

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
AUGUST 26, 2019**

The following are the minutes for the regular meeting of the City Council held at 7:00 pm on Monday, August 26, 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 7:00 pm.

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

Also Present: Kelli Bourgeois, City Manager; Kevin Hansen, Public Works Director; Jim Hoeft, City Attorney; Rachel James, First Lutheran Church; Dan O'Brien, Fire Captain; Joan Pilaczynski; Jane Polley, Columbia Heights Library Foundation; Charlie Thompson, Fire Chief, and family and Fire Department members; Nicole Tingley, City Clerk; Jeffrey Alan Wagner; Jackie Zillmer, Assistant Finance Director

2. INVOCATION

Invocation provided by Rachel James, Director of Children, Youth and Family Ministries at 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 manner.

5. APPROVAL OF AGENDA

Mayor Schmitt reported the addition of Items 6B, Library Foundation Board Spaghetti Dinner, and 6C, Big Brothers and Big Sisters and Sheridan Story.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to approve the agenda as amended. All Ayes, Motion Carried 5-0.

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Introduction of New Fire Chief Charlie Thompson

Manager Bourgeois introduced and welcomed Charlie Thompson as the new Columbia Heights Fire Chief, who previously served in the same position from 1999 to 2005. Chief Thompson thanked the Council and City staff for the opportunity to serve the City again along with the entire Fire Department.

B. Library Foundation Spaghetti Dinner

Jane Polley announced the Columbia Heights Library Foundation Spaghetti Dinner annual fundraiser on Wednesday, September 11, 4:30-7:00 pm at Murzyn Hall. Tasty Pizza will make the spaghetti entree and salad, and Culvers will donate ice cream. Adult tickets are \$8, \$5 for children under 12 years, and free for children under 5 years old. She said the Foundation raises money for projects and programs not funded by the City, and the fundraiser spaghetti dinner assists the Library in continuing to serve the City of Columbia Heights with emphasis in promoting literacy and education.

C. Big Brothers and Big Sisters and Sheridan Story

Rachel James reported Big Brothers and Big Sisters provides school-based mentoring for students at Highland Elementary and Valley View Elementary schools, and there is mentorship opportunity once a week for one hour over lunch at each school. There is a waiting list of students seeking mentoring, and those interested in serving as weekly mentors can access all needed information on the Big Brothers and Big Sisters website.

She also reported that Sheridan Story provides food bags for children who don't have enough food on weekends. They are being distributed at Highland Elementary, Valley View Elementary and sometimes at the City of Peace Center on Circle Terrace. Volunteers are needed one Friday per month to pack the bags into student lockers, and those interested can sign up on the Sheridan Story website.

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 announced the removal of Item E, "Award of Professional Engineering Services for Silver Lake Boat Landing, Project 19-12," to allow Director Hansen to provide an update.

A. Approve Minutes of the City Council

MOTION: Move to approve the minutes of the City Council Work Session of August 5, 2019

MOTION: Move to approve the minutes of the City Council Meeting of August 12, 2019

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the minutes of the Park & Recreation Commission Meeting of April 24, 2019

MOTION: Move to accept the minutes of the Library Board Meeting of July 10, 2019

C. Approve Gambling Permit, Immaculate Conception Church

MOTION: Move to direct the City Manager to forward a letter to the State Charitable Gambling Control Board indicating that the City of Columbia Heights has no objection to a gambling permit for Immaculate Conception Church to conduct bingo at an event being held on November 16, 2019, at 4030 Jackson Street NE, Columbia Heights; and, furthermore, that the City of Columbia Heights hereby waives the remainder of the 30-day notice to the local governing body.

D. Award of Professional Engineering Services for Pump Station 3 Upgrades, Project 20-10

MOTION: Move to approve the Professional Services Agreement with Bolton & Menk for engineering consultant services for Pump Station 3 Upgrades, Project 20-10, for a cost not to exceed \$47,775.00, appropriated from Fund 651-52010-3050.

E. Award of Professional Engineering Services for Silver Lake Boat Landing, Project 19-12

Removed

F. Award of Professional Engineering Services for Silver Lake Station, Project 20-08

MOTION: Move to approve the Professional Services Agreement with WSB & Associates for engineering consultant services for Silver Lake Lift Station Reconstruction in an amount not to exceed \$27,930.00, appropriated from Fund 652-52008-3050.

G. Establish Date for 2019 Special Assessment Levy Public Hearing for Delinquent Accounts

MOTION: Move to establish October 14, 2019, at 7:00 pm as the Special Assessment Levy Public Hearing for Delinquent Accounts, to be held in the Council Chambers.

H. Consideration of Approval of Attached List of Rental Housing Applications

MOTION: Move to approve the items listed for rental housing license applications for August 26, 2019, in that they have met the requirements of the Property Maintenance Code.

I. Approve Business License Applications

MOTION: Move to approve the items as listed on the Business License agenda for August 26, 2019, as presented.

J. 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 \$1,677,812.87.

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to approve the Consent Agenda as amended. All Ayes, Motion Carried 5-0.

Director Hansen reported on **Item E, "Award of Professional Engineering Services for Silver Lake Boat Landing, Project 19-12."** He said the work at Silver Lake is a culmination of a few projects, and the work provided by a 2018 grant for 2019 is now complete with a new water quality feature with both a wet pond and an infiltration basin. The Silver Lake Boat Landing received a Department of Natural Resources grant, and the City would like to receive permission to obtain bids to enable the boat landing to be reconstructed. This project would dovetail well with the work needed to relocate the sewage lift station in 2020. He also will be meeting in September with the lake association to obtain their input regarding the boat landing.

Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to approve the Professional Services Agreement with WSB & Associates for engineering consultant services for Silver Lake Boat Landing Reconstruction in an amount not to exceed \$48,796.00, appropriated from Fund 412-51912-3050.

8. PUBLIC HEARINGS

A. Consideration of revocation of the license to operate a rental unit within the City of Columbia Heights is requested against the rental property at 4321 University Avenue NE for failure to meet the requirements of the Residential Maintenance Code

Captain O'Brien reported that there are three outstanding violations against the rental property at 4321 University Avenue NE, which include maintenance repairs not being completed in the allotted time and unpaid associated reinspection fees.

Mayor Schmitt opened the public hearing.

Joan Pilaczynski, Columbia Heights resident, reported that she had addressed the Council in 2016 regarding maintenance issues at 4321 University Avenue NE and nothing from then to now has been done, that the owner apparently doesn't care about the property and is unaffected by City "threats." She said her family lives next door to that rental property and those renters use Section 8 vouchers. In addition, the lawn is not maintained and children mowing the long grass do it in chunks because it is so long, with cuttings then being blown into the street, which are left there. Ms. Pilaczynski also reported, in addition, that she had become aware of the owner using a Fridley volunteer to clean the leaf-filled rental house gutters when the volunteer asked to use her hose to do so, who then tossed the clumps to the lawn below and left them to disintegrate. The question, she stated, is whether the landlord is unable financially or physically to maintain the property. She reported that there are trees on the rental property extending onto the power line and numerous bushes and weeds along the property line. Her concern is that in the future her family's property may not receive a fair price when selling because of the status of the property next door. She asked whether the Housing and Redevelopment Authority accesses the inside of the rental property to check its condition.

Lastly, Ms. Pilaczynski complimented and thanked Director Hansen for his quick response in addressing her issues of overgrown University Avenue plantings.

Captain O'Brien noted that his staff accessed rental properties every other year and said he would investigate the additional violations at 4321 University Avenue NE which were cited by Ms. Pilaczynski.

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to close the public hearing and to waive the reading of Resolution 2019-69, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to approve Resolution No. 2019-69, 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 5-0.

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

None

B. Bid Considerations

None

C. New Business and Reports

a. Conditional Reinstatement of Rental Licenses at 4225 Central Avenue NE and 4229 Central Avenue NE

Captain O'Brien reported that the City and property owners of 4225 and 4225 Central Avenue NE have reached an agreement, with Council approval, to reissue a conditional rental license to the two properties based on the owners paying all the fees, resubmitting their rental property applications and correcting all the outstanding violations, which should be completed by October 1. Once the above are completed, rental licenses would be reinstated.

Councilmember Buesgens expressed concern that the required work on the property from 2016 had not yet been completed and her reluctance to vote for a conditional license, noting that some of the required repairs may take longer than one month to schedule and complete. Captain O'Brien offered reassurance that he had a copy of the contract signed to complete the needed repairs, a requirement for the conditional license.

Councilmember Novitsky also expressed concern about perhaps unnecessary work by City staff and Council should repairs not be completed in time and whether the conditional license should be delayed until the work is done. Attorney Hoeft provided information regarding a conditional license and the revocation processes.

Councilmember Murzyn, Jr., said he would only support the conditional license as being "one last chance" for these properties.

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to issue conditional rental-housing licenses to Annabelle Pedregosa of Walrus Rental Properties, LLC to operate the rental properties located at 4225 Central Avenue NE and 4229 Central Avenue NE, Columbia Heights, MN 55421. All Ayes, Motion Carried 5-0.

10. CITY COUNCIL AND ADMINISTRATIVE REPORTS

Councilmember Novitsky attended "Cone with a Cop," which was well attended.

Councilmember Murzyn, Jr., attended the reception for and congratulated Darry Jones on winning the Championship Heavyweight Belt. He said Mr. Jones is a City police officer and works with the youth at City Hall.

Councilmember Buesgens attended the Metro Housing and Economic Committee meeting which had a speaker on housing finance, attended the standing-room-only Landlord Meeting which featured an Anoka County speaker concerning legal means to evict, and helped coordinate and attended the Dog Day Afternoon and Pup Strut at Kordiak Park. She also attended the Afghan Independence Day Celebration, the Lions Club Picnic, the Columbia Heights High School Band Room groundbreaking celebration, Officer Nate Bursch's swearing-in ceremony, volunteered at Sunshine Garden in Lomianki Park and also attended Darry Jones' reception.

Mayor Schmitt attended Metro Cities Policy Committee meeting and the League of Minnesota Cities Board policy meeting, which featured a Public Health speaker (who would be available to discuss Tobacco 21 with the City), and said they will discuss at a future date the Charter policy that is being considered as part of the policy manual.

Manager Bourgeois reported the Finance Department presented the 2020 Budget Message and Summary prior to the Council Meeting, of which Councilmembers received copies, and said the first general overview would be conducted by the Finance Director at the September 3 Work Session and the more specific department reviews at the October and November Work Sessions. Council approval of the preliminary levy is tentatively scheduled for the first Council meeting in September but may be bumped to the second meeting, and the final levy wouldn't be adopted until December.

Newsletters will be distributed the week of August 26 and a new video was posted on Facebook to the Police Department and City pages regarding pedestrian safety. She also attended Darry Jones' reception as well as the Dog Day Afternoon event. Two new Police Department employees have been hired: policy officer Nate Bursch and CSO officer Kelvin Yang.

11. COMMUNITY FORUM

Joan Pilaczynski, Columbia Heights resident, inquired as to whether there are a lot of residents defaulting on their water bills and whether City water billing could be processed monthly rather than every three months, which might help financially-challenged and elderly residents.

Assistant Director Zillmer reported that the City has a policy where delinquent accounts, approximately 3% for Columbia Heights, are assessed annually and delinquent bills are added to their property taxes. Water bills are processed quarterly because of the cost savings to the City, which allows 2,000 to be processed every three months for the 6,000 properties, rather than 6,000 every month. She also said automatic payment and online credit card options are available to residents.

Jeffrey Alan Wagner, Columbia Heights resident, said he was confused as to why the rental license was pulled "so quickly" at 4225 and 4229 Central Avenue NE when the owners tried to make the changes requested and there are existing potholes throughout City streets which are not addressed and whether suing the City makes it more advantageous to receive positive outcomes.

Mayor Schmitt suggested Mr. Wagner contact either Manager Bourgeois or Captain O'Brien with his concerns. Mr. Wagner stated he had their contact information.

12. ADJOURNMENT

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to adjourn. All Ayes, Motion Carried 5-0.

Meeting adjourned at 7:56 pm.


Respectfully Submitted,
Nicole Tingley, City Clerk/Council Secretary