

**OFFICIAL PROCEEDINGS  
CITY OF COLUMBIA HEIGHTS  
CITY COUNCIL MEETING  
JULY 24, 2017**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday July 24, 2017 in the City Council Chambers, City Hall, 590 40th Ave. N.E., Columbia Heights, Minnesota

**1. CALL TO ORDER**

Mayor Schmitt called the meeting to order at 7:02 p.m.

**2. ROLL CALL**

Present: Mayor Schmitt, Councilmember Williams, Councilmember Murzyn, Jr., Councilmember Buesgens and Councilmember Novitsky

Also Present: Walt Fehst; City Manager, Jim Hoeft; City Attorney, Joe Kloiber; Finance Director, Jackie Zillmer; Assistant Finance Director, Kathy Young; Assistant City Engineer, John Larkin; Assistant Fire Chief, and Katie Bruno; City Clerk/Council Secretary

**3. INVOCATION**

Invocation provided by Rachel James, First Lutheran Church

**4. PLEDGE OF ALLEGIANCE**

**5. ADDITIONS/DELETIONS TO MEETING AGENDA**

(The Council, upon majority vote of its members, may make additions and deletions to the agenda. These may be items brought to the attention of the Council under the Citizen Forum or items submitted after the agenda preparation deadline.)

Mayor Schmitt announced a change in the order of the announcement sections, and the addition of item 6C, Lee Carlson Center-Bridgeview Summer Luau announcement.

**6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS**

**A. Presentation of the GFOA Certificate of Achievement for Excellence in Financial Reporting**

Sue Birnig, State Representative for the GFOA Association congratulated the City for receiving this award since 1990. Jackie Zillmer accepted the award on behalf of the city.

**B. Proclamation announcing Tuesday, August 1<sup>st</sup> as National Night Out in the City of Columbia Heights**

Sergeant Andy Museus reported in 2016 there were 52 block parties, with over 1600 participants. Police officers attend every party, and speak to residents about pertinent topics.

Officer Justin Pletcher announced a reception is planned for Police Chief Scott Nadeau on Thursday, July 27<sup>th</sup> from 2:30-4:00. Officer Pletcher reported that Chief Nadeau has been instrumental in steering the police department in a positive direction, and assured the council that the department will continue to do so.

**C. Announcement of the (Lee Carlson Center) Bridgeview Summer Luau**

Maria Davis announced the Lee Carlson Center will be hosting an event taking place on Wednesday, July 26<sup>th</sup>.

**D. 2016 Summary Financial Information presented by auditor.**

Dave Mol, representing Redpath and Company gave an overview of the 2016 Audit Review, indicating a "Clean Opinion" was issued. Councilmember Williams thanked Mr. Mol, and the Finance Director for their diligence. Mayor Schmitt questioned an item related to the sale of Park View Villa, and the HRA's obligation to HUD. Finance Director Kloiber explained the HRA entered into the grant contract with HUD, and as a condition of letting the HRA out of the agreement, HUD expects the HRA to pay them.

Councilmember Williams was pleased to see the revenues increase in the liquor operations. Kloiber indicated competition has seemed to stabilize.

## **7. CONSENT AGENDA**

(These items are considered to be routine by the City Council and will be enacted as part of the Consent Agenda by one motion. Items removed from consent agenda approval will be taken up as the next order of business.)

Mayor Schmitt requested the item E be removed for discussion

### **A. Approve Minutes of the City Council**

MOTION: Move to approve the minutes of the City Council meeting of July 10, 2017

MOTION: Move to approve the minutes of the City Council work session of July 10, 2017

### **B. Accept Board and Commission Meeting Minutes**

MOTION: Move to accept the Charter Commission meeting minutes from April 20, 2017

### **C. Appoint Councilmember Novitsky to the HRA**

MOTION: Move to approve the mayor's appointment of Councilmember Nick Novitsky to the vacant HRA position.

### **D. Accept bids and award Contract for Central Avenue Safety Improvements, Columbia Heights Project No. 1608 and MN Project No. HSIP 0217(146)**

MOTION: Move to waive the reading of Resolution 2017-82, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2017-82 being a resolution accepting bids and awarding the Central Avenue HSIP Safety Improvements, City Project No. 1608 and MN Project No. HSIP 0217(146), to Thomas and Sons of Rogers, Minnesota, based upon their low, qualified, responsible bid in the amount of \$946,246.62 from Fund 402-51608-5185; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same.

### **E. Approve Resolution for Point Source Implementation Grant Program (PSIG) Application *\*Removed for Discussion.***

### **F. Consideration of approval of attached list of rental housing applications.**

MOTION: Move to approve the items listed for rental housing license applications for July 24, 2017, in that they have met the requirements of the Property Maintenance Code

### **G. Approve Business License Applications**

MOTION: Move to approve the items as listed on the business license agenda for July 24, 2017

### **H. Payment of Bills**

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8, the City Council has received the list of claims paid covering check number 166532 through 166713 in the amount of \$1,110,276.23.

*Motion by Councilmember Williams, seconded by Councilmember Murzyn, Jr. to approve the Consent Agenda items A, B, C, D, F, G, and H. All Ayes, Motion Carried.*

**The following item was removed for discussion:**

**E. Approve Resolution for Point Source Implementation Grant Program (PSIG) Application**

Kathy Young, Assistant City Engineer explained the City has been trying to obtain funding to reconstruct this pond for a couple of years. This grant funding would be used strictly for the pond. Mayor Schmitt asked if the Rice Creek Watershed was contacted for assistance. Young indicated a \$50,000 grant was previously awarded, and believes that will be available.

*Motion by Councilmember Buesgens, seconded by Councilmember Williams to waive the reading of Resolution 2017-83, there being ample copies available to the public. All Ayes, Motion Carried.*

*Motion by Councilmember Murzyn, Jr., seconded by Councilmember Williams to adopt Resolution 2017-83 being a resolution authorizing the Public Works Director to submit an application to the Minnesota Public Facilities Authority for eligible funds for the reconstruction of the storm water pond at the Silver Lake Boat Landing. All Ayes, Motion Carried.*

**8. PUBLIC HEARINGS**

**A. Consideration of declaration of a nuisance and abatement of violations within the City of Columbia Heights is requested regarding the property at 4320 7<sup>th</sup> Street NE for failure to meet the requirements of the Residential Maintenance Code.**

Assistant Fire Chief John Larkin reported the homeowner has been notified about their broken garage door and have not responded. The City will make one additional attempt to contact the owner, and if necessary hire a contractor to repair the garage door.

*Motion by Councilmember Williams, seconded by Councilmember Murzyn, Jr. to close the public hearing and to waive the reading of Resolution Number 2017-80, there being ample copies available to the public. All Ayes, Motion Carried.*

*Motion by Councilmember Williams, seconded by Councilmember Buesgens to adopt Resolution Number 2017-80, being resolution of the City Council of the City of Columbia Heights declaring the property listed a nuisance and approving the abatement of violations from the property pursuant to City Code section 8.206. All Ayes, Motion Carried.*

**9. ITEMS FOR CONSIDERATION**

**A. Other Ordinances and Resolutions**

**B. Bid Considerations**

**C. New Business and Reports**

**10. ADMINISTRATIVE REPORTS**

Councilmember Buesgens attended an open house hosted by Dominion, the HeightsNext party; celebrating a merger with the Farmers Market, the MN DOT informational meeting for the University Ave project, a Metro Council committee meeting, the HeightNext garden tour and the Charter Commission meeting. The Charter

commission discussed extending the Mayoral term, and the Mayor's authority over the police department. Both items will continue to be discussed at the October Meeting.

Councilmember Williams thanked the Council, Staff and Community for their support following the recent passing of his son, Steve.

Councilmember Novitsky attended the open house hosted by Dominion and a Lee Carlson wellness event at Community Grounds. Novitsky reported the Lion's have adopted Keyes Park.

Mayor Schmitt attended the MWMO bi-monthly meeting; they are considering doing some on-site water storage near their east side maintenance facility in Minneapolis. Schmitt suggested Columbia Heights may want to use some of their ideas. The MWMO annual retreat was attended. Speakers included a representative from the Governor's Alliance on Race and Equity.

The Mayor reported Lenny Austin has been appointed to the Interim Police Chief, effective July 27, 2017. The Mayor has met with both Chief Nadeau and Captain Austin to discuss the transition period.

City Manager Walt Fehst reported that SACA (Southern Anoka County Assistance) has obtained an "Open your Hearts to Hungry" challenge grant. Matching donations will help to provide for fresh produce to be available. Crest View Communities have invited City Officials to a picnic on Thursday, July 27<sup>th</sup> from 12:00-3:00 P.M.

## 11. CITIZENS FORUM

## 12. ADJOURNMENT

*Motion by Councilmember Murzyn, Jr., seconded by Councilmember Williams to adjourn. All Ayes, Motion Carried.*

Meeting adjourned at 7:52 p.m.



Respectfully Submitted,  
Katie Bruno, Council Secretary/City Clerk

### **RESOLUTION NO. 2017-80**

Resolution of the City Council for the City of Columbia Heights declaring the property a nuisance and approving abatement of ordinance violations pursuant to Chapter 8, Article II, of City Code, of the property owned by Nyjibi Ojuway (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 4320 7<sup>th</sup> Street N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on June 9, 2017.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

#### FINDINGS OF FACT

1. That on May 9, 2017, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on June 9, 2017, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on July 12, 2017, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:

A. Shall repair south garage door to close completely.

5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

#### CONCLUSIONS OF COUNCIL

1. That the property located at 4320 7<sup>th</sup> Street N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

#### **RESOLUTION NO. 2017-82**

A resolution of the City Council for the City of Columbia Heights, Minnesota,

WHEREAS, pursuant to an advertisement for bids for City Project No. 1608 and MN Project No. HSIP 0217(146), Central Avenue Safety Improvements, bids were received, opened and tabulated according to law.

Now therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of Columbia Heights makes the following:

#### FINDINGS OF FACT

The following bids were received complying with the advertisement:

<u>Bidder</u>	<u>Base Bid</u>
Thomas & Sons Construction, Inc.	\$ 946,246.62 (Corrected)
Meyer Contracting	\$1,058,156.20
L.S. Black Constructors	\$1,153,974.28
Urban Companies	\$1,211,840.75
Pember Companies, Inc.	\$1,214,563.90

It appears that Thomas and Sons, 13925 Northdale Boulevard, Rogers, Minnesota is the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF COLUMBIA HEIGHTS, MINNESOTA

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with Thomas and Sons Construction, Inc., in the name of the City of Columbia Heights, for the Central Avenue Safety Improvements, City Project No. 1608 and MN Project No. HSIP 0217(146), for a bid amount of \$946,246.62 according to plans and specifications therefore approved by the Council.
2. The City Engineer is hereby authorized and directed to retain the deposit of the successful bidder and the next lowest bidder until the contract has been signed.
3. City Project No. 1608 shall be funded from Fund 402-51608-5185.

**RESOLUTION NO. 2017-83**

A resolution of the City Council for the City of Columbia Heights, Minnesota, supporting submission of a Point Source Implementation Grant (PSIG) application to the Minnesota Public Facilities Authority (PFA) for Silver Lake Boat Landing Pond reconstruction,

WHEREAS, the City Council of the City of Columbia Heights is the official governing body; and

WHEREAS, the Point Source Implementation Program, established in Minnesota Statutes 446A.073, as amended provides funds for construction projects; and

WHEREAS, the City of Columbia Heights is hereby applying to the Minnesota Public Facilities Authority for funds to be used for eligible costs for the Silver Lake Boat Landing Pond reconstruction.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of Columbia Heights makes the following:

**FINDINGS OF FACT**

1. The City of Columbia Heights has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.
2. That upon approval of its application by the PFA, the City of Columbia Heights may enter into an agreement with the PFA for the above-referenced project, and that the City of Columbia Heights certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.
3. The Mayor and City Manager, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the above project on behalf of the City of Columbia Heights.
4. The Council adopts this Resolution in support of the request for PSIG funds for the Silver Lake Boat Landing Pond reconstruction.
5. That a copy of this Resolution be provided to the PFA as part of the PSIG application.