

**OFFICIAL PROCEEDINGS  
CITY OF COLUMBIA HEIGHTS  
CITY COUNCIL MEETING  
JANUARY 8, 2018**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday January 8, 2018 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 7:05 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, Gary Gorman; Fire Chief, Keith Dahl; Economic Development Manager, Joe Kloiber; Finance Director and Katie Bruno; City Clerk/Council Secretary

**2. INVOCATION**

Invocation provided by Bonnie Wilcox, 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**

Mayor Schmitt announced the council met in a work session prior to the meeting to discuss various appointments. City Manager Fehst will be announcing the appointments as he reads through the consent agenda.

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

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

**A. Presentation from Sister Cities**

Dolores Strand, Karen Karkula, Patricia Sowada, Veronica Johnson, Gloria Bergstrom and Edward Sikorski were in attendance to represent the Sister Cities group. Dolores Strand reported the book "Frantic 7" was recently translated from polish to english. Ms. Strand explained the members were very cooperative and helpful to see that the project was completed. Karen Karkula gave some details about the book, and presented copies to Bobby Williams, (Bobby & Steve's Auto World/Columbia Heights Activity Fund) Nick Novitsky, (Columbia Heights Lions) and Mayor Schmitt.

**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 December 11, 2017

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

MOTION: Move to accept the Park & Recreation Commission minutes from October 25, 2017

**C. Appointments to CH Volunteer Firefighters Relief Association Board of Trustees for 2018.**

MOTION: Move to appoint Councilmember John Murzyn, Jr. and Kelli Bourgeois to the Columbia Heights Volunteer Firefighters Relief Association Board of Trustees for 2018.

**D. Adopt Resolution 2018-01 Designating Official Depositories for the City of Columbia Heights**

MOTION: Move to waive the reading of Resolution 2018-01, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2018-01, being a resolution designating official depositories for the City of Columbia Heights.

**E. Adopt Resolution 2018-02 to Accept Certain Donations Received by the City of Columbia Heights**

MOTION: Move to waive the reading of Resolution 2018-02 there being ample copies available to the public.

MOTION: Move to adopt Resolution 2018-02 being a resolution to accept certain donations received by the City of Columbia Heights.

**F. Designation of Legal Newspaper for 2018.**

MOTION: to designate the Sun Focus as the City of Columbia Heights official legal newspaper for 2018. *\* Manger Fehst noted this is the second year of an agreed upon two year discount.*

**G. Appointment of Council Liaisons & Staff Assignments to City Boards & Commissions and External Boards for 2018.**

MOTION: Move to waive the reading of Resolution No. 2018-03, there being ample copies available to the public.

MOTION: Motion to adopt Resolution No. 2018-03, appointing liaisons to City Boards & Commissions, and External Boards.

**H. Appointment of members to the Economic Development Authority.**

MOTION: Move to approve the mayor's appointment of Marlaine Szurek and Gerry Herringer to the EDA, each for a six year term.

**I. Appointment of Council President for 2018**

MOTION: To appoint Councilmember Nick Novitsky as Council President for 2018

**J. Adopt Resolution 2018-04 Accepting the Feasibility Report for State Aid Street Rehabilitation Program and Ordering the Public Improvement Hearing, City Project No. 1805**

MOTION: Move to waive the reading of Resolution 2018-04, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2018-04, being a resolution accepting the Feasibility Report for State Aid Street Rehabilitation Program, City Project No. 1805, and ordering the Public Improvement

Hearing beginning at 6:15 p.m. on February 5, 2018.

**K. Adopt Resolution 2018-05 Accepting the Feasibility Report for Zone 2 Street Seal Coat Project and ordering the Public Improvement Hearing, City Project No. 1701**

MOTION: Move to waive the reading of Resolution 2018-05, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2018-05, being a resolution accepting the Feasibility Report for Zone 2 Street Seal Coat, City Project No. 1701, and ordering the Public Improvement Hearing beginning at 6:00 p.m. on February 5, 2018.

**L. Final Payment for Miscellaneous Concrete, Project No. 1700**

MOTION: Move to approve the final compensating change order and accept the work for 2017 Miscellaneous Concrete Repairs and Installations, City Project No. 1700, and authorize final payment of \$1,229.12 to Create Construction, LLC of Maple Grove, Minnesota.

**M. Resolution 2018-06 Accepting Federal Grant Passed-Through Columbia Heights Independent School District 13 for certain youth recreation programs, and establishing the related budget in City Fund 262 Twenty-First Century Arts**

MOTION: Move to waive the reading of Resolution 2018-06, there being ample copies available to the public.

MOTION: Move to adopt City of Columbia Heights, Minnesota, Resolution 2018-06, being a resolution, accepting a federal grant passed-through Columbia Heights Independent School District 13 for certain youth recreation programs, and establishing the related budget in City Fund 262 Twenty-First Century Arts.

**N. Public Works Blanket Orders for 2018 Purchases.**

MOTION: Move for approval to authorize staff to process blanket purchase orders in an amount not to exceed the 2018 budget amounts for:

- De-icing salt for salt/sanding operations purchased off the State of Minnesota Purchasing Contract.
- Fuel (unleaded and diesel) for City vehicles from the State of Minnesota Purchasing Contract and the Anoka County Cooperative Agreement.
- Bituminous asphalt for patching/paving City streets and alleys from Commercial Asphalt, or City of St. Paul, or T.A. Schifsky & Son's.
- Curb stop and service repairs for delinquent accounts and foreclosed properties.

**O. Approve Business License Applications**

MOTION: Move to approve the items as listed on the business license agenda for January 8, 2018.

**P. 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 168537 through 168952 in the amount of \$1,940,097.79.

*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-5001 5<sup>th</sup> St NE**

Fire Chief Gary Gorman reported there was a garage fire on December 30<sup>th</sup>. The abatement would allow the removal of remaining materials and debris.

*Motion by Councilmember Murzyn, Jr., seconded by Councilmember Novitsky to close the public hearing and to waive the reading of Resolution 2018-07, there being ample copies available to the public. All Ayes, Motion carried.*

*Motion by Councilmember Murzyn, Jr., seconded by Councilmember Novitsky to adopt Resolution Number 2018-07, being resolution of the City Council of the City of Columbia Heights declaring the property listed a nuisance and approving the emergency 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**

#### **a. First Consideration of Ordinance No. 1645 – Pertaining to the Planning & Zoning Commission**

Keith Dahl; Economic Development Manger reported staff is proposing changes to the Planning and Zoning Commission bylaws, as follows:

- Increase Commission membership from five (5) to seven (7) members.
- Formally change the name of the commission to the “Planning Commission”.
- Formally create a “Vice Chairperson” and a “Secretary/Treasurer” position.
- Require that officers are elected annually.
- Change meeting start times from 7:00 pm to 6:00 pm.
- Create an attendance requirement; requiring attendance at 75% of the meetings.
- Adding the Community Development Director as a member ex-officio, and removing the City Engineer as a member ex-officio.

Mayor Schmitt indicated it is good to have a larger commission as well as officers. Councilmember Buesgens agreed.

*Motion by Councilmember Novitsky, seconded by Buesgens to waive the reading of Ordinance No. 1645, there being ample copies available to the public. All Ayes, Motion carried.*

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to set the second reading of Ordinance No. 1645, being an ordinance establishing certain changes to the operational bylaws of the Planning and Zoning Commission, to January 22, 2018. All Ayes, Motion carried.*

### **B. Bid Considerations**

### **C. New Business and Reports**

## **10. CITY COUNCIL AND ADMINISTRATIVE REPORTS**

Councilmember Novitsky reported he attended holiday parties for the Lions and Boosters. He also toured the Anoka Co. Sherriff’s Crime Lab.

Councilmember Buesgens attended the Employee Recognition Lunch, and the Park & Recreation Commission meeting. She volunteered with HeightsNext to make pet beds for SACA and a rescue organization in Brooklyn Center, all materials for the beds were donated. She attended the Comprehensive Plan meeting, the going away party for Pastor Dan Thompson, a landlord meeting with the Police & Fire departments, an ugly sweater staff lunch at City Hall, and the Anoka Co. Sherriff's Crime Lab.

Mayor Schmitt attended the going away party for Pastor Dan Thompson, she also attended Heights Church for his last service. Senator Carolyn Laine and Representative Mary Kunesh-Podein came to meet with the Mayor and Division Heads to discuss various issues in Columbia Heights. Mayor Schmitt attended the Greensteps City workshop at the League of Minnesota Cities. The topic this month was EV Readiness; electric vehicles. The soft Grand Opening of Circle Terrace Park was announced, it will be January 17<sup>th</sup> between 5:00 and 7:00 PM.

City Manager Walt Fehst reported Economic Development Manager Keith Dahl gave a presentation to the Council at the earlier work session of the Economic Development Business Recruitment Roadmap Plan for Anoka County. Various ideas were exchanged, and more information will be coming in the future.

#### **11. CITIZENS FORUM**

Malcom Watson-1717 49<sup>th</sup> Ave NE requested a simple pie chart depicting how tax dollars are allocated between the City, the County and the School District. Manger Fehst indicated he will look into it.

Veronica Johnson-351 Jolly Lane requested the information be available on the City website.

#### **12. ADJOURNMENT**

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

Meeting adjourned at 7:52 p.m.



Respectively Submitted,  
Katie Bruno, Council Secretary/City Clerk

#### **RESOLUTION NO. 2018-001**

A resolution of the City Council for the City of Columbia Heights, Minnesota, designating official depositories for the City of Columbia Heights.

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 Northeast Bank, Wells Fargo Bank of Minnesota, N.A., and U.S. Bank are hereby designated as depositories of the funds of this corporation.

IT IS FURTHER RESOLVED, that checks, drafts, or other withdrawal orders issued against the funds of this

corporation on deposit with said banks shall be signed by the following:

Mayor  
City Manager  
Treasurer-Finance Director

and that said banks are hereby fully authorized to pay and charge to the account of this corporation any checks, drafts, or other withdrawal orders.

BE IT FURTHER RESOLVED, that Northeast Bank, Wells Fargo Bank of Minnesota, N.A., and U.S. Bank are hereby requested, authorized and directed to honor checks, drafts or other orders for the payment of money drawn in this corporation's name, including those drawn to the individual order of any person or persons whose name or names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signatures of the following:

Mayor  
City Manager  
Treasurer-Finance Director

and that Northeast Bank, Wells Fargo Bank of Minnesota, N.A., and U.S. Bank shall be entitled to honor and to charge this corporation for all such checks, drafts or other orders, regardless of by whom or by what means the facsimile signature or signatures thereon may have been affixed thereto, if such facsimile signature or signatures resemble the facsimile specimens duly certified to or filed with the Banks by the Treasurer or other officer of his corporation.

BE IT FURTHER RESOLVED, that the Treasurer-Finance Director or their designee shall be authorized to make electronic funds transfers in lieu of issuing paper checks, subject to the controls required by Minnesota Statute 471.38 and by the City of Columbia Heights' financial policies.

BE IT FURTHER RESOLVED, that any and all resolutions heretofore adopted by the City Council of the corporation and certified to as governing the operation of this corporation's account(s) with it, be and are hereby continued in full force and effect, except as the same may be supplemented or modified by the foregoing part of this resolution.

BE IT FURTHER RESOLVED, that all transactions, if any, relating to deposits, withdrawals, re-discounts and borrowings by or on behalf of this corporation with said banks prior to the adoption of this resolution be, and the same hereby are, in all things ratified, approved and confirmed.

BE IT FURTHER RESOLVED, that any bank designated above as a depository, may be used as a depository for investment purposes, so long as the investments comply with authorized investments as set forth in Minnesota Statutes 118A.

BE IT FURTHER RESOLVED, that any brokerage firm with offices in the State of Minnesota may be used as a depository for investment purposes so long as the investments comply with the authorized investments as set forth in Minnesota Statutes.

**RESOLUTION NO. 2018-002**

A resolution of the City Council for the City of Columbia Heights, Minnesota, to accept certain donations received by the City of Columbia Heights.

Whereas, the City Of Columbia Heights has received the following donations:

<b>Date</b>	<b>Donor</b>	<b>Fund</b>	<b>Amount</b>	<b>Purpose</b>
2/6/2017	Anonymous	883	\$ 15.00	Fire
3/7/2017	Anonymous	883	50.00	Fire
7/24/2017	Alvin Blau	883	50.00	Fire
9/29/2017	Anonymous	883	50.00	Fire
9/29/2017	Dan & Judy Hederman	883	50.00	Fire
6/14/2017	PALS	881	100.00	Jamboree - Fireworks
7/6/2017	PALS	881	100.00	Jamboree - Fireworks
6/1/2017	Columbia Heights Lions	881	100.00	Jamboree - Fishing Clinic
6/21/2017	Columbia Heights Sister City	881	100.00	Jamboree - Heights Idol
6/21/2017	Columbia Heights Sister City	881	100.00	Jamboree - Heights Idol
6/21/2017	Columbia Heights Post No 23	881	100.00	Jamboree - Heights Idol
6/21/2017	Northeast Bank	881	150.00	Jamboree - Heights Idol
6/21/2017	Financial One	881	250.00	Jamboree - Heights Idol
4/10/2017	Friends of Columbia Heights	883	250.00	Library
6/5/2017	Friends of Columbia Heights	883	500.00	Library
8/7/2017	Maurice Ellison	883	25.00	Library
10/2/2017	Anonymous	883	50.00	Library
11/13/2017	Anonymous	883	150.00	Library
12/20/2017	Columbia Heights Public Library Foundation	883	37,620.00	Library
12/20/2017	Columbia Heights Public Library Foundation	883	3,380.00	Library
7/12/2017	Columbia Heights Lions	883	800.00	Parks
4/13/2017	Sharon Garrison	883	75.00	Police
1/25/2017	Columbia Heights Athletic Boosters	881	5,000.00	Recreation
3/7/2017	Columbia Heights Athletic Boosters	881	5,000.00	Recreation
12/14/2017	Anonymous	881	1,200.00	Recreation - Dance Equipment
9/25/2017	Friends of Fridley Seniors	881	400.00	Senior Program
12/21/2017	Karen Moeller	881	200.00	Senior Program
			<u>\$ 55,865.00</u>	

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:

**ORDER OF COUNCIL**

BE IT HEREBY RESOLVED by the City Council of the City of Columbia Heights, that the City of Columbia Heights accepts these donations, subject to the donor-prescribed terms listed.

**RESOLUTION NO. 2018-03**

**A RESOLUTION APPROVING COUNCIL LIAISONS AND STAFF ASSIGNMENTS TO  
CITY BOARDS & COMMISSIONS AND EXTERNAL BOARDS**

**WHEREAS:** Annually the Council appoints liaisons to City Boards & Commissions as well as assigning delegates to External Boards, and

**WHEREAS:** the City council met in a work session to discuss the appointments,

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Columbia Heights, to approve the following appointments:

**City Boards and Commissions:**

Library Board	Council Liaison Bobby Williams
Park & Recreation Commission	Council Liaison Nick Novitsky
Planning & Zoning Commission	Council Liaison John Murzyn, Jr.
Traffic Commission	Council Liaison Connie Buesgens
Charter Commission	Council Liaison Connie Buesgens

**External Boards:**

The League of Minnesota Cities	Delegate	Connie Buesgens
	Alternate	Nick Novitsky
Metro Cities	Delegate	Connie Buesgens
	Alternate	Nick Novitsky
Mississippi Water Management Organization	Delegate	Donna Schmitt
	Alternate	Linda Johnson (Hilltop)
Rice Creek Watershed Advisory Board	Delegate	Bobby Williams
	Alternate	Kevin Hansen
The Anoka County Joint Law Enforcement Council	Delegate	Donna Schmitt
	Alternate	Lenny Austin
Anoka County Fire Protection Council	Delegate	John Murzyn, Jr.
	Alternate	Kelli Bourgeois
Columbia Heights School District Liaison	Delegate	Nick Novitsky

**RESOLUTION NO. 2018-04**

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

**WHEREAS,** the City Council of Columbia Heights is proposing to rehabilitate select state aid streets in the city that have not been rehabilitated under the street program, and

**WHEREAS,** pursuant to Resolution No. 2017-112, a report has been prepared by the City Engineer with reference to the Program, and the following street(s):

Main Street NE, 37th Avenue to 40th Avenue  
37th Avenue NE, Main Street to 5th Street

**WHEREAS,** the report provides information regarding whether the proposed project is feasible, necessary and cost-effective, and



Said report is hereby received by the City Council of Columbia Heights on January 8, 2018. 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. The Council will consider the improvement of such streets in accordance with the report and the assessment of abutting or benefited property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$366,500.
2. A public hearing shall be held on such proposed improvement on the 5th day of February, 2018 in the City Council Chambers at 590 40th Avenue N.E. at 6:15 P.M. and the City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

**RESOLUTION NO. 2018-05**

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

WHEREAS, the City Council has adopted a Seal Coat Program, and

WHEREAS, pursuant to Resolution No. 2017-113, a report has been prepared by the City Engineer with reference to the Program, and the following street(s):

- local streets in Zone 2 that have not been rehabilitated under the street program

WHEREAS, the report provides information regarding whether the proposed project is feasible, necessary and cost-effective, and Said report is hereby received by the City Council of Columbia Heights on January 8, 2018. 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. The Council will consider the improvement of such streets in accordance with the report and the assessment of abutting or benefited property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$142,412.
2. A public hearing shall be held on such proposed improvement on the 5th day of February, 2018, in the City Council Chambers at 590 40th Avenue N.E. at 6:00 P.M. and the City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

**RESOLUTION NO. 2018-06**

A resolution of the City Council for the City of Columbia Heights, Minnesota, accepting a federal grant passed-through Columbia Heights Independent School District 13 for certain youth recreation programs, and establishing the related budget in City Fund 262 Twenty-First Century Arts

Whereas, the terms and conditions of a federal grant passed-through Columbia Heights Independent School District 13 for certain youth recreation programs are specified by City Contract 2018-2834; and

Whereas, the terms and conditions of the grant include award amounts of \$45,828 for the 2017-18 school year, \$46,745 for the 2018-19 school year, \$47,679 for the 2019-20 school year; and

Whereas, the eligible activities of the grant further the mission and objectives of the City of Columbia Heights;

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 City of Columbia Heights accepts the federal grant from Columbia Heights Independent School District 13 as described in City Contract 2018-2834, authorizes the City Manager to execute the contract, and establishes the related budget in City Fund 262 Twenty-First Century Arts.

#### **RESOLUTION 2018-007**

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 Margaret Barnett (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 5001 5<sup>th</sup> 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 Dec. 30, 2017 firefighters were brought to the scene on a garage structure fire.
2. 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 5001 5<sup>th</sup> Street N.E.

#### CONCLUSIONS OF COUNCIL

1. That the property located at 5001 5<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 the emergency abatement of the hazardous situation located at 5001 5<sup>th</sup> Street N.E. is hereby approved.

#### ORDER OF COUNCIL

1. The property located at 5001 5<sup>th</sup> Street N.E. constitutes a nuisance pursuant to City Code.