City of Columbus
Regular City Council Meeting
November 25, 2024

ATTENDANCE SHEET

PLEASE PRINT

Name:	Address:
Jennie Lattes	
JERRY AUGE	Anoka Co.

CITY OF COLUMBUS
CITY COUNCIL MEETING
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTE SECTION 13D.021
11-25-2024

The 11-25-2024 City Council Meeting was called to order by Mayor Jesse Preiner at 6:07PM. Present were City Councilmembers Ron Hanegraaf, Sue Wagamon, Janet Hegland, and Rob Busch. Also present were City Administrator Jack Davis, City Engineer Kevin Bittner, City Attorney Megan Rogers, Public Works Director Jim Windingstad, Jennifer Lattin, and Jerry Auge.

In attendance via interactive technology was Councilmember Rob Busch.

The meeting was held in an interactive technology meeting format.

A. CITY COUNCIL REGULAR MEETING

1. Call to Order – Regular Meeting, 6:07PM
2. Pledge of Allegiance
3. Adoption of Agenda

Councilmember Janet Hegland to pull Midco Cost Sharing Agreement from section C. 4.

Motion by Councilmember Hegland move to approve the Agenda for the November 25, 2024, City Council Meeting. Seconded by Councilmember Wagamon. Roll Call Vote: Hanegraaf – Aye, Wagamon – Aye, Hegland – Aye, Busch – Aye, Preiner – Aye. Motion carries.

B. CONSENT AGENDA

1. Approval of Bill Payments (Bill Summary List to be sent under separate cover on Wednesday, October 23, 2024)
2. Approval of August 14, 2024, City Council Minutes

Motion by Councilmember Janet Hegland to approve the Consent Agenda as presented with one change to the August 14, 2024, minutes related to the Tort Liability LMC coverage. The wording is confusing and contradicting. Hegland asked City Attorney Megan Rogers if she could clarify the wording. City Attorney Megan Roger's stated that on an annual basis, the city makes a determination whether or not to waive its Tort Liability Statute limits. The City elects not to waive the statute tort liability limits so that people who are engaged in litigation with the city are limited in their recovery and that limits our risks. Correction to this statement is to remove the word, don't. Seconded by Councilmember Wagamon. Roll Call Vote: Hanegraaf – Aye, Wagamon – Aye, Hegland – Aye, Busch – Aye, Preiner – Aye. Motion carries.

C. PRESENTATION(S) and ITEMS FOR COUNCIL ACTION

1. Public Forum

Nothing at this time

2. **Potomac Street Reconstruction Project (Pages 1- 5)**

City Administrator Jack Davis stated that the Anoka County Highway Department (ACHD) needs a response from the city as to our interest in the urban or rural pedestrian trail design as part of the proposed Potomac shed reconstruction project. Jerry Auge, the Assistant County Engineer, is available answer any questions regarding the proposed trail component of the county road project. Mr. Auge stated that they hosted a public meeting in October in the Columbus Senior/Community Center and received a great turnout and feedback on the project. Mr. Auge further stated that the pavement on Potomac St is at the end of its life and the ACHD is at the point where they need to move this project forward to include or not to include the trail.

Councilmember Wagamon stated that the concern from the public was they thought the County was taking more land for the trail than it wasn't included. She asked whether the amount allotted include the trail or not. Mr. Auge stated they did have a discussion internally with the County Engineer and if there is a trail, they can potentially move it closer to the roadway. They are looking at restricting the impact to property. Councilmember Wagamon stated that, when looking at all the data, she likes the idea of a trail as there are not many in the area but looking at the cost, asked who is responsible? Mr. Auge stated that the city pays 100% of the trail cost. This includes wetlands and threatened species mitigation that are unknown at this time. The county costs include what is impacted by the roadway. Mr. Auge stated they are proposing a 12-foot lane and 5-foot paved shoulder. This is more than what is there now.

Mayor Preiner asked how much this is actually going to cost the city. We have a $5 million annual budget. Mr. Auge stated the cost would be approximately $1.7-1.8 million. Mayor Preiner stated that it is almost half our budget and could the city avoid this cost and just use the 5' paved shoulder.

Councilmember Hegland stated that even without the trail, the city will be responsible for about $22k of the project costs. Mr. Auge confirmed that is correct. Hegland asked if the County would be taking the same amount of land for right of way with or without the trail or if they would be taking less without the trail? Mr. Auge response that they might have to increase the right of way to incorporate trail in some places potentially. Councilmember Hegland also asked if the City can defer putting in the trail if there is already a County right of way, putting the trail in later. Mr. Auge confirms that that is an option. Councilmember Hegland clarifies that there will be no further cost share, other than the $22K, if there is no trail. Mr. Auge confirmed this.

Councilmembers discussed whether it's justifiable to add the trail to the project and all were in agreement that the addition was not affordable. Councilmember Busch stated that having no connectivity to other existing trails was another reason he couldn't support the trail.

Motion by Mayor Jesse Preiner to proceed with the Potomac Street project without a trail. Seconded by Councilmember Hanegraaf. Roll Call Vote: Hanegraaf – Aye, Wagamon – Aye, Hegland – Aye, Busch – Aye, Preiner – Aye. Motion carries.

3. **ARPA Broadband Grant (reference pages 6-25 of packet)**

City Administrator Jack Davis stated that the City of Columbus will be recipient of an Anoka County grant for American Recovery Plan Act (ARPA) funding. These monies will be directed for broadband service extensions to five underserved and unserved areas of the city. With the possible exception of isolated

extensions on Lyons St, which may be addressed by Midco through other programs, broadband service will be available to all Columbus residents at the completion of this work. This grant is administered through Anoka County. The history of this program is outlined in Attachment 1 of the council packet, as county resolution 2014-119. Midco made applications to the county on behalf of the City of Columbus in June 2024. Although the original grant request was denied, the program was reopened due to the efforts of Columbus City Councilmember Janet Hegland and County Commissioner Jeff Reinert. Northern Anoka County municipalities, Columbus, Linwood, Bethel and East Bethel, were ultimately the recipients of $1.6 million ARPA funding. The City of Columbus' share will be $536,000 with Midco committing $471,000 to the project. Attachment 1 is the County Resolution that authorizes the re-opening of the Community Broadband Grant Program and award of $1,600,000 of ARPA funds to be used to support the expansion of broadband access. City Council is requested to consider the approval of the Sub-Recipient Grant Agreement as exhibited in Attachment 2. City Attorney Megan Rogers stated Supplemental appendices that were provided were incorporated within our form agreement with Midco under the first round of funding. All those compliance requirements have already been incorporated into the agreement that we will enter with Midco.

Councilmember Hegland suggested postponing the approval because there is a sixth neighborhood on Lyons Street that could be included. Councilmember Hegland recommended we contact Midco to see if they could include this in the project. It wouldn't affect the grant, but it would impact the agreement because it specifies the number of residents and neighborhoods.

Councilmember Hegland stated that it might be wise to delay the approval to next council meeting because we should have an answer from Midco whether they can include the sixth neighborhood. Then we can make sure all the attachments, the map and the language related to the number of parcels that are being serviced are consistent. City Administrator Jack Davis agreed that we can wait until the December 11, 2024, City Council meeting. City Attorney Megan Rogers also agreed because the contracts need to match the area served.

Councilmember Hegland made a motion to table approval for the grant funds to the December 11, 2024, City Council meeting. Seconded by Councilmember Wagamon. Roll Call Vote: Hanegraaf – Aye, Wagamon – Aye, Hegland – Aye, Busch – Aye, Preiner – Aye. Motion carries.

~~4. Midco Cost Sharing Agreement (Pages 26-31)~~

5. Set Agenda for December Workshop Meeting (Page 32)

City Administrator Jack Davis stated The City Council Workshop Meeting is scheduled for Tuesday, December 3, 2024, at 5:30 PM. Davis recommended the meeting agenda include the Companion Animal Care 2025 Agreement, Pritchard Drainage Easement -145th and Hornsby and City Hall Office Space Discussion.

Motion by Mayor Jesse Preiner to approve the December 3, 2024, workshop discussion. Seconded by Councilmember Janet Hegland. Roll Call Vote: Hanegraaf – Aye, Wagamon – Aye, Hegland – Aye, Busch – Aye, Preiner – Aye. Motion carries.

D. CONSULTANT, LIAISON and STAFF REPORTS

1. **City Engineer** – Kevin Bittner
    a. Brown Beagle Letter of Credit Release (Pages 33-42)

City Engineer Kevin Bittner received a request from Jon Sawyer for a reduction to his letter of credit (LOC). The Developer's Agreement requires retaining 20% of the full LOC amount for a period of one year following the completion and acceptance of improvements. The project is not yet complete as the northbound bypass lane is not constructed and won't be completed until spring of 2025. Twenty percent of the original LOC is $81,250 and is sufficient surety to cover the unconstructed bypass lane. The City Engineer recommend reducing the LOC to $81,250 and retaining this amount for a full year after the bypass lane is completed.

Motion by Mayor Jesse Preiner per the City Engineer recommendation to approve the reduction of $184,560.75 in the Letter of Credit on this project and retain a balance of $81,250 for one year after the bypass lane portion of this project is complete.
Seconded by Councilmember Hanegraaf.

Roll Call Vote: Hanegraaf – Aye, Wagamon – Aye, Hegland – Aye, Busch – Aye, Preiner – Aye. Motion carries.

2. **City Attorney** – Megan Rogers

Nothing to report

3. **Mayor and City Council Report**

Nothing to report

4. **Personnel Committee Report** – Janet Hegland and Sue Wagamon

Councilmember Hegland stated that we are continuing to receive applications for the Assistant City Administrator position. Posting will close December 2, 2024. Councilmember Hegland reported that the Personnel Committee discuss the need for a compensation survey with David Drown and Associates. Should this discussion advance beyond the informational stage it would be presented for discussion with city council.

5. **Planning Commission Report** – Sue Wagamon

Councilmember Wagamon stated that the Planning Commission had a good discussion on the cannabis ordinance at the meeting and the Planning Commission set a date for the public hearing on December 18, 2024. Councilmember Wagamon stated that she heard there would be a delay of several months before licenses could be issued by the state and asked if that would mean that everything else be delayed and do we still need to have our ordinance in place before January 1, 2025? City Attorney Megan Rogers stated that it's unlikely that anyone could comply with our draft ordinance because there will not be licenses issued by the state by January 1, 2025. Second, there is a specific legislative authorization for a moratorium and study of cannabis licensing and retail locations that end December 31, 2024, and it would be best practices to have your ordinance adopted by January 1, 2025

6. **Public Works Report**

Nothing to report

7. **City Administrator Report**

Nothing to report

E. ANNOUNCEMENTS & REMINDERS

Mayor Preiner reminded the Council and public of the following meetings:

- City Council Workshop Meeting, December 3, 2024 at 5:30 PM
- Planning Commission Meeting, December 4, 2024 at 6:00 PM
- City Council Meeting, December 11, 2024 at 6:00 PM
- Planning Commission Meeting, December 18, 2024 at 6:00 PM
- City Council Meeting, December 23, 2024 at 6:00 PM

F. ADJOURNMENT

Motion by Councilmember Wagamon to adjourn meeting. Seconded by Councilmember Hanegraaf.

Roll Call Vote: Hanegraaf – Aye, Wagamon – Aye, Hegland – Aye, Preiner – Aye. Motion carries.

Meeting adjourned at 6:59.

Drafted by Recording Secretary Danelle Peacock