ordinance concerns.

12. Public Works Report

Windingstad shared a proposal to perform crack sealing on the City Park walking trail. A bid has been received for $6,622, with smaller cracks accounting for $1,622 and the remaining $5,000 being used to patch bigger potholes, tripping hazards and cracks. If the work is to be done before winter, Windingstad said he needs direction from Council. Windingstad called on Hanegraaf and Griffith to provide background on potential liability to the City if someone trips on the cracks.

Motion by Hegland to authorize Windingstad to move forward with crack in-fill and mastic repair of the park pathway as outlined in the estimates provided with a total not to exceed $6,622. Seconded by Busch. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

13. Public Communications Coordinator Report

No report.

14. City Administrator's Report

Mursko provided the Council with a survey of 15161 Feller St. The owners are submitting their records to prove they own 2.5 acres as compared to the 2.87 acres the City has on record in order to adjust their water and sewer connection fees by $12,000.

Motion by Preiner to direct the City Administrator to adjust water connection fees owed by the owners of 15161 Feller St. to a 2.5 acre parcel versus a 2.87 acre parcel. Seconded by Hanegraaf. Roll call vote: Hanegraaf – aye; Wagamon – aye; Hegland – aye; Busch – aye; Preiner – aye. Motion carries.

15. Closed Meeting – Swanson v. Columbus

The City Council will close the meeting to discuss settlement of litigation pursuant to Minnesota Statute 13D.03; 13D.05, subdivision 3.

E. **ANNOUNCEMENTS & REMINDERS**
- Planning Commission Meeting October 18, 2023, at 6 p.m.
- City Council Meeting October 25, 2023, at 6 p.m.
- Calendar of Meetings

F. **ADJOURNMENT**

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

Meeting closed at 8:13 p.m.

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

Meeting adjourned at 8:40 p.m.

Respectively submitted:

Connor Keith

Connor Keith, Public Communications Coordinator