

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
MAY 14, 2018**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday May 14, 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 7:04 p.m.

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

Also Present: Walt Fehst; City Manager, Jim Hoeft; City Attorney, Kelli Bourgeois; Human Resources Director/Assistant to the City Manager, Kevin Hansen; Public Works Director, Elizabeth Holmbeck; City Planner, Renee Dougherty; Library Director, and Katie Bruno; City Clerk/Council Secretary

2. INVOCATION

Invocation provided by Bonnie Wilcox, First Lutheran Church

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 following changes to section 6:

Item C, moved to Item D. The addition of Item 6C: Memorial Day Services announcement.

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

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Update from Amanda Scheevel, Director of Senior Programs ACAAP

Amanda Scheevel reported that the senior population (aged 60 and older) in Anoka County is expected to continue to grow rapidly. ACAAP provides many services to seniors including; Chores & More, a Senior Companion Program, a Senior Information Line, and a Senior Outreach Program. Karen Fantle, Senior Outreach Worker reported she works with residents to help them to find support options allowing them to remain in their home as long as possible.

City Manager Walt Fehst asked if the Chores & More program is still active. Ms. Scheevel indicated it is, however volunteers are limited.

B. National Public Works Week Proclamation

Mayor Schmitt read the proclamation, and presented it to Public Works Director Kevin Hansen. Mayor Schmitt commented that she has heard positive feedback regarding the Public Works Department.

C. Memorial Day Service Announcement

Mayor Schmitt announced the VFW Post 230 will be hosting a Memorial Day Service on May 28th outside of City Hall.

D. Follow up from Anoka County Assessors Alex Guggenberger and Theodore Anderson

Alex Guggenberger, Anoka County Assessor gave an overview of the parcels that were discussed at the April 23rd meeting. In cases where multiple parcels are owned, adjustments were made to increase the value on the buildable parcel, and decrease the valuation of the unbuildable areas. An additional property (36-30-24-42-0008) requires a classification change to Residential Homestead.

City Manager Walt Fehst clarified that if residents continue to have a grievance with the assessed value they can attend the County Assessors meeting on June 11th.

Guggenberger reported the market value of properties has increased county wide, indicating that in Columbia Heights, St Anthony and Fridley 2 of 31 homes currently for sale are under \$200,000.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to approve the recommended changes to parcel 36-30-24-42-0006 increasing the land value to \$60,300. Parcel 36-30-24-42-0005 decrease from \$31,000 to \$3,200, total property value \$207,200. All Ayes, Motion Carried.

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Novitsky to approve the recommended changes to parcel 36-30-24-42-0004 decreasing the land value to \$60,500. Total property value \$195,900. No changes are recommended for Parcel 36-30-24-42-0003. Property 36-30-24-42-0007 decrease from \$31,800 to \$3,200, as well as changing the classification to 1A. All Ayes, Motion Carried.

Alex Guggenberger indicated the property owner at 592 38th Ave NE has requested a \$5,000 decrease in his valuation. Comparable sales were reviewed, and no changes to valuation were recommended.

Jeff Ingebrigtsen, owner of 592 38th Ave NE disagreed with the assessor's opinion, and appealed to the council to consider his request.

Mayor Schmitt, Councilmember Murzyn, Jr. and Councilmember Novitsky suggested Mr. Ingebrigtsen appeal to the County Board. Malcolm Watson, who serves on the County Board, indicated that Columbia Heights has seen significant increases in home values.

Mr. Guggenberger stated there were a couple of clerical errors in the splitting of properties, (35-30-24-33-0182 and 35-30-24-33-0181) and they have been corrected.

Park View Apartment Complex (36-30-24-32-0003) has indicated they will be attending the County Board meeting on June 11th.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to take a 5 minute recess. All Ayes, Motion Carried.

The Council recessed at 8:07 PM, and reconvened at 8:13 PM.

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 April 23, 2018

MOTION: Move to approve the minutes of the City Council work session of May 7, 2018

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the Planning & Zoning Commission minutes from April 3, 2018

MOTION: Move to accept the Park & Recreation commission minutes from February 28, 2018

MOTION: Move to accept the Traffic commission minutes from November 6, 2017

MOTION: Move to accept the EDA commission minutes from April 2, 2018

MOTION: Move to accept the Library Board minutes from April 4, 2018

C. Public Safety Staffing Study Request for Proposals

MOTION: Move to issue a Request for Proposals for a Public Safety Staffing Study of the Police and Fire Departments as provided for in the 2018 budget

D. Authorizing a mandatory six month review process, as required by State Statute, to allow adjacent communities to review the City's draft 2040 Comprehensive Plan.

MOTION: To authorize staff to distribute the City's draft 2040 Comprehensive Plan to adjacent communities for a mandatory six month review process, as required by State Statute.

E. Resolution 2018-31 changing the name of Circle Terrace Park To *Bruce Nawrocki Park*, and naming the adjacent building to *City of Peace Neighborhood Center*. **Removed for Discussion*.

MOTION: Move to waive the reading of Resolution 2018-31, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2018-31 changing the name of Circle Terrace Park To *Bruce Nawrocki Park*, and naming the adjacent building to *City of Peace Neighborhood Center* based upon a recommendation of the Park & Recreation Commission

F. Approve Resolution 2018-28 Amending 2018 Budget (re Transfer of Funds)

MOTION: Motion to waive the reading of Resolution No. 2018-28, being a resolution amending the 2018 budget to use certain additional revenue, there being ample copies available to the public.

MOTION: Motion to adopt Resolution 2018-28 being a Resolution amending the 2018 budget to use certain additional revenue.

G. 2018 Agreement for Residential Recycling Program with Anoka County (Annual Score Grant)

MOTION: Move to authorize the Mayor and City Manager to execute the annual SCORE Agreement for Residential Recycling Program with Anoka County to provide cooperation between the City and the County in the implementation of the Residential Recycling Program with \$102,435 in funding available to reimburse eligible recycling expenses.

H. Circle Terrace Community Building Facility Use Policy

MOTION: Move to accept the Circle Terrace Community Building Facility Use policy.

I. Resolution 2018-29 Designating "No Parking" On the South Side Of 39th Avenue from Jefferson Street/Huset Parkway to Central Avenue

MOTION: Move to waive the reading of Resolution 2018-29, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2018-29 designating "No Parking" on the south side of 39th Avenue NE from Jefferson Street/Huset Parkway to Central Avenue.

J. Resolution 2018-30 Declaring the Intent to Bond for 37th Avenue State Aid Street Rehabilitation, Project 1805

MOTION: Move to waive the reading of Resolution 2018-30, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2018-30, being a resolution approving the declaration for the official intent of the City of Columbia Heights to bond for the 37th Avenue State Aid Street Rehabilitation, Main Street to 5th Street, Project 1805.

K. Joint Powers Agreement with the City Of Minneapolis for Street Rehabilitation Of 37th Avenue from Main Street to 5th Street

MOTION: Move to enter into a Joint Powers Agreement for 37th Avenue street rehabilitation from Main Street to 5th Street.

L. Authorize the Capital Equipment Replacement of Unit #226, Toro Groundsmaster 580-D Lawnmower

MOTION: Move to authorize the capital equipment replacement of Unit #226 with one (1) new Toro Groundsmaster 5910 from MTI Distributing in the amount of \$97,896.22 plus tax from the Minnesota State Purchasing Contract. Funding shall be from the Park Capital Equipment fund, 431-45200-5180.

M. Accept Bids and Award Contract for Library LED Signage

MOTION: Move to accept bids and award the construction of a Columbia Heights Library sign, contingent upon the conditional use permit to allow for a Dynamic LED monument sign, to Albrecht Sign Company of Fridley, Minnesota, based upon their low, qualified, responsible bid in the amount of \$49,800 from Fund 450-51410-5185; and furthermore, to authorize the Mayor and City Manager to enter into a contract for the same.

N. Accept Bids and Award Contract for Public Safety Building Garage Floor Coating

Move to accept bids and award the contract to SwedeBro Company for epoxy coating the Public Safety Building floor in the amount of \$20,750, and, authorize Mayor and City Manager to enter into a contract for the same, and to appropriate funds from the 2018 Public Safety Fund 411-42100-4020.

O. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for May 14, 2018.

P. Review of Bills

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8 the City Council has reviewed the enclosed list of claims paid by check and by electronic funds transfer in the amount of \$1,377,950.83.

Motion by Councilmember Williams, seconded by Councilmember Buesgens to approve the Consent Agenda items A, B, C, D, F, G, H, I, J, K, L, M, N, O, and P. All Ayes, Motion carried.

The following item was removed for discussion

E. Resolution 2018-31 changing the name of Circle Terrace Park to Bruce Nawrocki Park, and naming the adjacent building to City of Peace Neighborhood Center. *Removed for Discussion.

City Manager Walt Fehst reported that at the April Park and Recreation Commission meeting, the Commission voted 3-2 to recommend approval of renaming Circle Terrace Park to Bruce Nawrocki Park. According to County and City records, in July, 1975, the City of Columbia Heights acquired the lot at 1301 Circle Terrace Boulevard, removed a twin home that was located on the lot, and dedicated the site as a playlot. Though referred to as "Circle Terrace Park", the lot was considered part of adjacent LaBelle Park. Playground equipment and a tennis court were installed on the site. In July, 1975, Bruce Nawrocki was mayor of Columbia Heights.

In 2014, the City acquired 1303 and 1309 Circle Terrace Boulevard, directly adjacent to the playlot site, and demolished the blighted twin home that was located on the site. In 2016, the City received Community Development Block Grant (CDBG) funding in the amount of \$236,771 for the construction of the multi-use building. The City later received an additional \$130,000 in CDBG funding for the project. Construction of the building was essentially completed at the end of 2017.

When the City applied for the CDBG funding for the construction of the park building, the building was referred to in various documents as the "City of Peace Park and Recreation Building". The term "City of Peace" was selected due to its representation of the City's various efforts to support a safe, vibrant and welcoming, multi-cultural community. The term "City of Peace" was officially adopted in 2016 by the City Council as one of the City's official taglines. The "City of Peace" terminology was used to help promote the City during the 2016 All-America City award competition. The term was also used when discussing this project, and various other endeavors, with local, state and federal leaders throughout the past several years, including then United States Attorney Andrew Lugar and Congressman Keith Ellison. The Park and Recreation Commission discussed incorporating the term "City of Peace" into the name of the building on the site, although no formal vote was taken as part of that discussion. Staff recommends officially naming the building the "City of Peace Neighborhood Center" and the adjacent park the "Bruce Nawrocki Park."

Mayor Schmitt indicated that she would like to review the minutes from the April Park & Recreation Commission meeting prior to making a decision.

Motion by Mayor Schmitt to table the item until the June 11, 2018 City Council meeting. Motion died for lack of a second.

Mayor Schmitt stated she feels the Council is making this decision too quickly, and indicated there are other good possibilities to honor Bruce Nawrocki, including a park on the west side of University Ave. Mayor Schmitt also suggested contacting the VFW to see if they would consider naming the Veterans Memorial at City Hall in Bruce's honor.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to waive the reading of Resolution 2018-31, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to adopt Resolution No. 2018-31, a resolution changing the name of Circle Terrace Park to Bruce Nawrocki Park and naming the adjacent building

the City of Peace Neighborhood Center. 4 Ayes, 1 Nay; Motion Carried. Ayes; Buesgens, Williams, Murzyn, Jr., and Novitsky. Nay; Schmitt.

8. PUBLIC HEARINGS

A. Approving a Conditional Use Permit to allow for a Dynamic LED Monument Sign with certain Variances on the property located at 3939 Central Avenue NE.

Elizabeth Holmbeck, City Planner reported that the City of Columbia Heights is requesting a Conditional Use Permit to allow a monument sign with a Dynamic LED component to be constructed at the Municipal Library located at 3939 Central Avenue NE. In conjunction with the CUP, the City is requesting Variances from the required setback and square footage requirements for the sign.

Due to visibility issues along Central Avenue, the proposed location of the monument sign is closer to the west property line than is currently permitted by City Code. The proposal for the monument sign went before the Planning Commission for review on May 1, 2018. One Planning Commissioner voted against the recommendation. However, the Planning Commission ultimately voted to recommend approval of the proposed Conditional Use Permit and Variances.

Councilmember Novitsky stated he is not in favor of the City requesting a variance, and suggested the sign be placed on the other side of the driveway.

Director Hansen explained the code requires the intensity of the sign to be greatly reduced at night. Holmbeck reported the Planning Commission did not place any additional restrictions on the overnight lighting.

Mayor Schmitt suggested window signs may be a better option, as the scrolling of the proposed sign may not provide information consistently.

KT Jacobs-4104 Monroe St NE expressed opposition to the proposed sign, indicating she feels the presentation at the Planning Commission meeting failed to consider the safety of the library patrons or those utilizing Central Ave. Jacobs stated that she thinks that there are safer alternatives, including signs mounted on the library.

Tim Utz-4141 Stinson Blvd NE questioned the setback of the proposed sign. Director Hansen explained the LED face is 6 feet back, and the beginning of the monument sign would be 4 feet back from the sidewalk. Mr. Utz suggested the sign would be better placed on the north side of the driveway. Mr. Utz also suggested an "Enter Only" designation at the driveway.

Ramona Anderson-4132 Stinson Blvd NE expressed concern with the distraction associated with the proposed sign.

Catherine Vesley- library Board member stated that the proposed sign was part of the original design of the library, and would complement the library site. Vesley commented that safety concerns have been mitigated with the design.

Library Director Renee Dougherty stated the proposed sign would allow the library to promote their many programs and services to the community. Dougherty stated she would be in favor of the sign being powered off between the hours of 11:00 p.m. and 6:00 a.m.

KT Jacobs commented that it is troubling to her that the Council is not listening to the community members, and prioritizing aesthetics over safety.

Motion by Councilmember Williams, seconded by Councilmember Buesgens to close the Public Hearing. All Ayes, Motion Carried.

Mayor Schmitt clarified the sign would be powered off between the hours of 11:00 p.m. and 6:00 a.m., and that language would be added to the resolution.

Councilmember Novitsky suggested the council review the City Code, and consider amending it if necessary, as he is not in favor of the city requesting a variance.

Motion by Mayor Schmitt, seconded by Councilmember Buesgens to the reading of Resolution No. 2018-26, there being ample copies available to the public. All Ayes, Motion carried

Motion by Councilmember Buesgens, seconded by Councilmember Williams to approve Resolution No. 2018-26, approving a Conditional Use Permit to allow for a Dynamic LED Monument Sign on the property located at 3939 Central Avenue NE, with the addition of "The sign is to be powered off between the hours of 11:00 p.m. and 6:00 a.m." All Ayes, Motion carried

Motion by Mayor Schmitt, seconded by Councilmember Williams to waive the reading of Resolution No. 2018- 27, there being ample copies available to the public. All Ayes, Motion carried.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to approve Resolution No. 2018-27, approving the Variances for the property located at 3939 Central Avenue NE. 3 Ayes, 2 Nays, Motion carried. Ayes: Buesgens, Williams, and Murzyn, Jr. Nays: Schmitt and Novitsky.

9. ITEMS FOR CONSIDERATION

10. CITY COUNCIL AND ADMINISTRATIVE REPORTS

Councilmember Williams announced the library will be celebrating their 90th Anniversary this year.

Councilmember Novitsky attended the "Spitfire Grill" at the Columbia Heights High School, and Joseph and the Amazing Technicolor Dreamcoat" at St. Matthew. He attended the School Board meeting, and requested the Board continue to keep the community informed.

Councilmember Buesgens attended the Arbor Day Celebration, the Eat up the Debt Challenge , Citizens for Safer Streets meeting, the CHHS play "Spitfire Grill", "Joseph and the Amazing Technicolor Dreamcoat" at St. Matthew, the last Comprehensive Plan Steering Committee Meeting, Valley View Elementary School Fine Arts Show, The Traffic Commission meeting, Stories from our Turkish neighbors, and the swearing in ceremony for Police Officer Zach Ehresman. Councilmember Buesgens announced participation in curbside organics is approximately 13% of households, and encouraged all to sign up.

Mayor Schmitt attended "Spitfire Grill" at the Columbia Heights High School, and "Joseph and the Amazing Technicolor Dreamcoat" at St. Matthew. She attended the Annual Minnesota Mayor's Conference in Perham, MN. Approximately 200 people attended the 19th Annual Interfaith Prayer Breakfast. She attended the Joint Law Enforcement Conference, an Influencers Breakfast, Fridley Key Club, and the Kiwanis Spring Sprint

Fundraiser. She attended the St Anthony Orchestra Spring Concert, where she won the opportunity to conduct the orchestra.

City Manager Walt Fehst announced the Golden Glove Boxing Group is competing in a National Competition in Omaha, NE.

11. COMMUNITY FORUM

Tim Utz-4141 Stinson Blvd announced the Columbia Heights Jamboree is expanding the Carnival and Events in 2018, and they are seeking volunteers.

Councilmember Murzyn, Jr. thanked Tim for his involvement with the Jamboree.

12. ADJOURNMENT

Motion by Councilmember Buesgens seconded by Councilmember Williams to adjourn. All Ayes, Motion carried.

Meeting adjourned at 10:00 p.m.



Respectively Submitted,
Katie Bruno, Council Secretary/City Clerk

RESOLUTION 2018-26

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A DYNAMIC LED MONUMENT SIGN FOR THE COLUMBIA HEIGHTS MUNICIPAL LIBRARY LOCATED AT 3939 CENTRAL AVENUE NE.

WHEREAS, a proposal (Case # 2018-0501) has been submitted by the City of Columbia Heights to the City Council requesting a Conditional Use Permit at the following site:

ADDRESS: 3939 Central Avenue NE.

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING: A Conditional Use Permit per Code Section 9.106 (P)(12)(c)(d), to allow for a dynamic LED Monument Sign to be located in the CB, Central Business District on the property located at 3939 Central Ave NE.

WHEREAS, the Planning Commission held a public hearing as required by the City Zoning Code on May 1st, 2018;

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed Conditional Use Permit 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;

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 adopts the following findings of the Planning Commission:

FINDINGS OF FACT

Section 9.104 (H) of the Zoning Ordinance outlines nine conditions that must be met in order for the City Council to grant a Conditional Use Permit. They are as follows:

- (a) The use is one of the conditional uses listed for the zoning district in which the property is located, or is a substantially similar use as determined by the Zoning Administrator.
- (b) The use is in harmony with the general purpose and intent of the Comprehensive Plan.
- (c) The use will not impose hazards or disturbing influences on neighboring properties.
- (d) The use will not substantially diminish the use of property in the immediate vicinity.
- (e) The use will be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.
- (f) The use and property upon which the use is located are adequately served by essential public facilities and services.
- (g) Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.
- (h) The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
- (i) The use complies with all other applicable regulations for the district in which it is located.

FURTHER, BE IT RESOLVED, that the attached conditions, plans, maps, and other information shall become part of this Conditional Use Permit and approval; and in granting this Conditional Use Permit the City and the applicant agree that this permit 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. The Conditional Use Permit is subject to certain conditions of approval that have been found to be necessary to protect the public interest and ensure compliance with the provisions of the Zoning Ordinance, including:

CONDITIONS

1. Dynamic LED signs are allowed only on monument signs for conditionally permitted uses in all zoning districts, with the exception of the PO, Public District, in which LED signage may be utilized in existing pylon signs. Motor fuel stations may display dynamic LED signs as part of the pylon sign to promote motor fuel prices only. Such motor fuel price signs do not require a conditional use permit. All dynamic LED signs may occupy no more than 60% of the actual copy and graphic area. The remainder of the sign must not have the capability to have dynamic LED signs, even if not used. Only one, contiguous dynamic display area is allowed on a sign face.

2. A dynamic LED sign may not change or move more often than once every ten seconds for commercial, industrial uses, or public uses, and no more than once every ten minutes for religious and/or educational institution uses, except one for which changes are necessary to correct hour-and-minute, date, or temperature information.
3. A display of time, date or temperature information may change as frequently as once every five seconds, however information displayed not relating to the date, time or temperature must not change or move more often than once every ten seconds for commercial, industrial uses, or public uses, and no more than once every ten minutes for religious and/or educational institution uses.
4. The images and messages displayed must be static, and the transition from one state display to another must be instantaneous without any special effects. Motion, animation and video images are prohibited on dynamic LED sign displays.
5. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
6. Dynamic LED signs must be designed and equipped to freeze the device in one position if a malfunction shall occur. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this section.
7. Dynamic LED signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness. Dynamic LED signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one-half hour before sunset and one half-hour after sunrise. The sign is to be powered off between the hours of 11:00 PM and 6:00 AM.
8. Dynamic LED signs existing on the effective date of Ordinance 1593, passed April 25, 2011, must comply with the operational standards listed above. An existing dynamic LED sign that does not meet the structural requirements may continue as a non-conforming sign subject to § 9.105(E).
9. The area around the base of the sign shall be landscaped.

RESOLUTION 2018-27

A RESOLUTION APPROVING VARIANCES FOR A MONUMENT SIGN FOR THE COLUMBIA HEIGHTS MUNICIPAL LIBRARY LOCATED AT 3939 CENTRAL AVENUE NE.

WHEREAS, a proposal (Case # 2018-0501) has been submitted by the City of Columbia Heights to the City Council requesting a Variance at the following site:

ADDRESS: 3939 Central Avenue NE.

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING:

1. Waiver to City Code Section 9.106 (P) (12) (a) (2). One monument sign to exceed fifty (50) square feet, by twenty four and two tenths (24.2) square feet, for a total surface area of seventy four and two tenths (74.2) square feet.
2. Waiver to City Code Section 9.106 (P) (12) (a) (2). One monument sign to be located four (4) feet off of the required five (5) feet to a distance of one (1) foot from the edge of the monument sign to the front (west) property line.

WHEREAS, the Planning Commission held a public hearing as required by the City Zoning Code on May 1, 2018;

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed Variance 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;

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 (G) of the Zoning Ordinance outlines five conditions that must be met in order for the City Council to grant a variance. They are as follows:

- (j) Because of the particular physical surroundings, or the shape, configuration, topography, or other conditions of the specific parcel of land involved, strict adherence to the provisions of this article would cause practical difficulties in conforming to the zoning ordinance. The applicant, however, is proposing to use the property in a reasonable manner not permitted by the zoning ordinance.
- (k) The conditions upon which the variance is based are unique to the specific parcel of land involved and are generally not applicable to other properties within the same zoning classification.
- (l) The practical difficulties are caused by the provisions of this article and have not been created by any person currently having a legal interest in the property.
- (m) The granting of the variance is in harmony with the general purpose and intent of the Comprehensive Plan.
- (n) The granting of the variance will not be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development or value of property or improvements in the vicinity.

FURTHER, BE IT RESOLVED, that the attached plans, maps, and other information shall become part of this variance and approval; and in granting this variance the City and the applicant agree that this variance 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 variance.

A resolution of the City Council for the City of Columbia Heights, Minnesota, amending the 2018 budget to use certain additional revenue.

Whereas, the City has contracted for and received the following revenue:

| <u>Source</u> | <u>Amount</u> |
|----------------------------|--------------------|
| City of Brooklyn Center PD | \$ 5,390.00 |
| City of Crystal PD | \$ 3,630.00 |
| City of Robbinsdale PD | <u>\$ 2,420.00</u> |
| Total | \$11,440.00 |

Whereas, this revenue was not included in the initial 2018 budget adopted by resolution 2017-130, nor in any subsequent amendments to that budget; and

Whereas, the activity related to this revenue and expense is consistent with the goals and objectives of the City of Columbia Heights Police Department;

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 2018 budget for general fund revenue and expense is amended for an increase of \$11,440.00.

RESOLUTION 2018-29

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

Whereas, the City of Columbia Heights has planned improvements to 39th Avenue NE, State Aid Route No. 113-110, between Jefferson Street/Huset Parkway and Central Avenue; and

Whereas, the City of Columbia Heights has ordered the project for the 2017 State Aid Street Rehabilitation and Sidewalk Improvements; and

Whereas, the City of Columbia Heights will be expending Municipal State Aid System funds on improvements to 39th Avenue NE; and

Whereas, this improvement technically provides adequate width for parking on both sides of the street, the majority of the project is within an industrial area and parking is being restricted on the south side to enhance pedestrian safety on the sidewalk, improve site distance for vehicles on adjacent streets and driveways, and allow adequate space for truck turning movements.

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 City of Columbia Heights shall prohibit the parking of motor vehicles on the south side of 39th Avenue NE from Jefferson Street/Huset Parkway to Central Avenue.

RESOLUTION 2018-30

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

WHEREAS, the Internal Revenue Service has issued Tres. Reg. 1.140.2 providing that proceeds of tax exempt bond used to reimburse prior expenditures will be not be deemed spent unless certain requirements are met; and,

WHEREAS, the City of Columbia Heights (the "City") expects to incur certain expenditures which may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a bond;

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 City reasonably intends to make expenditures for State Aid Street Rehabilitation, Project No. 1805, on Main Street NE from 37th Avenue to 40th Avenue and on 37th Avenue NE from Main Street to 5th Street, and reasonably intends to reimburse itself for such expenditures from the proceeds of debt to be issued by the City in one or more series in the maximum principal amount of \$225,000.
2. This resolution is intended to constitute a declaration of official intent for purposes of Tres. Reg. 1.150-2 and any successor law, regulating or ruling.

RESOLUTION 2018-31

A resolution of the City Council for the City of Columbia Heights, Minnesota, changing the name of Circle Terrace Park to Bruce Nawrocki Park, and naming the adjacent building the City of Peace Neighborhood Center

Whereas, this park has been referred to as either Circle Terrace Park or as an extension of Labelle Park; and

Whereas, the official naming of this area was reviewed by the Park and Recreation Commission and their recommendation is to officially name the park the Bruce Nawrocki Park; and

Whereas, the Park and Recreation Commission discussed incorporating the name City of Peace into the naming of the building

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 approves Resolution No. 2018-31 changing the name of Circle Terrace Park to Bruce Nawrocki Park, and naming the adjacent building the City of Peace Neighborhood Center.