

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
JANUARY 13, 2020**

The following are the minutes for the regular meeting of the City Council held at 7:00 pm on Monday, January 13, 2020, 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: Ramona Anderson; Lenny Austin, Police Chief; Kelli Bourgeois, City Manager; Aaron Chirpich, Community Development Director; Kevin Hansen, Public Works Director; Jim Hoeft, City Attorney; KT Jacobs; Rachel James; Patty Sweep, Human Resources Manager; Charlie Thompson, Fire Chief; Nicole Tingley, City Clerk; Keith Windschitl, Recreation Director

2. INVOCATION

Invocation was provided by Rachel James, 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

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to approve the agenda as presented. All Ayes, Motion Carried 5-0.

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

None

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 December 9, 2019.

MOTION: Move to approve the minutes of the Joint City Council and School Board Meeting of December 5, 2019.

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the minutes of the Planning Commission Meeting of May 7, 2019.

MOTION: Move to accept the minutes of the Park and Recreation Commission Meeting of July 24, 2019.

MOTION: Move to accept the minutes of the Library Board Meeting of December 4, 2019.

C. Adopt Resolution No. 2020-01 Designating Official Depositories for the City of Columbia Heights

MOTION: Move to waive the reading of Resolution No. 2020-01, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2020-01, being a resolution designating official depositories for the City of Columbia Heights.

D. Adopt Resolution No. 2020-02 to Accept Certain Donations Received by the City of Columbia Heights

MOTION: Move to waive the reading of Resolution No. 2020-02, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2020-02, being a resolution to accept certain donations received by the City of Columbia Heights.

E. Adopt Resolution No. 2020-03 Appointing Deputy City Clerks for the Purpose of Administering the 2020 Elections

MOTION: Move to waive the reading of Resolution No. 2020-03, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2020-03, a resolution appointment Deputy City Clerks for the purpose of administering the 2020 Elections.

F. Adopt Resolution No. 2020-04 Designating Election Judges and Salaries for the 2020 Presidential Primary Election

MOTION: Move to waive the reading of Resolution No. 2020-04, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2020-04, being a resolution designating election judges and salaries for the 2020 Presidential Primary Election.

G. Adopt Resolution No. 2020-05, Appointment of Council Liaisons and Staff Assignments to the City Boards and Commissions and External Boards for 2020

MOTION: Move to waive the reading of Resolution No. 2020-04, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2020-05, appointment liaisons to City Boards and Commissions and External Boards.

H. Appointment of Council President for 2020

MOTION: Motion to appoint Councilmember Nick Novitsky as Council President for 2020.

I. Appointments to Columbia Heights Volunteer Firefighters Relief Association Board of Trustees for 2020

MOTION: Move to appoint Councilmember John Murzyn, Jr. and Kelli Bourgeois to the Columbia Heights Volunteer Firefighters Relief Association Board of Trustees for 2020.

J. Adopt Resolution No. 2020-06 Accepting Amendment to Feasibility Report for Water Main Improvements, Project 1903

MOTION: Move to waive the reading of Resolution No. 2020-06, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2020-06, which accepts an Amendment to the Feasibility Report for Water Main Improvements on 39th Avenue from Johnson Street to Hayes Street.

K. Approval of Off-Site Gambling Application for Columbia Heights Athletic Boosters to Conduct Charitable Gambling Activities at Silver Lake Beach Park on January 25, 2020

MOTION: Move to approve the Off-Site Gambling Application for the Columbia Heights Athletic Boosters to conduct a raffle at Silver Lake Beach Park, 4305 Stinson Boulevard NE, on January 25, 2020, and to direct the City Manager to sign the Off-Site Gambling Permit Application verifying the City's approval.

L. Authorize the Mayor and City Manager to Enter into a Contract for Police Service with the City of Hilltop

MOTION: Move to authorize the Mayor and City Manager to enter into a Police Service Contract with the City of Hilltop for 2020 at the rates specified in the contract.

M. Authorize Captain Erik Johnston's Attendance at the Northwestern School of Police Staff and Command

MOTION: Move to authorize the attendance of Captain Erik Johnston at the Northwestern School of Police Staff and Command being held in Eagan from September 21 through December 4, 2020.

N. Authorize the Fire Service and Emergency Medical Services Contract with the City of Hilltop

MOTION: Move to authorize the Mayor and City Manager to enter into a three-year agreement for fire suppression and EMS services contract with the City of Hilltop starting January 1, 2020, and ending December 31, 2022.

O. Public Works Blanket Orders for 2020 Purchases

MOTION: Move for approval to authorize staff to process blanket purchase orders in an amount not to exceed the 2020 budget amounts for de-icing salt for salt/sanding operations purchased off the State of Minnesota Purchasing Contract, fuel (unleaded and diesel) for City vehicles from the State of Minnesota Purchasing Contract and the Anoka County Cooperative Agreement, bituminous asphalt for patching/paving City streets and alleys from Commercial Asphalt or the City of St. Paul or T.A. Schifsky & Sons, curb stop and service repairs for delinquent accounts and foreclosed properties.

P. Adopt Resolution No. 2020-07 Adopting Changes in Minimum Wage, Seasonal Recreation, Part Time Temporary Library, Seasonal Public Works and Public Works Intern Wages

MOTION: Move to waive the reading of Resolution No. 2020-07, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2020-070, being a resolution setting the Minimum Wage, Seasonal Recreation, Part Time Temporary Library, Seasonal Public Works and Public Works Intern wages.

Q. Approve Business License Applications

MOTION: Move to approve the items as listed on the Business License Agenda for January 13, 2020, as presented.

R. 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 \$2,515,156.09.

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

8. PUBLIC HEARINGS

A. First Reading of Ordinance No. 1658, an Ordinance Modifying the Animal Ordinance

Chief Austin provided background information regarding the City's current ordinance on management of domestic animals within the City. The proposed changes are to: 1) remove City licensing requirements but require current vaccinations and display of owner information on collars of the animals; 2) limit the number of dogs per household to three, the number of cats per household to three and a combined limit of the animals to five per residence; and 3) adhere to the Minnesota Statute relating to dangerous and potentially dangerous dogs.

Mayor Schmitt opened the public hearing.

Ramona Anderson, City resident, said she appreciated what the City was attempting to do but one pet owned by an irresponsible owner is too many, doesn't appreciate government micromanagement and would like the City to consider house sizes (such as 800-2,000 lot size) as "one size that fits all" is not appropriate. She'd also like a grandfather clause included, as the proposed ordinance may result in an owner having to determine which pet to remove from the household and it may result in an influx of animals being surrendered to the pound.

Ms. James asked what breeds are considered "potentially dangerous dogs" and about the City's leashing laws. Attorney Hoeft said residents can access the Minnesota State Statute online for detailed information about potentially dangerous dogs. Director Hansen stated that all City parks are "leash on" and it is the standard, so he suggested the subject of removing leash signs be directed to the Park and Recreation Commission and said additional doggy bag availability could be provided.

Chief Austin said the grandfathering subject would be addressed on a case-by-basis so current animals wouldn't have to be removed without cause.

KT Jacobs suggested the subject of "leash on" be included in an information packet for dog owners. Manager Bourgeois said it could be added to new resident packets as well as the City newsletter.

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to close the public hearing and waive the reading of Ordinance No. 1658, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to set the second reading of Ordinance No. 1658, being an ordinance amending Chapter 8, Article 1 of the Columbia Heights City Code relating to animals and elimination of dog and cat licenses for January 27, 2020, at approximately 7:00 pm in the City Council Chambers. All Ayes, Motion Carried 5-0.

Attorney Hoeft confirmed that the ordinance would go into effect 30 days after approval by the Council should it be approved on January 27.

B. Resolution 2019-102, a Resolution Approving Revocation of the Conditional Use Permit for Property Identification No. 36-30-24-33-0151

Director Chirpich provided background information regarding the property in question, owned by Bobby and Steve's. After staff research following the December Council Meeting, it was determined that the parking lot lighting has been removed, the driveway grading and design are in compliance and the parking plan was submitted in 2006 and included in the plan. The only outstanding condition is striping of the parking stalls, and it is staff recommendation to continue to table the resolution until June 8, 2020, which would allow the owner time to complete the striping when weather is conducive.

Mayor Schmitt opened the public hearing.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to continue to table Resolution 2019-102 to June 8, 2020. 4 Ayes (Councilmember Buesgens, Councilmember Murzyn, Jr. Councilmember Novitsky and Mayor Schmitt), 1 Abstain (Councilmember Williams), Motion Carried 4-0.

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

None

B. Bid Considerations

a. Adopt Resolution No. 2020-08, a Resolution Accepting Bids and Awarding a Contract for 2020 Concrete Alley Construction, City Project 1906

Director Hansen provided background information regarding three alleys: Washington to Jefferson from 41st to 42nd, Madison to Monroe 40th to 41st and Madison to Monroe 42nd to 43rd. Eight bids were received by the City, and the low bid came from Northland Excavating of Buffalo. City and County reference checks on Northland were completed, and all were positive.

Staff recommends awarding the contract to Northland with Alternate 1, private work for either sidewalk or driveway, in the amount of \$548,705.00, consistent with the engineer's estimate of \$540,000.00.

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to waive the reading of Resolution No. 2020-08, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Williams, to adopt Resolution No. 2020-08, being a resolution accepting bids and awarding the 2020 Concrete Alley Construction, City Project 1906, to Northland Excavating, LLC of Buffalo, Minnesota, based upon their low, qualified, responsible bid in the amount of \$548,660.40, with \$440,460.40 from Fund 415-51906 and \$108,200.00 from Fund 653-49699; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same. All Ayes, Motion Carried 5-0.

b. Adopt Resolution No. 2020-09, a Resolution Accepting Bids and Awarding a Contract for 37th Avenue Trail and Pedestrian Ramp Improvements, City Project 1907, and Madison Street Curb and Gutter Construction, City Project 1902

Director Hansen reported that Project 1907 is really two projects: the first, a trail on the north side of 37th Avenue from Central to 5th Street including pedestrian ramps at all street crossing and, second, Madison Street off of 37th Avenue for about 400' north where new curb and gutter and bituminous surfacing would be placed. Six bids were received by the City, and the low bid came in from Sunram Construction, the next came in at \$633,000.00 and the high bid came in at \$1,090,000.00. The low bid is 6% over the engineer's estimate, and staff recommends that the overbid be paid for by City funds from the State Aid account and Infrastructure Fund account.

Motion by Councilmember Buesgens, seconded by Councilmember Williams to waive the reading of Resolution 2020-09, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to adopt Resolution No. 2020-09, being a resolution accepting bids and awarding the 37th Avenue Bituminous Trail and Pedestrian Ramp Improvements, City Project 1907, and Madison Street Curb and Gutter Construction, City Project 1902, to Sunram Construction of Corcoran, Minnesota, based upon their low, qualified, responsible bid in the amount of \$632,218.00, with \$358,018.00 from Fund 415-51907, \$53,380.00 from Fund 4156-51902, \$115,000.00 from Fund 212-43190, \$75,000.00 from Fund 412-45200, \$21,340.00 from Fund 601-49430 and \$9,480.00 from Fund 602-49450; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same. All Ayes, Motion, Carried 5-0.

C. New Business and Reports

a. Designation of Legal Newspaper for 2020

Clerk Tingley reported that she obtained circulation numbers and prices for possible City newspapers and suggests "Life," based on consistency, location of notices, more flexibility for publication submission deadlines and it being free for residents to subscribe.

Motion by Councilmember Novitsky, seconded by Councilmember Buesgens, to designate "Life" as the City of Columbia Heights official legal newspaper for 2020. All Ayes, Motion Carried 5-0.

b. City Manager's Performance Evaluation Summary

Mayor Schmitt reported that the Council conducted the City Manager's performance evaluation and determined her performance has been excellent.

10. CITY COUNCIL AND ADMINISTRATIVE REPORTS

Councilmember Novitsky reported he had spent the holidays with family, attended a few Lions events and thanked the City Manager for her great work.

Councilmember Williams thanked the City auditor and attorney for their work.

Councilmember Buesgens attended the HeightsNEXT Theater's "White Christmas movie, the Employee Recognition Dinner, officer Dale's retirement party, the Christmas train, helped with the Pet Bed Workshop where 80 beds were made and donated, the Lions Holiday Raffle, City resident Mrs. Klein's funeral (who was 112), Library Board Meeting and the Lions Murder Mystery.

Manager Bourgeois congratulated Fire Captain Tony Cuzzupe the "Employee of the Year." The Fire Department is having a recruitment open house on Wednesday, January 15, 6:00-8:00 pm.

11. COMMUNITY FORUM

None

12. ADJOURNMENT

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

Meeting adjourned at 7:45 pm.

Respectfully Submitted,



Nicole Tingley, City Clerk/Council Secretary