

**OFFICIAL PROCEEDINGS  
CITY OF COLUMBIA HEIGHTS  
CITY COUNCIL MEETING  
JULY 22, 2019**

The following are the minutes for the regular meeting of the City Council held at 7:10 pm on Monday, July 22, 2019, in the City Council Chambers, City Hall, 590 40<sup>th</sup> Avenue N.E., Columbia Heights, Minnesota.

**1. CALL TO ORDER/ROLL CALL**

Mayor Schmitt called the meeting to order at 7:10 pm.

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

Also Present: Kelli Bourgeois, City Manager; Carl Bradley; Aaron Chirpich, Community Development Director; Elizabeth Hammond, City Planner; Erik Johnston, Acting Police Chief; Joseph Kloiber, Finance Director; Jim Hoeft, City Attorney; Erik Johnston, Acting Police Chief; Father James Peterson, Immaculate Conception Catholic Church; Dan O'Brien, Acting Fire Chief; Greg Soule; Nicole Tingley, City Clerk; Teshite Wako; Malcolm Watson

**2. INVOCATION**

Invocation provided by Father James Peterson, Immaculate Conception Catholic 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 manner.

**5. APPROVAL OF AGENDA**

Mayor Schmitt reported the addition of item 6C, Human Resources Manager, and moving discussion of item 8F, First Reading of Ordinance 1656, to the beginning of the Public Hearing section.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to approve the agenda as amended. All Ayes, Motion Carried 4-0.*

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

**A. Oromo Week Proclamation**

Mayor Schmitt read the Oromo Week Proclamation that announced August 3-10, 2019, as Oromo Week in the City of Columbia Heights, joining with Oromo neighbors and the Cities of St. Paul, Minneapolis and Brooklyn Park in welcoming Ethiopian guests and honoring contributions made by Oromo residents. Teshite Wako, resident of Brooklyn Park and former president of the Oromo Community of Minnesota and whose wife manages the Adama Restaurant in Columbia Heights, accepted the proclamation and thanked the City for its support.

**B. National Night Out Proclamation**

Mayor Schmitt read the National Night Out Proclamation that announced Tuesday, August 6, 2019, as National Night Out in the City of Columbia Heights. Chief Johnston accepted the proclamation and thanked the City for its support.

**C. Human Resources Manager**

Manager Bourgeois introduced Patty Sweep as the new Human Resources Manager, who gave a brief description of her background and said she looked forward to working with all City staff.

**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 July 8, 2019

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

MOTION: Move to accept the minutes of the Library Board Meeting of June 5, 2019

**C. Consideration of approval of attached list of rental housing applications**

MOTION: Move to approve the items listed for rental housing license applications for July 22, 2019, in that they have met the requirements of the Property Maintenance Code.

**D. Approve Business License Applications**

MOTION: Move to approve the items as listed on the Business License agenda for July 22, 2019, as presented.

**E. 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 \$793,113.07.

*Motion by Councilmember Murzyn, Jr., seconded by Councilmember Buesgens, to approve the Consent Agenda. All Ayes, Motion Carried 4-0.*

**8. PUBLIC HEARINGS**

**A. Consideration of revocation of the licenses to operate rental units within the City of Columbia Heights is requested against the rental property at 3915 Van Buren Street for failure to meet the requirements of the Residential Maintenance Code**

Chief O'Brien reported that the reasoning for revocation of the property was failure to pay the license reinspection fee by the due date.

Mayor Schmitt opened the public hearing.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to close the public hearing and to waive the reading of Resolution 2019-56, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to adopt Resolution 2019-56, being a Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried 4-0.*

**B. Consideration of revocation of the licenses to operate rental units within the City of Columbia Heights is requested against the rental property at 3971 Johnson Street for failure to meet the requirements of the Residential Maintenance Code**

Chief O'Brien reported that the reasoning for revocation of the property was failure to submit their rental license renewal application, fees and schedule the annual inspection.

Mayor Schmitt opened the public hearing.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to close the public hearing and to waive the reading of Resolution 2019-57, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to adopt Resolution 2019-57, being a Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried 4-0.*

**C. Consideration of revocation of the licenses to operate rental units within the City of Columbia Heights is requested against the rental property at 4108/4110 Madison Street for failure to meet the requirements of the Residential Maintenance Code**

Chief O'Brien reported that the reasoning for revocation was failure to repair 13 violations of the Property Maintenance Code. City inspections took place on May 21 for the annual inspection, June 26 for reinspection and then July 11, and the items still had not been corrected.

Mayor Schmitt opened the public hearing.

Carl Bradley stated he and Debbie Fox, City residents, had been renting the property for 20 years and, according to the City's notification letter, would be allowed 45 days to vacate the premises. He stated his request to make the needed repairs himself in a time allotted by the Council.

Attorney Hoeft informed the Council that the renter could do what he liked but the issue would be that the owner needs to correct the property into compliance with the Housing Maintenance Code. He said the owner has had opportunities to make the changes and has not done so, and the Council would need to decide whether to revoke the license at the evening's meeting. He said the renter could help the owner make the corrections but the owner would still need to apply for a new license and pay the appropriate fees; and the City would work with the renters to help accommodate their needs but would have to move if there is no license on the premises. Attorney Hoeft stated that the leaseholder has certain rights and Mr. Bradley could talk to the current or new owner of the property.

Councilmember Murzyn, Jr., clarified through Chief O'Brien that the owner could still default even though Mr. Bradley made the needed changes and, in which case, he and Ms. Fox would still have to vacate the premises. Attorney Hoeft also clarified that the current license is under the name of Andrea Anderson.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to close the public hearing and to waive the reading of Resolution 2019-58, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to adopt Resolution 2019-58, being a Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried 4-0.*

**D. Consideration of revocation of the licenses to operate rental units within the City of Columbia Heights is requested against the rental property at 4225 Central Avenue for failure to meet the requirements of the Residential Maintenance Code**

Chief O'Brien reported that the reasoning for revocation was failure to repair areas of the driveway and pay reinspection fees.

Mayor Schmitt opened the public hearing.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to close the public hearing and to waive the reading of Resolution 2019-59, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to adopt Resolution 2019-59, being a Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried 4-0.*

**E. Consideration of revocation of the licenses to operate rental units within the City of Columbia Heights is requested against the rental property at 4229 Central Avenue for failure to meet the requirements of the Residential Maintenance Code**

Chief O'Brien reported that the reasoning for revocation was failure to repair areas of the driveway and pay reinspection fees.

Mayor Schmitt opened the public hearing.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to close the public hearing and to waive the reading of Resolution 2019-60, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to adopt Resolution 2019-60, being a Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried 4-0.*

**F. First reading of Ordinance 1656, an Ordinance authorizing the conveyance of certain real property by the City of Columbia Heights to the Columbia Heights Economic Development Authority (EDA) located at 4833 University Avenue NE**

Planner Hammond described the vacant property's location and said the EDA plans to demolish before year end the building that is currently on the premises, with plans for redevelopment in the future.

Mayor Schmitt opened the public hearing.

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to close the public hearing and to waive the reading of Ordinance No. 1656, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to set the second reading of Ordinance No. 1656, being an Ordinance authorizing the conveyance of certain real property by the City of Columbia Heights to the Columbia Heights Economic Development Authority located at 4833 University Avenue NE for August 12, 2019, at approximately 7:00 pm in the City Council Chambers. All Ayes, Motion Carried 4-0.*

**9. ITEMS FOR CONSIDERATION**

**A. Other Ordinances and Resolutions**

**a. Resolution 2019-61, approving an Interfund Loan from City Capital Equipment Fund 431 to Economic Development Authority (EDA) Redevelopment Fund 408**

Director Kloiber reported the resolution is a companion to the EDA resolution relating to the property at 4833 University Avenue NE, discussed earlier, and the requested \$1 million short-term loan to the EDA, to temporarily purchase the property and be repaid when sold.

Director Chirpich reported that the EDA is considering acquisition for redevelopment the property at 3989 Central Avenue NE and, to do that, is requesting a temporary Interfund Loan from the City to the EDA Redevelopment Fund. After acquisition, he said the intention would be to work for a full redevelopment of the site that would include demolition of the current building, a six-story office tower, and adjacent City-owned parking ramp for the creation of a multi-family housing development.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to waive the reading of Resolution 2019-61, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to adopt Resolution 2019-61, being a resolution to approve an Interfund Loan from City Capital Equipment Fund 431 to Economic Development Authority Redevelopment Fund 408. All Ayes, Motion Carried 4-0.*

**b. Resolution 2019-62, to appropriate and transfer \$1,000,000 from City Development Fund 420 to Economic Development Authority Redevelopment Fund 408**

Manager Bourgeois recognized the work of Director Chirpich and added that she was very pleased the EDA approved the purchase of the site and looked forward to seeing it redeveloped as a vibrant area. Mayor Schmitt reiterated that the loan would be temporary.

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to waive the reading of Resolution 2019-62, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to adopt Resolution 2019-62, being a resolution to appropriate and transfer \$1,000,000.00 from City Development Fund 420 to Economic Development Authority Redevelopment Fund 408. All Ayes, Motion Carried 4-0.*

## **B. Bid Considerations**

None

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

### **a. City Manager's Performance Evaluation Summary**

Mayor Schmitt reported that Manager Bourgeois' performance evaluation summary as City Manager would be closed and held after the evening's City Council Meeting.

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

Councilmember Novitsky said he looked forward to National Night Out.

Councilmember Buesgens reported that she'd attended the Metro Housing Economic Committee and Library Board meetings and said the next fundraiser for the Library Foundation would be a spaghetti dinner on Wednesday, September 11; worked with volunteers at the Blooming Sunshine Garden at Lomianki Park and looked forward to the harvest in the fall; attended Beth O'Brien's retirement party, the Pride Festival and Employee Picnic.

Mayor Schmitt reported that she attended her first meeting as a member of Metropolitan Council Policy Committee; attended the League of Minnesota Cities Improving Service Delivery Policy Committee meeting and said there is more incentive to license massage therapists to eliminate human trafficking; and attended the Crestview Picnic and Employee picnic, held at the Fire Hall.

Manager Bourgeois announced a new Fire Chief would begin work on Monday, August 19. She reported that she serves on the League of Minnesota Cities Improving Service Delivery Policy Committee as well and attended the Human Resources and Data Practices Policy Committee meeting. She thanked Councilmembers who were able to attend the Employee Picnic and recognized Director Kloiber's staff and the Fire Department for planning the event.

Chief Johnston said the next "Coffee with a Cop" will be held Saturday, July 27, 8:30-10:30 am at SACA (Southern Anoka Community Assistance), 627 38<sup>th</sup> Avenue NE.

## **11. COMMUNITY FORUM**

Greg Soule, a real estate attorney, stated he is part of an investor group that would like to present to the City a competing proposal for the redevelopment in the Northeast Business Center. He said he emailed and delivered an outline to the Council with points and is working with Nick Walton and Reuter Walton Development, who are preeminent in terms of an urban in-fill multi-family project, having done 20 similar sites.

He recommended the City consider the development's unit mix, who the City wishes to attract (Reuter Walton Development specializes in attracting young professionals) and whether City Hall should be located there (because the corner property might best be served as a live, busy area and any City Hall would likely shut down at 4:30). If Council is interested in considering a competing proposal, Mr. Soule would appreciate feedback this week on what criteria the City would like to bring to the project, and he would recommend competing developers for the City to consider.

The Council thanked him, and Director Chirpich will contact Mr. Soule should the Council have follow-up questions.

Malcolm Watson, City resident and former Columbia Heights City Manager, distributed to the Council a copy of the 303 Journal when former Mayor Gary Peterson, acting on behalf of the City, dedicated an area to be known as Watson Memorial Gardens on 5<sup>th</sup> and 39<sup>th</sup>, honoring the Watsons "for service to God, Country and the Community" (Esther served as an officer in the Army Nurse Corp in WWII and also 20 years as a City school nurse) (Malcolm served in the U.S. Navy in the South Pacific in WWII and 20 years as City Manager). He reported that the plaque placed on the marble stone honoring the Watsons was stolen and he "respectfully requested" that the City make a new plaque in its replacement. Should any costs be involved, he said he would be glad to pay for it.

The Council thanked him and said Kevin Hansen, Public Works Director, would be notified.

## 12. ADJOURNMENT

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to adjourn. All Ayes, Motion Carried 4-0.*

Meeting adjourned at 8:04 pm.

  
Respectfully Submitted,

Nicole Tingley, City Clerk/Council Secretary

