

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
SEPTEMBER 24, 2018**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday, September 24, 2018 in the City Council Chambers, City Hall, 590 40th Avenue N.E., Columbia Heights, Minnesota

1. CALL TO ORDER/ROLL CALL

Council President Novitsky called the meeting to order at 7:02 p.m.

Present: Council President Novitsky, Councilmember Williams, Councilmember Murzyn, Jr., and Councilmember Buesgens

Absent: Mayor Schmitt

Also Present: Walt Fehst, City Manager; Jim Hoeft, City Attorney; Keith Dahl, Economic Development Manager; Gary Gorman, Fire Chief; and Katie Bruno, City Clerk/Council Secretary

2. INVOCATION

Invocation provided by Linda McCollough, Community United Methodist Church

3. PLEDGE OF ALLEGIANCE

4. MISSION STATEMENT, Read by President Novitsky

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

Council President Novitsky announced the addition of Item 6B; Announcement from HeightsNext, and the removal of Item 7D.

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

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Domestic Violence Awareness Month Proclamation

President Novitsky read the proclamation in its entirety.

B. Announcement from HeightsNext

Frost Simula, representing HeightsNext announced the Fall Perennial Plant Exchange and Movie are scheduled for September 25th at 6:30 PM at Kordiak Park.

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 10, 2018

B. Approve Memorandum of Understanding and a Voluntary Cost Sharing Agreement

MOTION: Move to approve the Memorandum of Understanding for Anoka County Economic Development by and among the County of Anoka, Connexus Energy, MetroNorth Chamber of Commerce, and Participating Municipalities within Anoka County.

MOTION: Move to approve the Voluntary Cost Sharing Agreement for Anoka County Economic Development by and between the County of Anoka and the City of Columbia Heights.

Motion: Move to authorize the City Manager, or his or her designee, to take all actions necessary on behalf of the City to perform the purposes of the foregoing Memorandum of Understanding and Voluntary Cost Sharing Agreement, including without limitation to execution of any and all documents to which the City is a party referenced.

C. Adopt Resolution 2018-75 Being A Resolution Establishing Amount Of City Share and amount of Special Assessments On Projects To Be Levied

MOTION: Move to waive the reading of Resolution 2018-75, there being ample copies available for the public.

MOTION: Move to adopt Resolution 2018-75 being a resolution establishing amount of City share and amount of special assessments on projects to be levied.

D. SECOND READING of Ordinance No. 1651, being an ordinance amending City Code of 2005 relating to zoning and land development, and removing the planning and zoning fee schedule from the zoning code.

MOTION: Move to waive the reading of Ordinance No. 1651, there being ample copies available to the public.

MOTION: Move to approve Ordinance No. 1651, being an ordinance amending City Code of 2005 relating to zoning and land development, and removing the planning and zoning fee schedule from the zoning code.

MOTION: Move to approve the summary of Ordinance No. 1651, as presented for publication in the legal newspaper of Columbia Heights.

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

MOTION: Move to approve the items listed for rental housing applications for September 24, 2018, in that they have met the requirements of the Property Maintenance Code.

F. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for September 24, 2018.

G. 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 \$1,527,521.63.

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

8. PUBLIC HEARINGS

A. First Reading of Ordinance No. 1652, an ordinance amending Ordinance No. 1616, City Code of 2014, relating to the use of Tobacco License Requirements within the City of Columbia Heights

Keith Dahl, Community Development Manager reported that the City licenses establishments to sell tobacco, tobacco products, or tobacco related devices. If a licensed tobacco establishment desires to allow customers or potential customers to sample a portion of their tobacco product on-site, they may apply for an additional Smoke Shop License through the City. In an effort to regulate and control the amount of licensed tobacco establishments that have on-site sampling, the City only allows 4 Smoke Shop Licenses to be issued in a given year with the existing establishments receiving first preference for license renewal.

Yafa Hookah Bar voluntarily surrendered their Smoke Shop License for the property located at 4110 Central Ave NE in July. If the City Council desires to reduce the available Smoke Shop Licenses in 2019 from 4 to 3, an ordinance shall need to be adopted changing City Code accordingly.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to waive the reading of Ordinance No. 1652, there being ample copies available to the public. All Ayes, Motion carried

Motion by Councilmember Buesgens, seconded by Councilmember Williams to set the second reading of Ordinance No. 1652, being an ordinance amending Ordinance No. 1616, City Code of 2014, relating to the use of Tobacco License Requirements within the City of Columbia Heights, for October 8, 2018 at approximately 7:00 P.M. in the City Council Chambers. All Ayes, Motion carried

B. Adopt Resolution Number 2018-63, being declarations of nuisance and emergency abatement of violations within the City of Columbia Heights regarding property 950 40th Ave. N.E.

Gary Gorman, Fire Chief reported that the elevator lobby and the top 3 levels of the parking ramp located at Central Ave and 40th Ave has been vandalized. The stair tower and elevator lobby have been secured at a cost of \$11,031.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to close the public hearing and to waive the reading of Resolution Number 2018-63, being ample copies available to the public. All Ayes, Motion carried

Motion by Councilmember Buesgens, seconded by Councilmember Williams to Adopt Resolution Number 2018-63, 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

C. Consideration of declarations of nuisance and abatement of violations within the City of Columbia Heights is requested regarding the properties at 965 42 ½ Avenue NE, 1150 Polk Place NE, 2127 45th Avenue NE, 4245 University Avenue NE, 4421 2 ½ Street NE, 4636 Fillmore Street NE, and 4660 Heights Drive NE, for failure to meet the requirements of the Residential Maintenance Code.

Gary Gorman, Fire Chief reported that all of the properties required tree stump removal to within 2-4 inches below ground level as required.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to close the public hearing and to waive the reading of Resolution Numbers 2018-68 - 2018-74, there being ample copies available to the public. All Ayes, Motion carried

Motion by Councilmember Buesgens, seconded by Councilmember Williams to adopt Resolution Numbers 2018-68 – 2018-74, being resolutions of the City Council of the City of Columbia Heights declaring the properties listed nuisances and approving the abatement of violations from the properties pursuant to City

Code section 8.206. All Ayes, Motion carried

D. Consideration of revocation of the license to operate a rental unit within the City of Columbia Heights is requested against the rental property at 1114 40th Avenue NE for failure to meet the requirements of the Residential Maintenance Codes. *REMOVED

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

a. Resolution 2018-50 adopting a Proposed Budget for the Year 2019, Setting the Proposed City Levy, Approving the HRA Levy, Approving a Tax Rate Increase, and establishing a Budget Hearing Date for Property Taxes Payable in 2019.

Joe Kloiber, Finance Director reported that as required under the city charter, the city manager provided the city council with a proposed 2019 budget and tax levy at a council meeting in August.

The city council must adopt a proposed budget and tax levy resolution by September 30th to begin the state-mandated Truth-in-Taxation process. The city council must also adopt a final version at a budget hearing in December. The final tax levy can be less than, but not greater than, the proposed levy. This allows counties to mail each taxpayer a notice in November stating the proposed tax on each property. Kloiber indicated that one important piece of information, that was not available when the proposed 2019 budget was compiled, is the amount of the 2019 Area-Wide Fiscal Disparities Subsidy. Available data now shows this subsidy of \$3.1 million will decrease by \$16,000 or 0.5% for 2019. The fact that property values in Columbia Heights increased by more than the metro average for both 2018 and 2019 was the primary reason this subsidy will not increase for 2019. City Manager Walt Fehst clarified that the actual expenditure of the City is an increase of 3.6%, even though the proposed levy is 5.5%. Kloiber explained 1.2% is included to expand the Economic Development Program. Additionally, the City has increased the property tax levy by approximately 1.5% in order to use less Local Government Aid in the operating fund.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to waive the reading of Resolution 2018-50, there being ample copies available to the public. All Ayes, Motion carried

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to adopt Resolution 2018-50, being a resolution adopting a proposed budget for the year 2019, setting the proposed city levy, approving the HRA levy, approving a tax rate increase, and establishing a budget hearing date for property taxes payable in 2019 of December 10, 2018, at approximately 7:00 p.m. in the city council chambers. All Ayes, Motion carried

B. Bid Considerations

C. New Business and Reports

10. ADMINISTRATIVE REPORTS

Councilmember Buesgens attended the Community United Methodist Church Rummage sale, she was pleased that the church, along with 990 households are signed up for the organics waste program. She attended the Dog Day Afternoon, and the Improving Local Economies Committee. Buesgens announced that some of the local clergy and residents will be attending a weekly police academy.

Councilmember Williams announced a reception is being planned for Anoka County Commissioner Jim Kodiak on November 14th.

Councilmember Murzyn, Jr. attended the Fire Department Open House, he reported there was a good turnout.

Council President Novitsky participated in the Keyes Park Tree Planting. Special thanks were extended to The Home Depot, Boise Cascade Paper, Treetrust and the citizens who volunteered. Columbia Heights hosted the 11th Annual Walk for Apraxia at Sullivan Park, the event was very successful.

City Manager Walt Fehst commented on a recent article in the newspaper regarding HyVee. Fehst confirmed that HyVee owns the property in Columbia Heights, and they have obtained approval for the gas station and coffee shop at 47th and Central. HyVee has indicated they will likely begin the project in 2019. City Manager Fehst reminded the council members to pick up their department specific budget books from the City Clerk following the meeting.

11. COMMUNITY FORUM

Frost Simula-1700 49th requested information regarding the Mayor and Staff’s recent meeting with the St Paul Association of Realtors. Keith Dahl, Economic Development Manager reported the meeting was to give city Staff an understanding of the real estate market and trends in Columbia Heights, and to look at ways to showcase the City to area realtors.

12. ADJOURNMENT

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

Meeting adjourned at 7:44 p.m.

 Respectively Submitted,
 Katie Bruno, City Clerk/Council Secretary

RESOLUTION 2018-50

ADOPTING A PROPOSED BUDGET FOR THE YEAR 2019, SETTING THE PROPOSED CITY LEVY, APPROVING THE HRA LEVY, APPROVING A TAX RATE INCREASE, AND ESTABLISHING A BUDGET HEARING DATE FOR PROPERTY TAXES PAYABLE IN 2019.

Now, 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

Section A. The budget for the City of Columbia Heights for the year 2019 is hereby approved and adopted with appropriations for each of the funds listed below:

	<u>Revenue</u>	<u>Expense</u>
Governmental Funds		
General Fund	12,502,000	12,678,477
Planning & Inspections	503,600	503,600
Economic Development Authority Admin.	244,600	244,600
Cable Television	217,425	204,325
Library	1,002,700	1,002,700

After School Programs	22,000	44,300		
21st Century Arts	-	45,300		
Downtown Parking	25,000	25,000		
Capital Project Funds	7,031,125	13,869,746		
Debt Service Funds	1,619,529	1,819,100		
Proprietary Funds			<i>Capital Assets</i>	<i>Debt Principal Paid (Adv.)</i>
Water Fund	3,391,050	2,976,683	<u>452,500</u>	<u>186,000</u>
Sewer Fund	2,100,773	2,312,335	27,500	53,400
Refuse Fund	2,089,308	2,007,887	-	-
Storm Sewer Fund	890,197	981,068	-	73,600
Liquor Fund	8,923,400	<u>8,794,800</u>	-	245,000
Municipal Service Center	911,750	973,349	-	-
Information Systems	387,000	398,000	43,600	-
Use of Fund Balance	<u>7,019,813</u>	-	-	-
Total Including Interfund Transfers	<u>48,881,270</u>	48,881,270	523,600	558,000

Section B. The following sums of money are levied for the current year, collectable in 2019 upon the taxable property in said City of Columbia Heights, for the following purposes:

Estimated General Fund Levy	10,071,000
Estimated Library Levy	955,095
Estimated EDA Fund Levy	242,100
Total	<u>11,268,195</u>

Section C. The City Council of the City of Columbia Heights hereby approves the Housing and Redevelopment Authority Tax Levy for the fiscal year 2019 in the amount of \$ 247,000

BE IT FURTHER RESOLVED: That the public budget hearing is scheduled for December 10, 2018 at approximately 7:00 p.m. in the City Council Chambers.

BE IT FURTHER RESOLVED: That the County Auditor is authorized to fix a property tax rate for taxes payable in the year 2019 that is higher than the tax rate calculated for the City for taxes levied in 2017 collectable in 2018.

BE IT FURTHER RESOLVED: That the City has adequate fund balances and reserves to pay bond principal and interest payments on General Obligation Bond Series 2009A in the amount of \$25,000 and that the County Auditor is authorized to cancel \$25,000 of the related Bond Levy for taxes payable in 2019, leaving a balance of \$205,329 to be levied for taxes payable in 2019 for Series 2009A.

BE IT FURTHER RESOLVED: That the City has adequate fund balances and reserves to pay bond principal and interest payments on General Obligation Bond Series 2015A in the amount of \$275,000 and that the County Auditor is authorized to cancel \$275,000 of the related Bond Levy for taxes payable in 2019, leaving a balance of \$206,254 to be levied for taxes payable in 2019 for Series 2015A.

BE IT FURTHER RESOLVED: That the City has adequate fund balances and reserves to pay bond principal and interest payments on General Obligation Bond Series 2017A in the amount of \$335,344 and that the County Auditor is authorized to cancel \$335,344 of the related Bond Levy for taxes payable in 2019, leaving a balance of \$0 to be levied for taxes payable in 2019 for Series 2017A.

BE IT FURTHER RESOLVED: That the City has adequate fund balances and reserves to pay bond principal and interest payments on General Obligation Bond Series 2017B in the amount of \$295,000 and that the County Auditor is authorized to cancel \$295,000 of the related Bond Levy for taxes payable in 2019, leaving a balance of \$268,446 to be levied for taxes payable in 2019 for Series 2017B.

The Finance Director/Treasurer is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Anoka County, Minnesota.

RESOLUTION 2018-63

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 500 LLC (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 950 40th Avenue 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 August 14, 2018 the City of Columbia Heights responded to a complaint at the address listed above. Inspection determined that the structure was damaged and unsecured.
2. That on August 14, 2018 the Fire Chief had his designee order 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 950 40th Avenue N.E.

CONCLUSIONS OF COUNCIL

1. That the property located at 950 40th Avenue N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That the emergency abatement of the hazardous situation located at 950 40th Avenue N.E. is hereby approved.

ORDER OF COUNCIL

1. The property located at 950 40th Avenue N.E. constitutes a nuisance pursuant to City Code.

RESOLUTION NO. 2018-68

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

Whereas, the owner of record is the legal owner of the real property located at 965 42 ½ Avenue N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on August 3, 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. That on June 25, 2018, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on July 27, 2018, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on August 27, 2018, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Per the City Forester, it is required to remove the dead tree (and all of the tree stumps) in the front yard to within 2-4 inches below ground level.
5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 965 42 ½ Avenue N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 965 42 ½ Avenue N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2018-69

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

Whereas, the owner of record is the legal owner of the real property located at 1150 Polk Place N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on August 16, 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. That on June 21, 2018, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on August 2, 2018, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on September 11, 2018, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Per the City Forester, it is required to remove the dead tree (and all of the tree stump(s)) in the front yard to within 2-4 inches below ground level.
5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 1150 Polk Place N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 1150 Polk Place N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2018-70

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

Whereas, the owner of record is the legal owner of the real property located at 2127 45th Avenue N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on August 3, 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. That on June 21, 2018, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on July 27, 2018, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on August 27, 2018, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Per the City Forester, it is required to remove the dead tree (and all of the tree stump(s)) in the side yard to within 2-4 inches below ground level.
5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 2127 45th Avenue N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.

3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 2127 45th Avenue N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2018-71

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

Whereas, the owner of record is the legal owner of the real property located at 4245 University Avenue N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on August 3, 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. That on June 21, 2018, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on July 27, 2018, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on August 27, 2018, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Per the City Forester, it is required to remove the dead tree (and all of the tree stump(s)) in the front yard to within 2-4 inches below ground level.
5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 4245 University Avenue N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 4245 University Avenue N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2018-72

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

Whereas, the owner of record is the legal owner of the real property located at 4421 2 ½ Street N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on August 3, 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. That on June 21, 2018, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on July 27, 2018, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on August 27, 2018, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Per the City Forester, it is required to remove the dead tree (and all of the tree stump(s)) in the front yard to within 2-4 inches below ground level.

5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 4421 2 ½ 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 all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 4421 2 ½ Street N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2018-73

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

Whereas, the owner of record is the legal owner of the real property located at 4636 Fillmore Street N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on August 3, 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. That on June 25, 2018, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on July 27, 2018, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on August 27, 2018, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:

A. Per the City Forester, it is required to remove the dead tree (and all of the tree stump(s)) in the front yard to within 2-4 inches below ground level.

5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 4636 Fillmore 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 all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.

3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 4636 Fillmore Street N.E. constitutes a nuisance pursuant to City Code.

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

RESOLUTION NO. 2018-74

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

Whereas, the owner of record is the legal owner of the real property located at 4660 Heights Drive N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on August 16, 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. That on June 21, 2018, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.

2. That on August 2, 2018, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on September 11, 2018, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Per the City Forester, it is required to remove the dead tree (and all of the tree stump(s)) in the front yard to within 2-4 inches below ground level.

5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 4660 Heights Drive N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 4660 Heights Drive N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION NO. 2018-75

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

WHEREAS, the City Council of the City of Columbia Heights by motion on the 27th day of August, 2018, ordered a special assessment hearing to levy the cost of improvements and;

WHEREAS, the following projects will be specially assessed in October, 2018, and a portion of the costs may be borne by the City,

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

Pursuant to Minnesota Statutes 429.061 and City Code 4.103, that the breakdown is as follows:

PROJECT	ESTIMATED CITY PORTION	ASSESSED PORTION	ESTIMATED TOTAL
2018 Street Seal Coat, Project 1701	\$ 14,380	\$143,810	\$158,190
Project 1701 General, Capital, and Utility Funds	\$ 38,720	---	\$ 38,720
2018 Street Seal Coat, Project 1701	\$ 53,100	\$143,810	\$196,910
2017 State Aid Construction, Project 1705	\$ 61,080	\$252,210	\$313,290
Project 1705 State Aid, General, Capital, and Utility Funds	\$510,600	---	\$510,600
2017 State Aid Construction, Project 1705 Total	\$571,680	\$252,210	\$823,890
2018 State Aid Overlay, Project 1805	\$ 64,025	\$162,800	\$226,825
Project 1805 City of Minneapolis, State Aid, General, Capital, and Utility Funds	\$662,970	---	\$662,970
2018 State Aid Overlay, Project 1805 Total	\$726,995	\$162,800	\$889,795

ORDINANCE NO. 1652

BEING AN ORDINANCE AMENDING ORDINANCE NO. 1616, CITY CODE OF 2014, RELATING TO THE USE OF TOBACCO LICENSE REQUIREMENTS WITHIN THE CITY OF COLUMBIA HEIGHTS

The City of Columbia Heights, Minnesota does ordain:

Chapter 5, Article III, Section 5.303, Subsection (B), which currently reads as follows, to wit:

§ 5.303 LICENSE.

(B) No person shall operate a smoke shop without first having obtained a smoke shop license to do so from the city. At any given time, there shall be no more than four smoke shops, all with appropriate licenses, throughout the city. Currently existing smoke shop establishments should be granted the first preference to renew their smoke shop license if they choose to do so.

Is hereby amended to read as follows:

§ 5.303 LICENSE.

(B) No person shall operate a smoke shop without first having obtained a smoke shop license to do so from the city. At any given time, there shall be no more than three smoke shops, all with appropriate licenses, throughout the city. Currently existing smoke shop establishments should be granted the first preference to renew their smoke shop license if they choose to do so.

Approved 10/8/18
 Nicole Tingley
 Nicole Tingley, City Clerk