

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
SEPTEMBER 25, 2017**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday September 25, 2017 in the City Council Chambers, City Hall, 590 40th Ave. N.E., Columbia Heights, Minnesota

1. CALL TO ORDER/ROLL CALL

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

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

Also Present: Walt Fehst; City Manager, Jim Hoeft; City Attorney, Kevin Hansen; Public Works Director, John Larkin; Assistant Fire Chief, Keith Dahl; Economic Development Manager, and Katie Bruno; City Clerk/Council Secretary

2. INVOCATION

Invocation provided by Councilmember Williams

3. PLEDGE OF ALLEGIANCE

4. MISSION STATEMENT, Read by Mayor Schmitt.

Our mission is to provide the highest quality public services. Services will be provided in a fair, respectful and professional manner that effectively address changing citizen and community needs in a fiscally-responsible and customer friendly manner.

5. APPROVAL OF AGENDA

Mayor Schmitt announced the addition of a motion to Item 9Ca, amending the 2017 budget, prior to the listed motion.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to approve the agenda as amended. All Ayes, Motion carried.

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

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.)

A. Approve Minutes of the City Council

MOTION: Move to approve the minutes of the City Council meeting of September 11, 2017

B. Adopt Resolution 2017-97 being a Resolution Accepting Bids and Awarding the Contract for 2017 Sanitary Sewer Lining, City Project No. 1704

MOTION: Move to waive the reading of Resolution 2017-97, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2017-97, being a resolution accepting bids and awarding the contract for 2017 Sanitary Sewer Lining, City Project No. 1704, to Hydro-Klean, Inc. of Des Moines, Iowa based upon their low, qualified, responsible base bid for lining in the amount of \$86,169.80, with funds to be appropriated from Fund 652-51704-5185; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same

C. Final Payment for Zone 1 and City Parking Lot Seal Coat

MOTION: Move to accept the work for 2017 Seal Coat, City Project No. 1601 (Zone 1) and Project No. 1401 (Parking Lot Preservation), and authorize final payment of \$6,242.74 to Pearson Bros, Inc. of Hanover, Minnesota

D. Consideration of approval of attached list of rental housing applications.

MOTION: Move to approve the items listed for rental housing license applications for September 25, 2017, in that they have met the requirements of the Property Maintenance Code.

E. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for September 25, 2017.

F. 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 167400 through 167577 in the amount of \$849,123.15

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Williams to approve the Consent Agenda items as presented. All Ayes, Motion carried.

8. PUBLIC HEARINGS

PUBLIC HEARINGS

A. First Reading of Ordinance 1642, Conveyance of Certain Real Property to the EDA

Keith Dahl, Economic Development Manager reported the property was acquired by the City in 2016. It was the intent of City Council to demolish the dilapidated residential structure and incorporate the vacant lot into the Single Family Home Lot Sales Program administered by the EDA. Now that the residential structure has been demolished the City Council may convey the Subject Property to the EDA for incorporation into the Single Family Home Lot Sales Program, and for the construction of a single-family, owner occupied home.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to waive the reading of Ordinance No. 1642, there being ample copies available to the public. All Ayes, Motion carried.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to schedule the second reading of Ordinance No. 1642, being an ordinance authorizing the conveyance of certain real property located at 4201 Jefferson Street NE, for October 9, 2017 at approximately 7:00 P.M. in the City Council Chambers. All Ayes, Motion carried.

B. Consideration of declaration of a nuisance and abatement of violations within the City of Columbia Heights is requested regarding the properties at 1433 46th Avenue NE, 3849 Hayes Street

NE, and 4951 4th Street NE for failure to meet the requirements of the Residential Maintenance Code.

John Larkin, Assistant Fire Chief reported all three properties have failed to comply with the removal of diseased or dead trees. Larkin reported letters have been sent to the property owners detailing the process. Mayor Schmitt questioned if there are more trees this year than in prior years. Kevin Hansen, Public Works Director reported the numbers are slightly up this year; 180, compared to the typical 150. Hansen noted that Emerald Ash Borer has not been identified in the city.

Motion by Mayor Schmitt, seconded by Councilmember Buesgens to close the public hearing and to waive the reading of Resolution Numbers 2017-93, 2017-94, and 2017-95, there being ample copies available to the public. All Ayes, Motion carried.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to adopt Resolution Numbers 2017-93, 2017-94, and 2017-95, being resolutions 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.

C. Consideration of revocation of the license to operate a rental unit within the City of Columbia Heights is requested against the rental property at 4639 Washington Street NE for failure to meet the requirements of the Residential Maintenance Codes.

John Larkin, Assistant Fire Chief reported the property owner has not submitted their application or fees.

Motion by Mayor Schmitt, seconded by Councilmember Novitsky to close the public hearing and to waive the reading of Resolution Number 2017-96, being ample copies available to the public. All Ayes, Motion carried.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to adopt Resolution Number 2017-96, being Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion carried.

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

B. Bid Considerations

C. New Business and Reports

a. City Hall Master Plan

Kevin Hansen, Public Works Director reported the council identified “the establishment of a City Hall Master Plan” as one of their goals. Hansen indicated the creation of a master plan would involve:

- Site Evaluation and Selection
- Site Assessment and Site Development
- Concept Layout Development
- Develop preliminary building systems.
- Develop site cost comparisons for each site.
- Develop a detailed cost estimate based on the preferred site.
- Develop funding scenarios based on the detailed cost estimate.

Hansen indicated that because Leo A. Daly prepared a similar study for the library, they are familiar with the City.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to amend the 2017 Budget, amending fund 411, providing \$22,500 of funding for the City Hall Master Plan. All Ayes, Motion Carried.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to accept the proposal from Leo A. Daly in the amount of \$22,500, plus reimbursables, for the preparation of a Master Plan, including construction cost estimates for a new City Hall, and authorize the Mayor and City Manager to enter into an Agreement for the same. Funding will be provided from the 411 fund. All Ayes, Motion carried.

10. CITY COUNCIL AND ADMINISTRATIVE REPORTS

Councilmember Buesgens attended a HeightsNext event, they hosted a speaker from Longfellow Transition, she attended the Comp Plan Open House, the Circle Terrace Eat and Greet, the HeightsNext plant exchange, and the Fire Department Open House. A Girl Scout troop from St. Matthew's church toured her gardens.

Councilmember Williams attended the Circle Terrace Eat & Greet and the Crest View fundraiser.

Councilmember Murzyn, Jr. attended the Circle Terrace Eat & Greet, the Fire Department Open House, and the Flag Retirement ceremony at the VFW.

Councilmember Novitsky attended the Circle Terrace Eat & Greet, the Lions Club hosted Bridgeview Speakers, and an art show at Community Grounds. It was announced that the 2018 Walk for Apraxia will be held at Sullivan Park in September, 2018.

Mayor Schmitt attended the Kiwani's picnic, the Multi-cultural Advisory Committee meeting, and the North Metro Mayor's Association 30th Anniversary Dinner.

City Manager Walt Fehst reminded the council that the Council Police Academy will begin September 26th. Firehouse Gym will be hosting Fights in the Heights on September 29th at Murzyn Hall. Two Community Service Officers; Darry Jones and Troy Vaughn will be graduating from the Pathways Program at Hennepin Technical College on September 29th.

11. CITIZENS FORUM

DeWayne Morrell-4212 Reservoir Blvd. indicated he does not agree with the City's trash container policy. Mayor Schmitt suggested Mr. Morrell speak to Director Hansen for clarification.

Mr. Morrell commented that he has noticed a distinct improvement in recent changes brought to the city by the council.

Mohamed Hassan-4557 Madison St NE indicated he would like to appeal a recent invoice of \$469.00 for cleanup of his property. John Larkin, Assistant Fire Chief reported the process was followed, and he even contacted the owner to give him notice of when the contractor was coming.

Councilmember Buesgens reminded the property owner of their responsibility to keep their properties maintained.

James Edward-4422 Monroe St NE requested the inspections department look at various properties on his block, as there are violations.

12. ADJOURNMENT

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Novitsky to adjourn. All Ayes, Motion carried; Motion Carried.

Meeting adjourned at 7:51 p.m.



Respectively Submitted,
Katie Bruno, Council Secretary/City Clerk

RESOLUTION NO. 2017-93

A 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 John Szurek (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 1433 46th Avenue 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 August 29, 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 July 21, 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 August 29, 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 September 13, 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 remove tree stump to within 2-4 inches below ground level.
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 1433 46th Avenue 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.

ORDER OF COUNCIL

1. The property located at 1433 46th Avenue N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2017-94

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 Hakim Al-Salihi (hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 3849 Hayes 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 August 29, 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

6. That on July 21, 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.
7. That on August 29, 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.
8. That on September 13, 2017, inspectors re-inspected the property and found that violations remained uncorrected.
9. 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. Per the city forester, it has been determined that the 4 dead cottonwood trees and the dead maple tree located in the front yard must be removed. Shall remove any subsequent tree stumps to within 2-4 inches below ground level.

10. 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

4. That the property located at 3849 Hayes Street N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
5. 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.
6. 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.

ORDER OF COUNCIL

3. The property located at 3849 Hayes Street N.E. constitutes a nuisance pursuant to City Code.
4. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2017-95

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 Dennis Stallberger (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 4951 4th 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 August 24, 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

11. That on July 19, 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.
12. That on August 24, 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.
13. That on September 14, 2017, inspectors re-inspected the property and found that violations remained uncorrected.
14. 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 remove the tree stump to within 2-4 inches below ground level.

15. 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

7. That the property located at 4951 4th Street N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.

8. 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.

9. 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.

ORDER OF COUNCIL

5. The property located at 4951 4th Street N.E. constitutes a nuisance pursuant to City Code.

6. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2017-96

Resolution of the City Council for the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of that certain property rental license held by Angel Bermeo (Hereinafter "License Holder").

Whereas, license holder is the legal owner of the real property located at 4639 Washington Street N.E., Columbia Heights, Minnesota,

Whereas, pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(B), written notice setting forth the causes and reasons for the proposed Council action contained herein was given to the License Holder on September 7, 2017 of a public hearing to be held on September 25, 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 or about August 7, 2017, inspection office staff sent a letter requesting the owner of the property submit the rental license application for this property. The letter was mailed by regular mail to the owner at the address listed in the property records.
2. That on September 7, 2017, inspection office staff reviewed the property file and noted that the property remained unlicensed. A Statement of Cause was mailed by regular mail to the owner at the address listed in the property records.
3. That based upon said records of the Enforcement Office, the following conditions and violations of the City's Property Maintenance Code were found to exist, to-wit:

- a. Failure to submit renewal rental license application and fees.
4. That all parties, including the License Holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code, Chapter 5A, Article III 5A.306 and 5A.303(A).

ORDER OF COUNCIL

1. The rental license belonging to the License Holder described herein and identified by license number F15629 is hereby revoked;
2. The City will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by License Holder;
3. All tenants shall remove themselves from the premises within 45 days from the first day of posting of this Order revoking the license as held by License Holder.

RESOLUTION NO. 2017-97

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

Whereas, pursuant to an advertisement for bids for City Project No. 1704, Sanitary Sewer Lining 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 the City 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>
Hydro-Klean	\$ 86,169.80
Insituform Technologies USA, LLC	\$ 95,372.40
Lametti & Sons, Inc.	\$ 110,849.50
Veit & Company, Inc.	\$ 110,849.50

It appears that Hydro-Klean of Des Moines, Iowa is the lowest responsible bidder.

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

The Mayor and City Manager are hereby authorized and directed to enter into a contract with Hydro-Klean in the name of the City of Columbia Heights, for the **2017 Sanitary Sewer Lining, City Project No. 1704**, according to plans and specifications therefore approved by the Council.

The City Engineer is hereby authorized and directed to return, forthwith, to all bidders, the deposits made with their bids except the deposit of the successful bidder and the next lowest bidder shall be retained until the contract has been signed.

City Project No. 1704 shall be funded from the Sanitary Sewer Construction Fund.

ORDINANCE NO. 1642

BEING AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY BY THE CITY OF COLUMBIA HEIGHTS TO THE COLUMBIA HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY LOCATED AT 4201 JEFFERSON STREET NE.

The City of Columbia Heights does ordain:

SECTION 1: The City of Columbia Heights, a Minnesota municipal corporation, may convey unto the Columbia Heights Economic Development Authority, the real property described as follows, to wit:

4201 Jefferson Street NE: Lot 16, Block 32, Columbia Heights Annex to Minneapolis, Anoka County, Minnesota, according to the recorded plat thereof.

SECTION 2: The Mayor and the City Manager are herewith authorized to execute a deed to effectuate the conveyance of said real property.