

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
JULY 9, 2018**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday July 9, 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 7:00 p.m.

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

Also Present: Walt Fehst; City Manager, Jim Hoeft; City Attorney, Kevin Hansen; Public Works 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

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

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. National Night out Proclamation

Police Chief Lenny Austin reported there are over 50 Neighborhood Block Parties registered to date. Austin Mayor Schmitt read the Proclamation, and presented it to Police Chief Lenny Austin.

7. CONSENT AGENDA

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

Mayor Schmitt requested items C and F be removed for discussion.

A. Approve Minutes of the City Council

MOTION: Move to approve the minutes of the City Council meeting of June 25, 2018

B. Consideration of a Resolution designating Election Judges for the 2018 Primary & General Elections

MOTION: Move to waive the reading of Resolution No. 2018-42, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2018-42, being a resolution designating election judges and salaries for the 2018 Primary and General Elections.

C. Review of language for 2018 Ballot Questions amending Ch. 2; Sect. 7, 10 & 53 of the City Charter. *Removed for Discussion

D. Approve Change Order No. 1 for State Aid Street Rehabilitation Project Nos. 1705, 1706, AND 1712

MOTION: Move to approve Contract Change Order No. 1 for the 2017 State Aid Street Rehabilitation, Projects 1705, 1706, and 1712, to Forest Lake Contracting, Inc. of Forest Lake, Minnesota in the amount of \$66,581.81 for a new contract amount of \$1,764,667.33

E. Approve Final Compensating Change Order and Final Payment for Stinson Boulevard from 37th Avenue to Silver Lane, City Project No. 1508

MOTION: Move to accept the work for Stinson Boulevard, City Project No. 1508, and authorize final payment of \$121,493.12 to the City of St. Anthony.

F. Approve ADA Transition Plan for Public Rights of Way in the City Of Columbia Heights. *Removed for Discussion

G. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for July 9, 2018.

H. 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 \$661,739.20.

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Buesgens to approve the Consent Agenda items A, B, D, E, G, and H. All Ayes, Motion carried.

The following items were removed from the Consent Agenda by Mayor Schmitt for discussion:

C. Review of language for 2018 Ballot Questions amending Ch. 2; Sect. 7, 10 & 53 of the City Charter.

Councilmember Murzyn, Jr. requested clarification on the effective date if the following ballot question is approved:

Under the current city charter, the Police Department is under the control of the Mayor. Shall the Home Rule Charter of the City of Columbia Heights be amended to place control of the Police Department under the City Manager?

City Attorney Jim Hoeft explained that the amendment would be effective 30 days after the election.

Hoeft explained that the same date (30 days) would apply to the other question (see below) if a date was not included in the language.

Shall the Columbia Heights City Charter be amended to change the mayoral term from a two-year term to a four-year term, with the change being effective January 1, 2021?

Councilmember Murzyn, Jr. suggested it would be good to let voters know when the ordinances would take effect. Councilmember Novitsky agreed. Hoeft stated that the effective date can be included with the ballot language.

Mayor Schmitt had a question regarding the effective date of January 1, when elected officials do not take their Oath of Office until after the January 1st Holiday.

Hoeft indicated the effective date is separate from the elected official, stating “as of January 1st, our mayoral term would be 4 years.” There was confusion by some of the council, so Hoeft clarified that the length of term is different from the effective date.

Mayor Schmitt questioned if the section of the Charter pertaining to the duties of the City Manager would need to change as well, noting that it takes time to make changes to the Charter. Hoeft indicated that if the ballot question is approved, there would be 2 required modifications to the Charter: Chapter 2-Sections 10 and 53. The question is a synopsis of the proposed amendments—not a strike-out version.

Mayor Schmitt expressed her opinion that the City Manager and City Attorney expressed partisan views during the discussion at the June 25th meeting.

City Attorney Hoeft explained that he clarified inaccuracies that were said at the June 28th Charter Commission meeting. Manager Fehst clarified that he does disagree with the Mayor’s opinion that the cities that have the City Manager oversee the Police Department are problematic.

KT Jacobs-4104 Monroe St NE requested an effective date be included as part of the question, and asked if that change would require review by the charter. Hoeft indicated that is not a change in Charter language; but a statutory change.

Kathy Ahlers-4010 Hayes stated that there needs to be a start date, and being that it would be prior to the seating of the newly elected official, she sees no issue with the ballot language.

Dewayne Morrell-4212 Reservoir questioned why the ballot question is being considered. Mayor Schmitt reported that it was the recommendation of the Charter Commission.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to accept the language with the addition of the effective date (“If approved, this change shall take effect 30 days from the date of the election”) on the second question and forward the ballot questions to the County Auditor to be included on the 2018 General Election Ballot. 3 Ayes, 1 Nay, Motion Carried. Ayes: Buesgens, Murzyn, Jr., and Novitsky. Nay: Schmitt.

F. Approve ADA Transition Plan for Public Rights of Way in the City Of Columbia Heights

Public Works Director Kevin Hansen gave an overview of the transition plan, which specifically addresses accessibility on public rights of ways. Recent changes require the City to update our ADA plan. The City conducted a condition analysis throughout the City. It was discovered that about 85% of our ADA public infrastructure is out of compliance. Cost estimates for pedestrian ramps are about \$800,000 and sidewalks about \$6.5 million. The plan would be to make improvements while doing street work. Hansen reported the plan is being reviewed concurrent with the comp plan.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to waive the reading of Resolution No. 2018-41, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to accept Resolution No. 2018-41 being a Resolution approving an ADA Transition Plan for Public Rights of Way in the City of Columbia Heights. All Ayes, Motion Carried.

8. PUBLIC HEARINGS

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 attended the Special Charter Commission meeting, the School Board Candidate Forum, the memorial service for Don Vesley, and a MWMO elected officials meeting.

Councilmember Novitsky attended the School Board meeting, and the Internarial Lion's celebration.

Mayor Schmitt attended the Birthday Celebration for the Dalai Lama at Boom Island in Minneapolis.

City Manager Walt Fehst reported a meeting was held with Waste Management to discuss the unsatisfactory service that the city has received since the contract began in January, 2018. Mayor Schmitt, Councilmember Murzyn, Jr. and Kevin Hansen were also at the meeting.

Director Hansen reported that the reuse service is not where it is expected, and citizens have been notifying the city regularly due to poor service. Hansen indicated that the complaints are valid, and Waste Management has been made aware of the City's dissatisfaction, and indicated they will address the issues.

11. COMMUNITY FORUM

Nelle Bing-3966 5th St NE announced HeightNEXT will be hosting a free garden tour on July 28th from 1-4:30.

Andy Smoka-1206 Khyber Lane stated his concern with the increase of students in our schools resulting from the new multifamily development at 47th and Central. He is concerned the schools may have to increase their portion of taxes in order to accommodate the additional students.

Mr. Smoka asked what is being done at Keys Park. Manager Fehst suggested he contact Kevin Hansen to review the plans for the park improvements.

DeWayne Morrell-4212 Reservoir Blvd asked if there are procedures in place for following up with citizens on questions raised at City Council meetings. Mayor Schmitt suggested contacting city offices. Mr. Morrell asked if there has been any action on a storage lot on 37th and Jefferson—which he has complained about in the past. Mayor Schmitt indicated a plan has been submitted, and it is currently being reviewed.

Mr. Morrell questioned if Waste Management is able to serve the needs of the city with four trucks. Manger Fehst stated that Waste Management will be obtaining 2 additional trucks.

KT Jacobs-4104 Monroe St NE thanked City Staff for meeting with Waste Management to address the concerns of the citizens. It was suggested a letter go out to residents to clarify the issues. Jacobs suggested Council consider developing a social media page for dialogue regarding refuse issues and updates.

Tim Utz-4141 Stinson Blvd thanked city staff for their proactive action regarding the garbage pick-up.

12. ADJOURNMENT

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

Meeting adjourned at 8:30 p.m.



Respectfully Submitted,
Katie Bruno, Council Secretary/City Clerk

RESOLUTION NO. 2018-41

A resolution of the City Council for the City of Columbia Heights, Minnesota,
WHEREAS, the Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability; and
WHEREAS, Title II of ADA pertains to the programs, activities and services public entities provide; and
WHEREAS, as a provider of public transportation services and programs, the City of Columbia Heights must comply with this section of the Act as it specifically applies to public service agencies.
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. As required by Title II of ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150, Columbia Heights staff has conducted a self-evaluation of its facilities within public rights of way and has developed a Transition Plan detailing how to ensure that all of those facilities are accessible to all individuals.
2. The Local Road Research Board has developed a guidance memo and Model Policy applicable to all Minnesota cities.
3. Staff has developed a proposed plan based on the Local Road Research Board Model Policy to meet the minimum requirements of the ADA rule.
4. The City Council hereby approves and adopts an ADA Transition Plan for Public Rights of Way in the City of Columbia Heights.

RESOLUTION 2018-42

BEING A RESOLUTION DESIGNATING ELECTION JUDGE SALARIES AND ELECTION JUDGES FOR THE 2018 PRIMARY AND GENERAL ELECTION

WHEREAS: There are scheduled elections in the City of Columbia Heights and the State of Minnesota; and

WHEREAS: Pursuant to City Charter, Section 30, and M.S.S. 204A, the Council shall appoint the following qualified voters to be judges for the 2018 Primary and General Election:

Columbia Heights P-1

Robert Petty, Head Judge
Veronica Johnson, Assistant Head Judge
Janet Belstler, Election Judge
Darlene Bielejeski, Election Judge
Monica Bruno, Election Judge
Gene Forseide, Election Judge
Kathy Fossum, Election Judge
Candace Lack, Election Judge
Connie Shackle, Election Judge
Dolores Strand, Election Judge

Columbia Heights P-2

Joe Schluender, Head Judge
Marilyn Vaughan, Assistant Head Judge
Mark Emme, Election Judge
Daniel Freborg, Election Judge
Bev Holub, Election Judge
Kelly Landwehr, Election Judge
Robert Peltier, Election Judge
Patricia Powell, Election Judge
Aaron Rennaker, Election Judge
Dennis Stroik, Election Judge

Columbia Heights P-3

Marna Gomez, Head Judge
Barbara Miller, Assistant Head Judge
Dwayne Anderson, Election Judge
Coleen Forseide, Election Judge
Dolores Fowler, Election Judge
Joyce Lipski, Election Judge
Sherri Macko, Election Judge
Rheta Nelson, Election Judge
(Susan) Jane Polley, Election Judge
Amada Simula, Election Judge

Columbia Heights P-4

Aaron Florin, Head Judge
Joel Andrychowicz, Assistant Head Judge
Chellina Angok, Election Judge
Stephanie Avalos, Election Judge
Soundra Burgoyne, Election Judge
Stan Hoium, Election Judge
Patricia Kennedy, Election Judge
Diane Northrup, Election Judge
Dylan Nichols, Student Judge

Columbia Heights P-5

Clara Schmidt, Head Judge
Marsha Stroik, Assistant Head Judge

Mari Bilek, Election Judge
Debra Grisco, Election Judge
Sathiya Karthikeyan, Election Judge
Joan Kinde, Election Judge
Alissa Lyon, Election Judge
Lorrie Nalezny, Election Judge
Robert Odden, Election Judge
Marjorie Scott, Election Judge

Columbia Heights P-6

Susan Betzold, Head Judge
Michael McGee, Assistant Head Judge
Sheri Jo Bodell, Election Judge
Sunshine Carter, Election Judge
Ethel Chinander, Election Judge
Kevin Doty, Election Judge
Patrick Gustafson, Election Judge
John Hanson IV, Election Judge
Doris Kelm, Election Judge
Deborah Osgood, Election Judge

Columbia Heights P-7

Kathryn Morales, Head Judge
Linda Cichomski, Assistant Head Judge
Catherine Devoy, Election Judge
Patricia Jenkinson, Election Judge
Katie Landwehr, Election Judge
Allison Muotka, Election Judge
Leonard Olson, Election Judge
Geraldine Yorks, Election Judge

Columbia Heights P-8

Teresa Carson, Head Judge
Michele Schluender, Assistant Head Judge
Laurel Best, Election Judge
Linda Drews, Election Judge
Stephen Emme, Election Judge
Jessica Medearis, Election Judge
Lee Peterson, Election Judge
Karen Schneider, Election Judge

Additional Judges working only the General Election

Dan Steiskal
Gretchen Gallagher Weinstein
Barbara Nundahl

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Columbia Heights does appoint the afore mentioned as election judges, by precinct, for the Primary Election on August 14, 2018 and the General Election on November 6, 2018 with an hourly compensation of \$12.50 for Head Judge, \$11.50 for Assistant Head Judge, \$11.00 for an Election Judge and \$9.65 for student judges. The City Clerk may designate additional and/or emergency judges, as necessary.