

**OFFICIAL PROCEEDINGS  
CITY OF COLUMBIA HEIGHTS  
CITY COUNCIL MEETING  
OCTOBER 9, 2017**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday October 9, 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 7:12 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, Gary Gorman; Fire Chief, Joe Hogeboom; Community Development Director, Keith Dahl; Economic Development Manager, Joe Kloiber; Finance Director and Katie Bruno; City Clerk/Council Secretary

**2. INVOCATION**

Invocation provided by Rachel James, First Lutheran

**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**

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to approve the agenda as presented. All Ayes, Motion Carried.*

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

**A. Proclamation recognizing ME Global Inc. for 100<sup>th</sup> Anniversary**

Mayor Schmitt read the proclamation, and announced she will be presenting it to the Company at a reception on October 11, 2017.

**B. Polish American Heritage Month**

Councilmember Buesgens read the proclamation, and it was presented to Gloria Bergstrom and Edward Sikorski.

**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 25, 2017

MOTION: Move to approve the minutes of the City Council Assessment Hearings, October 2, 2017

**B. Accept Board & Commission Meeting Minutes**

MOTION: Move to accept the Planning & Zoning Commission meeting minutes from September 6, 2017

MOTION: Move to accept the Library Board meeting minutes from September 6, 2017

**C. Second Reading of Ordinance 1642, Conveyance of Certain Real Property to the EDA**

MOTION: Move to waive the reading of Ordinance No. 1642, there being ample copies available to the public.

MOTION: Move to adopt Ordinance No. 1642, being an ordinance authorizing the conveyance of certain real property located at 4201 Jefferson Street NE.

**D. Contract #2017-2799 Change Order**

MOTION: Move to approve the change order request submitted by Kamish Excavating for the additional costs incurred from the excavation and disposal of the transite asbestos piping in the amount of \$1,019.00.

**E. Approve Actions of the Columbia Heights Volunteer Firefighters Relief Association**

MOTION: Move to approve the changes to the Columbia Heights Volunteer Firefighters Relief Association Bylaws, Compensation Policy, and Investment Policy as approved by the Columbia Heights Volunteer Firefighters Relief Association Board of Trustees and general membership.

**F. Approve Gambling Permits, Immaculate Conception Church**

MOTION: Move to direct the City Manager to forward a letter to the State Charitable Gambling Control Board indicating that the City of Columbia Heights has no objection to a gambling permit for Immaculate Conception Church to conduct bingo and a raffle at their event being held November 19, 2017 at 4030 Jackson Street NE, Columbia Heights; and furthermore, that the City of Columbia Heights hereby waives the remainder of the thirty-day notice to the local governing body.

MOTION: Move to direct the City Manager to forward a letter to the State Charitable Gambling Control Board indicating that the City of Columbia Heights has no objection to a gambling permit for Immaculate Conception Church to conduct bingo and a raffle at their event being held March 18, 2018 at 4030 Jackson Street NE, Columbia Heights; and furthermore, that the City of Columbia Heights hereby waives the remainder of the thirty-day notice to the local governing body.

**G. Resolution 2017-103 amending the Budget for City Project 1609 and Authorizing Purchase Agreements to Furnish and Equip the Circle Terrace Park Building.**

MOTION: Move to waive the reading of Resolution 2017-103, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2017-103, amending the budget for City Project 1609 and authorizing purchase agreements to furnish and equip the Circle Terrace Park Building.

**H. Approve Business License Applications**

MOTION: Move to approve the items as listed on the business license agenda for October 9, 2017.

**I. 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 167578 through 167758 in the amount of \$1,331,413.88

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

## **8. PUBLIC HEARINGS**

### **A. Adopt Resolution For Emergency Abatement**

Fire Chief Gary Gorman explained this was an emergency abatement, and the property has been boarded up and secured.

*Motion by Councilmember Williams seconded by Councilmember Novitsky to close the public hearing and to waive the reading of Resolution Number 2017-98, being ample copies available to the public. All Ayes, Motion Carried.*

*Motion by Councilmember Williams, seconded by Councilmember Murzyn, Jr. to Adopt Resolution Number 2017-98, being declarations of nuisance and emergency abatement of violations within the City Council of the City of Columbia Heights regarding property 4329 Main St. N.E. All Ayes, Motion Carried.*

### **B. Consideration of Resolution No. 2017-90 approving a Site Plan for the properties located at 1069 Grandview Way & 4729 Grand Avenue NE.**

Community Development Director Joe Hogeboom reported the Planning & Zoning Commission received the application this summer, and considered it at their September 6<sup>th</sup> meeting. The item was tabled at that time, and the developer was asked to make some modifications to the plan. The modified plan included two apartment buildings; a three story building with 60 units and a four story building with 88 units. This would bring the density to 29.96 per acre; under the 30 unit per acre requirement. A waiver is requested to reduce the minimum width of the development's parking lot drive aisles to 20 feet. This modified site plan was considered at the October 3<sup>rd</sup> Planning & Zoning meeting; where it was approved with 15 conditions.

Councilmember Williams indicated he was waiting for the Grand Central Lofts Condo Association and the Developer to come to an agreement. Williams indicated a Memorandum of Understanding was signed by both parties. Williams said this development will benefit the schools and the city.

*Motion by Councilmember Williams, seconded by Councilmember Buesgens to waive the reading of Resolution No. 2017-90 there being ample copies available to the public. All Ayes, Motion Carried.*

Owen Metz, representing Dominion reported this development would be their second in the City, the first being the Legends; a 55 and over community. Metz stated they have had multiple meetings, and have adjusted their proposal from over 200 units to 148 units. Metz indicated this proposal would meet the Comprehensive Plan goals. Metz shared some details from the 2003 approved plans when the site was being developed; noting 132 units (256 bedrooms) were proposed.

Councilmember Murzyn, Jr. expressed concern with the increase in 3 bedroom units, potentially causing more parking issues. Metz stated the additional bedrooms will likely be occupied by children. It was also noted that if there are multiple adults, they may not meet the household income limits. Income limits were reported as \$38,000 annually for an individual and a family of four is \$54,000 (60% AMI.)

Mayor Schmitt announced the Public Hearing guidelines, reminding the group to be respectful, to limit conversation, and to refrain from cheering and clapping.

Tom Kurak-1070 Grandview Ct. reported condo owners were told that additional condo buildings would be constructed, which would contribute to the association costs. Kurak stated the comp plan calls for an increase in home ownership, and this site could be used for potential home ownership. Kurak indicated there has been some confusion in the size of the entire site, noting that easements decrease the site from the original 15 to 10.1 acres.

Paul Biernat-1070 Grandview Ct. is a member of the Board of Directors indicated the Memorandum of Understanding was signed as a safety precaution, stating that it would offer some protection if the project goes forward. Biernat stated the association feels the City Council and City Staff are anti homeowners. Biernat said this is a prime site for home ownership, and there are condo developers interested in the site. Mayor Schmitt asked how many of the 67 condo units are owner occupied. Biernat indicated there are about 19 units being rented.

Thomas Radio (law firm of Felhaber Larson, P.A.)-220 South Sixth St., Minneapolis is an attorney representing the Homeowners Association, and individual homeowners. Radio told the council their decision must be made on complete factual information, and expressed concern with the discrepancy in the size of the site. Radio also stated there is nothing unique or superior to transit or biking access. Denial was suggested because the proposal is too dense, there is not enough parking, and it could diminish the expectation of the neighboring property owners.

City Attorney Jim Hoeft stated the density is based on five acres, there is no legal question, and the nature of the easement is irrelevant.

KT Jacobs-4104 Monroe St. expressed concern with the addition of rental units considering the numerous issues with current rental properties within the city. Jacobs suggested the Council work to bring viable businesses to Central Ave.

Dennis Shelsted-1070 Grandview Ct. commented that he is opposed to the project because of density, parking concerns and the fact that Dominion does not want to be a part of the association.

John Ricker-1070 Grandview Ct. questioned why there are no other options, and indicated he was told at the time he purchased his condo, owner occupied units would be built on the site.

Elizabeth Herrmann-950 39<sup>th</sup> Ave. NE stated she does not understand the opposition to renters, saying they will have an immediate community if the project proceeds. Ms. Herrmann reported her current building has seven units, and four vehicles. She feels Dominion has done a good job addressing the concerns of the community, and thinks the request should be approved.

Meghan Strunk-1070 Grandview Ct. indicated she is an architect, and shared her opinion that Dominion has not taken any of the requirements into consideration. She expressed concern with the revised drawings with inaccurate calculations. She suggested the request not be approved.

Katherine Pepple-4649 Polk St. stated the council has been working to promote home ownership, and expressed concern with bringing a large rental property into the city. She referenced various complexes in the metro that have become run down.

DeAundres Wilson-4802 Grandview Ct. indicated that the Memorandum of Understanding was not presented

to the Master Board Association. He clarified that the MOU was signed by Dominion and Paul Biernat, who represents the Condo Association. The three members of the Master Board do not endorse the MOU. Wilson expressed concern with parking and the decrease in home values. He requested the Council deny the application.

Ramona Anderson-4132 Stinson Blvd. questioned how many times Dominion has accepted housing choice vouchers to subsidize rentals. Anderson asked why they have both a minimum and maximum income range. She requested the Council deny the application. Mr. Metz stated he would respond to the questions following public comment.

Allen Ciesynski-4856 Jefferson St. NE questioned why Dominion is requesting a TIFF credit along with a Section 42 credit. He requested the Council deny the application.

Jane Halek-4602 Fillmore St. expressed her support for the condo owners. She suggested the council look for other options. She feels there are too many rentals along 47<sup>th</sup> Ave. already.

Sean Broom-4117 5<sup>th</sup> St. NE stated his opinion that this is a really good opportunity for the City. Broom indicated there are currently no places like this in Columbia Heights. He indicated it is not the place of the Council to dictate rental verses home ownership. Broom stated the project meets the Comp Plan requirement for dense housing.

Frost Simula-1700 49<sup>th</sup> Ave. indicated there have been many comments suggesting other alternatives be explored. He noted the site has been vacant for a long time, and there has not been interest from others. He stated Dominion has listened to the feedback from the community, and requested Council approve the request.

Tony Bodway-1070 Grandview Ct. expressed concern with the parking of guests, as well as residents. He indicated when he purchased his home they were promised some things that have not been delivered.

John Bush-1070 Grandview Ct. expressed concern with access to the buildings, noting there is just one entrance and one exit. Mr. Bush suggested a traffic study be completed to see if this is feasible. He also stated it seems unfair to sell the easements, as they were already sold. Bush indicated there is conflict between the four associations, causing trouble for sellers, and worries about bringing another group into the mix. Mr. Bush said he thinks the project is too large for the site. Mr. Bush questioned the \$45,000,000 in TIF being used for the project.

Manager Fehst clarified that the gap financing would be borrowed by the developer, and a fee would be paid to the City. The fee and the park dedication fee would amount to about \$800,000.

James Ericson-1070 Grandview Ct. indicated he has lived in Columbia Heights all his life, and is currently renting a condo at Grand Central. He stated he as renter, cares about the community, and has been a dedicated citizen. Ericson requested the council approve the request.

Karen Karkula-4858 Grandview Ct. NE stated the city council owes it to the residents who invested in Grand Central to look for alternatives for that parcel.

Joe Schluender-4034 Monroe stated that while he understands the concerns of the condo owners, he is favor of the request; indicating the council is responsible to look out for the interest of the City overall.

Otto Lausten-Former Columbia Heights Resident, spoke highly of the community of Columbia Heights, and reported there are advantages to both points of view.

Michael Strunk-1070 Grandview Ct. commented that the homeowners are invested in the community, and want what is fair. He expressed concern with the density, the traffic and parking. He indicated the only reason the Memorandum of Understanding was signed, was because it offered some protection.

Mike Novitsky-5252 5<sup>th</sup> St. NE expressed concern with overnight parking. He also questioned if dense housing was required to have four stories. Concern was expressed with additional rental units, stating that Columbia Heights is over 50% rental housing.

Amada Simula-1700 49<sup>th</sup> Ave. NE indicated she has spoken to many families currently renting, who hope to buy a home in Heights in the future.

Kevin Lovgren-1070 Grandview Ct. requested the council represent the people of the city. Lovgren expressed concern with pedestrian safety of the children in the area.

Mary Granlund-949 44<sup>th</sup> Ave. NE reported the pedestrian/traffic issues along 49<sup>th</sup> Ave. are already being reviewed. She invited Mr. Lovgren and any others interested to the next meeting of the group "Citizens for Safer Streets".

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to close the Public Hearing. All Ayes, Motion Carried.*

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to take a five minute recess.*

The council recessed at 9:42 PM.

The council reconvened at 9:51 PM.

Owen Metz compared the site plan with the 2003 submittal, indicating they are still under the 20 units per acre as allowed. Metz indicated the site has been on the market for 1,000 days, there has not been interest in developing condos. The Met Council considers a bus line within ¼ mile to be transit friendly; this site is 200 feet from a bus line. Dominion will invest a great deal in the apartments, and will not be neglectful landlords. There are measures in place to assure compliance. Metz indicated they plan to continue to work with the Condo Association, as detailed in the MOU.

Metz addressed the questions raised during the Public Hearing.

Metz explained Section 8 vouchers are a rental subsidy from HUD, issued directly to the resident. The resident is then required to search for an apartment which accepts vouchers. Of Dominion's 725 units in the metro, there are six voucher holders currently. Metz explained the voucher program is a timely process, and typically units turn over quickly.

The Section 42 tax credit was explained as a tax credit the government issues to assist with construction costs; not a rental subsidy. Keith Dahl, Economic Development Manager explained there two types of financing with the project. The Section 42 tax credit and tax exempt bonds. The bonds are not tax payer dollars, and Dominion will be paying that back over the course of the bonds life.

Metz explained guest parking spots will be signed, and closely monitored. In regards to the access question; a third entrance to the development will be added

Councilmember Williams asked for the breakdown of parking stalls. Metz indicated they have slightly over 1.5 stalls per unit. Williams asked if they are sharing roads with Grand Central. Metz outlined the proposed access plans, indicating they will be sharing in the costs. Williams asked if there will be any businesses permitted. Metz replied there will not commercial businesses; some residents may work from home.

Councilmember Buesgens reported she represents homeowners and the renters in the city. We currently have 35.4% rental in the City with a historically low vacancy rate of 2.7%. Rents are skyrocketing as a result. Buesgens looked at 24 apartment buildings the city; 18 are full. Rents range from \$900-\$1200 in old buildings. She stated that Renters in the city deserve safe well maintained and well managed places to live. This would be the first (non-senior) apartment building built in the city in 40-60 years. Buesgens stated she is responsible to increase the tax base. This project will bring in park dedication fees, permit fees, and tax exempt bond issuance fees; totaling between \$700,000 -\$952,000. Buesgens stated this fits the comp plan, the Metro Council requirements, and Green Step Cities. Buesgens stated the same concerns with parking and traffic would likely occur with condos. Buesgens said she sees this as a solid project with a respected developer that will set the expectation of multifamily management.

Councilmember Novitsky stated he is concerned with the parking, the area is tight and he does not see it working. He would like to see the alternate projects if we are going to grant the variances.

Jim Hoefft, City Attorney stated the density is considered as gross acreage, and setbacks, building heights, etc. need to be met. This development is within the parameters of the city code. Hoefft stated the disputes involving the associations are unfortunate, but are legally irrelevant and need not be considered in the decision making process.

Community Development Director Joe Hogeboom explained the final step in the site plan approval will be a development agreement between the developer and the city.

At the request of Mayor Schmitt, Keith Dahl explained TIF as a rebate program over the extended period of the TIF district. Property taxes in the district are frozen; in this case it will be a 12 year TIF district.

Mayor Schmitt asked Mr. Metz about the minimum income requirements. Metz stated there is no legal minimum, as long as they can afford the rent.

Metz indicated there is a proposed \$75 fee for an underground parking stall. Other residents can get parking permits, as well as overnight guests (temporary permit.) Metz said he does not foresee any problems with parking. Metz also described the various security measures planned.

Mayor Schmitt asked for clarification on the number of condos currently be rented, and if anyone owns multiple units. Tom Kurak indicated he owns nine of the nineteen units being rented.

*Motion by Councilmember Buesgens, seconded by Councilmember Schmitt to approve Resolution 2017-90, being a resolution approving the Site Plan of the properties located at 1069 Grandview Way and 4729 Grand Avenue NE, subject to certain conditions of approval. 3 Ayes; 2 Nays, Motion Carried. Ayes: Schmitt, Buesgens, and Williams. Nays: Murzyn, Jr. and Novitsky.*

## 9. ITEMS FOR CONSIDERATION

### A. Other Ordinances and Resolutions

### B. Bid Considerations

### C. New Business and Reports

## 10. CITY COUNCIL AND ADMINISTRATIVE REPORTS

Councilmember Buesgens reported she attended the League of Minnesota Cities, Improving Local Economy Committee meeting, The Police/Council Academy and Citizens for Safer Street meeting.

Councilmember Williams attended the board meeting at Heights Manor, there are numerous issues of concern there.

Councilmember Novitsky announced a SACA fundraiser will be held at Community Grounds on October 12<sup>th</sup>.

Mayor Schmitt attended Citizens for Safer Streets, and St. Matthew Music of the Night. She attended the graduation of Darry Jones and Troy Vaughn from the Police Pathways Program. Darry Jones will be sworn in on Wednesday, October 18<sup>th</sup> at 4:00 PM.

City Manager Walt Fehst announced a luncheon is scheduled for October 10<sup>th</sup> at Murzyn Hall hosted by M.E. Global, Inc.

## 11. CITIZENS FORUM

Amada Simula-1700 49<sup>th</sup> Ave. NE invited the public to attend "Stories in our Neighborhood" event. This is the second of three events. This event is hosted by HeightsNEXT and First Lutheran Church. HeightsNEXT is partnering with the Lions Club for a cleanup event on October 21<sup>st</sup>. A haunted house is planned for October 30<sup>th</sup> at Murzyn Hall.

## 12. ADJOURNMENT

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

Meeting adjourned at 10:52 p.m.



Respectfully Submitted,  
Katie Bruno,  
Council Secretary/City Clerk



**RESOLUTION NO 2017-90**

A Resolution of the City Council for the City of Columbia Heights, Minnesota, approving a Site Plan for the properties located 1069 Grandview Way and 4729 Grand Avenue NE.

**Whereas**, a proposal (Case # 2017-0901) has been submitted by Owen Metz, on behalf of Dominion Development & Acquisitions, LLC to the City Council requesting Site Plan Approval from the City of Columbia Heights at the following site:

ADDRESS: 1069 Grandview Way and 4729 Grand Avenue NE. Columbia Heights, MN 55421

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING: Site Plan Approval to allow for the development of two multi-family apartment homes to be located at 1069 Grandview Way and 4729 Grand Avenue NE.

**Whereas**, the Planning and Zoning Commission has held a public hearing as required by the City's Zoning Code, on October 3<sup>rd</sup>, 2017.

**Whereas**, the City Council has held a public hearing as required by the City's Zoning Code, on October 9<sup>th</sup>, 2017.

**Whereas**, the Planning and Zoning Commission and City Council has considered the advice and recommendations of City Staff regarding the effect of the proposed Site Plan upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas; and

**Now, therefore, be it resolved**, 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:**

Section 9.104 (N) of the Zoning Ordinance outlines four findings of fact that must be met in order for the City to approve a Site Plan. They are as follows:

- a. The Site Plan conforms to all applicable requirements of this article.
- b. The Site Plan is consistent with the applicable provisions of the City's Comprehensive Plan.
- c. The Site Plan is consistent with any applicable area plan.
- d. The Site Plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.

**Further, be it resolved**, that the attached conditions, maps, and other information shall become part of this approval; and in granting this approval the City and the Applicant agree that this Site Plan shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal of the permit.

**CONDITIONS:**

1. Stop signs will be added at the development driveway exit(s).
2. The attached Landscape Plan indicates a number of landscaping improvements to the site. All landscaping indicated on the submitted landscape plan dated September 29<sup>th</sup>, 2017, will be installed no later than 4 months after the buildings are operational, or from such time a Certificate of Occupancy is issued.
3. The monument sign at the corner of 47<sup>th</sup> Avenue and Grand Avenue, along with the proposed sculpture, will require a sign permit and be approved by the City's Communication Committee. The monument sign and the sculpture must be installed no later than 4 months after the buildings are operational, or from such time a Certificate of Occupancy is issued.
4. The building and site shall meet all requirements found in the Fire Code and the Building Code.
5. The applicant will meet the requirements outlined in the attached Review Form from the Fire Chief.
6. The applicant will meet the requirements outlined in the attached Review Form and memo dated August 30<sup>th</sup>, 2017, from the Director of Public Works/City Engineer.
7. Trash and/or recycling collection areas shall be enclosed on at least three sides by an opaque screening wall or fence no less than six feet in height. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.
8. Mechanical equipment shall be placed and/or screened so as to minimize the visual impact on adjacent properties and from public streets.
9. All exterior lighting shall be downcast so as not to adversely impact neighboring residential properties. The applicant must submit a detailed lighting plan for review by the Building Official, prior to construction.
10. All City Storm Water Management requirements, as well as Mississippi Water Management Organization (MWMO) plan requirements, shall be achieved for this property.
11. The applicant will provide space for snow removal on its own property.
12. The applicant will enter in to a Development Agreement with the City of Columbia Heights, which will govern construction methods and timing, as well as the establishment of public and quasi-public infrastructure. The Development Agreement must be approved by the City of Columbia Heights before construction can commence.
13. Access on the easternmost north/south private drive shall be restricted to emergency vehicles only.
14. Site and elevation plans included in this submittal, dated September 29<sup>th</sup>, 2017 shall become part of this approval.
15. All other applicable local, state, and federal requirements shall be met at all times.

**RESOLUTION NO 2017-98**

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

Whereas, the owner of record is the legal owner of the real property located at 4329 Main Street N.E. Columbia Heights, Minnesota.

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 September 22, 2017 the Fire Department responded to a complaint at the address listed above. Inspectors noted that the structure was damaged, open, and unsecured and rodent infested.
2. That on September 22, 2017 the Fire Chief ordered that Advanced Companies secure the structure.
3. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist and have been abated, to wit:
  - A. Approve the emergency abatement of the hazardous situation located at 4329 Main Street N.E.

#### CONCLUSIONS OF COUNCIL

1. That the property located at 4329 Main 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 the emergency abatement of the hazardous situation located at 4329 Main Street N.E. is hereby approved.

#### ORDER OF COUNCIL

1. The property located at 4329 Main Street N.E. constitutes a nuisance pursuant to City Code.

#### **RESOLUTION NO 2017-103**

A resolution of the City Council for the City of Columbia Heights, Minnesota, amending the budget for City Project 1609, and authorizing purchase agreements to furnish and equip the Circle Terrace Park building.

Whereas, the City has contracted with Anoka County to perform a federal grant for the construction of a building shell within Circle Terrace Park, designated as City Project 1609; and

Whereas, the City Council desires to adequately furnish and equip this building for its intended public purposes; and

Whereas, expenditures for these purposes meet the external and internal restrictions on certain fund balances of the City listed below, and these fund balances are sufficient in amount to fund this nonfederal portion of Project 1609; and

Whereas, these expenditures and use of fund balance were not included in the initial budget for Project 1609 within the Parks Capital Fund 412, nor in any subsequent amendments to that project budget; and

Whereas, one of several requirements of the City's purchasing policy is that vendor purchase agreements for items not-for-resale over \$15,000 be authorized by the City Council; and

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

**ORDER OF COUNCIL**

IT IS HEREBY RESOLVED, that the budget for City Project 1609 is amended to add the project revenues and expenditures listed in Exhibit A below, and that City Manager is authorized to negotiate and execute all necessary purchase agreements with the respective vendors listed for those expenditures.

IT IS HEREBY FURTHER RESOLVED, that, to the extent any vendor in Exhibit A below is not able to provide the indicated goods or services at the terms proposed, the City Manager is authorized to award that agreement to an alternate responsible vendor, subject to the City's purchasing policy.

**ORDINANCE 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.

This ordinance shall be in full force and effect from and after 30 days after its passage.