

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
JANUARY 28, 2019**

The following are the minutes for the regular meeting of the City Council held at 7 pm on Monday, January 14, 2019 in the City Council Chambers, City Hall, 590 40th Avenue N.E., Columbia Heights, Minnesota

1. CALL TO ORDER/ROLL CALL

Mayor Schmitt called the meeting to order at 7:04 pm

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

Also Present: Kelli Bourgeois, City Manager; Jim Hoeft, City Attorney; Gary Gorman, Fire Chief; John Larkin, Assistant Fire Chief; Keith Dahl, Economic Development Manager; Mitch Forney, Community Development Intern; and Katie Bruno, City Clerk/Council Secretary

2. INVOCATION

Invocation provided by Nathan Kirk, Greater Life Tabernacle

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 Williams to approve the agenda as presented. All Ayes, Motion Carried.

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

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 January 14, 2019

MOTION: Move to approve the minutes of the City Council work session of January 7, 2019

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the Charter Commission minutes from October 18, 2018

C. Resolution Authorizing the Submittal of the 2019 Community Development Block Grant Application

MOTION: Move to waive the reading of Resolution No. 2019-15, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2019-15, a resolution authorizing the submittal of the 2019 Community Development Block Grant Application to Anoka County.

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

MOTION: Move to approve the items listed for rental housing license applications for January 28, 2019, in that they have met the requirements of the Property Maintenance Code.

E. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for January 28, 2019.

F. Payment of Bills

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8, the City Council has reviewed the enclosed list of paid claims in the amount of \$1,042,666.33.

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

8. PUBLIC HEARINGS

A. Consideration of Declaration of a nuisance and abatement of violations within the City of Columbia Heights is requested regarding the property at 3889 Central Ave NE for failure to meet the requirements of the Property Maintenance Code

Gary Gorman explained that this request is for the mezzanine/plaza parcel of the property. Fencing will be installed for safety and protection. Councilmember Buesgens asked how high the fence will be, and how long it will be up. Chief Gorman indicated the hope is for the property to be sold and redeveloped in the near future. The fence was thought to be 6-10 feet high. The property owner was unable to attend tonight's hearing due to the weather; Chief Gorman indicated he has spoken with them, and they understand the issues.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to close the public hearing and to waive the reading of Resolution Number 2019-14, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to adopt Resolution Number 2019-14, being a Resolution of the City Council of the City of Columbia Heights declaring the property a nuisance and approving abatement of violations from the property pursuant to City Code section 8.206. All Ayes, Motion Carried.

9. ITEMS FOR CONSIDERATION

- A. Other Ordinances and Resolutions**
- B. Bid Considerations**
- C. New Business and Reports**

10. ADMINISTRATIVE REPORTS

Mayor Schmitt announced council met in a Special Work Session prior to this meeting to interview applicants for a vacancy on the Library Board. The work session was recessed; and will reconvene after this meeting.

Councilmember Novitsky reported that the Fire and Ice Plunge on Saturday, January 26th was a great success, a record 123 jumpers were estimated.

Councilmember Murzyn, Jr. thanked everyone who helped with the set up and take down at Silver Lake; and all who participated. Special thanks was given to Mike Pyka.

Councilmember Buesgens participated in the plunge with her husband. Buesgens congratulated the Finance Department for their recent certificate of Excellence in Financial Reporting. Residents were thanked for their recycling efforts, the SCORE recycling goal of 30 tons was achieved for the first time in many years. She attended the Youth Appreciation night, the Columbia Academy winter concert, the Varsity Basketball game against Fridley, Officer Mitch Weisser's swearing in ceremony, the alley informational meetings, a "Take down the Photos" party at the library, and the HeightsNext membership meeting & movie night. Buesgens announced the city will be recycling various types of plastic wraps, bags and styrofoam beginning in February.

Mayor Schmitt attended the swearing in ceremony for Mitch Weisser, she met with Hilltop council member Betty Risdahl and Tammy Schmitz from the MWMO for discussion about their role as board members. Mayor Schmitt attended the polar plunge, and thanked all of the participants.

City Manager Kelli Bourgeois announced that the February 4th work session will be canceled; there will be Public Improvement Hearings beginning at 6 pm, and an EDA meeting at 7 pm.

11. COMMUNITY FORUM

Lorien Mueller, ISD 13 School Board Liaison announced the following upcoming events taking place in the schools:

- Two 1 Act Plays at the High School Performing Arts Center, February 1st - 3rd.
- School Board meeting on February 12 at 7 pm
- School Board Listening Session on February 19 at 5:30 pm
- The Columbia High School Band Concert on February 28th at 7 pm at the Performing Arts Center
- 2nd Annual Performing Arts Night fundraiser on March 8th, beginning at 5:30, cost is \$10

Mueller announced Columbia Heights will be closed on Tuesday and Wednesday due to the cold temperatures.

Rachel James-4448 Tyler St NE invited participation in volunteering or sponsoring Sheridan Story, an organization that provides food for school children; over the weekend, or other times that school is not in session.

12. ADJOURNMENT

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

Meeting adjourned at 7:31 pm



Respectfully Submitted,
Katie Bruno, City Clerk/Council Secretary

RESOLUTION NO. 2019-14

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 500 LLC (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 3889 Central Avenue N.E., Columbia Heights, Minnesota. PID# 36-30-24-32-0261

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 September 27, 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 August 29, 2018, a facade condition assessment was conducted by Kimley-Horn and Associates on the Northeast Business Center plaza at the property listed above.
2. That on September 21, 2018 the Building Official conducted an abatement assessment inspection on the property listed above. Three areas of concerns were found and are noted below.
3. That on September 27, 2018 a notice of violations was sent to the owner of record.
4. That on October 3, 2018 the City received the final report from Kimley-Horn and Associates. The report confirmed the findings of the Building Official.
5. That on October 10, 2018 a reinspection was conducted on the property and the violations were not corrected.
6. That based upon said records, the following conditions and violations of City Codes(s) were found to exist, to wit:

A. The brick facing of the plaza area is in great disrepair. Bricks are falling off the face and mortar joint material is falling out, allowing intrusion of water behind the brick. The metal lintels holding up the brick are rusted to the point of possible failure. This situation occurs throughout the mezzanine/patio. It is necessary to prevent bricks from falling on unsuspecting persons causing possible injuries.

B. Three (3) Storage rooms under the mezzanine/patio are unsecure. Doors are missing and frames rusted. There is evidence persons have been residing in those spaces. These rooms should be secured to prevent access.

C. There is evidence of persons taking up residence in the areas around the plantings for the mezzanine/patio. The area shall be secured from persons taking up residence.

7. 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 3889 Central 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 3889 Central 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. 2019-15

RESOLUTION OF THE CITY COUNCIL OF COLUMBIA HEIGHTS, MINNESOTA, AUTHORIZING THE SUBMITTAL OF THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO ANOKA COUNTY.

BE IT RESOLVED BY the City Council (Council) of the City of Columbia Heights (City), Minnesota that the City has approved the 2019 Community Development Block Grant (CDBG) funding application on January 28, 2019.

BE IT FURTHER RESOLVED that the City act as the legal sponsor for the project contained in the 2019 CDBG funding application to be submitted to Anoka County (County) on or before January 11, 2019 and that the City Manager, or his/her designee is hereby authorized to apply to the County for funding of this project on behalf of the City.

BE IT FURTHER RESOLVED that the City has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate project administration.

BE IT FURTHER RESOLVED that the City has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practices.

BE IT FURTHER RESOLVED that upon approval of its application by the County, the City may enter into an agreement with the County for the above-referenced project, and that the City certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW, THEREFORE BE IT FINALLY RESOLVED that the Mayor and the City Manager are hereby authorized to execute such agreements as are necessary to implement the project on behalf of the City