

**OFFICIAL PROCEEDINGS  
CITY OF COLUMBIA HEIGHTS  
CITY COUNCIL MEETING  
JANUARY 27, 2020**

The following are the minutes for the regular meeting of the City Council held at 7 pm on Monday, January 27, 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 Williams, Councilmember Murzyn, Jr., Councilmember Buesgens, and Councilmember Novitsky

Also Present: Kevin Hansen, Acting City Manager/Public Works Director; Jim Hoeft, City Attorney; Lenny Austin, Police Chief; Pastor Nathan Kirk; Becky Romanik, Records Tech; Lorien Mueller; Dewayne Morrell; Louis Leavy; Kt Jacobs; Nicole Tingley, City Clerk

**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**

Mayor Schmitt announced the following addition to the agenda:

6B. School Board Update

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

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

**A. Columbia Heights Police Department Blood Drive Announcement: Becky Romanik, Records Tech**

Records Tech Romanik announced the Columbia Heights Police Department will hold a Blood Drive on February 26, 2020 from 10:00 am to 4:00 pm in the Public Safety Building Training Room. She noted that there is no top age limit for donation and noted that children 16 and above can donate with a parent present.

**B. School Board Update**

Lorien Mueller, liaison between the School Board and the City Council, stated that Columbia Heights High School will present their One Act plays this coming weekend at Highland Elementary. She stated that parent/teacher conferences will begin on February 10, 2020. She noted that there will not be school on February 17, 2020 in observance of President's Day. Columbia Academy will hold their academic honors night on February 20,

2020 and their musical Dear Edwina, will be presented on February 21 and 22. She explained that the high school band concert will be held on February 27, 2020. She noted that the band room at the high school is open and thanked those that contributed to that effort.

## **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 noted that item E will be pulled for discussion at the request of Councilmember Buesgens.*

### **A. Approve Minutes of the City Council**

MOTION: Move to approve the minutes of the City Council Meeting of January 13, 2020

### **B. Authorization to Seek Bids for 2020 Sanitary Sewer Pipe Lining Project**

MOTION: Move to authorize staff to seek bids for the 2020 Sanitary Sewer Pipe Lining Project to continue lining pipe in Districts 1, 2 and 3.

### **C. Authorization to Purchase Ford F350 4x4 Regular Cab w/ Snow-Ex Plow, Tommy Gate and Backup Camera**

MOTION: Move to authorize the purchase of one (1) new 2020 Ford F-350 Super Duty truck off the State of Minnesota Purchasing Contract from Midway Ford of Roseville, MN in the amount of \$42,145; Snow-Ex plow from Reiners in the amount of \$8,480; and a lift gate, plow installation and backup camera by Aspen Equipment in the amount of \$4,672 for a total price of \$55,297. Funding shall be provided equally from Public Works Sewer and Water Equipment funds 432-49449-5150 and 433-49449-5150.

### **D. Adopt Resolution 2020-11 Requesting MSAS Construction Funds for Other Local Transportation Uses**

MOTION: Move to waive the reading of Resolution 2020-11, there being ample copies available to the public. MOTION: Move to adopt Resolution 2020-11 requesting Municipal State Aid System construction funds for other local transportation uses.

### **E. Adopt Resolution 2020-12 Approving Plans and Specifications and Ordering Advertisement for Bids for Library Parking Lot Construction, City Project 2006 \* Removed for Discussion**

### **F. Adopt Resolution 2020-13 Approving Plans and Specifications and Ordering Advertisement for Bids for Zone 4A Street Rehabilitation, City Project 1802**

MOTION: Motion to waive the reading of Resolution No. 2020-13, there being ample copies available to the public. MOTION: Motion to adopt Resolution 2020-13 approving Plans and Specifications and ordering Advertisement for Bids for Zone 4A Street Rehabilitation, City Project 1802.

**G. Adopt Resolution 2020-14 Approving Plans and Specifications and Ordering Advertisement for Bids for Silver Lake Lift Station Replacement, City Project 2008**

MOTION: Motion to waive the reading of Resolution No. 2020-14, there being ample copies available to the public. MOTION: Motion to adopt Resolution 2020-14 approving Plans and Specifications and ordering Advertisement for Bids for Silver Lake Lift Station Replacement, City Project 2008.

**H. Adopt Resolution 2020-15 Approving Plans and Specifications and Ordering Advertisement for Bids for Silver Lake Lift Boat Landing, City Project 1912**

MOTION: Motion to waive the reading of Resolution No. 2020-15, there being ample copies available to the public. MOTION: Motion to adopt Resolution 2020-15 approving Plans and Specifications and ordering Advertisement for Bids for Silver Lake Lift Boat Landing, City Project 1912.

**I. Adopt Resolution 2020-16 Approving Contract for the Preparing for Emerald Ash Borer in Community Forests Grant from the MN DNR**

MOTION: Move to waive the reading of Resolution No. 2020-16, there being ample copies available to the public. MOTION: Move to adopt Resolution 2020-16, approving the Contract Between the MN Department of Natural Resources and the City of Columbia Heights for the Preparing for Emerald Ash Borer in Community Forests Grant.

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

MOTION: Move to approve the items listed for rental housing license applications for January 27, 2020, in that they have met the requirements of the Property Maintenance Code.

**K. Approve Business License Applications**

MOTION: Move to approve the items as listed on the business license agenda for January 27, 2020 as presented.

**L. 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 \$1,211,971.96.

*Motion by Councilmember Buesgens, seconded by Councilmember Williams to approve the Consent Agenda items A through D and F through L as presented. All Ayes, Motion Carried.*

*The following item was removed for discussion:*

**E. Adopt Resolution 2020-12 Approving Plans and Specifications and Ordering Advertisement for Bids for Library Parking Lot Construction, City Project 2006**

MOTION: Move to waive the reading of Resolution 2020-12, there being ample copies available to the public. MOTION: Move to adopt Resolution No. 2020-12 approving Plans

and Specifications and ordering Advertisement for bids for Library Parking Lot Construction, City Project 2006.

Councilmember Buesgens asked for an explanation of why the Library was asking for the additional parking spaces behind the lot. Public Works Director Hansen explained that this item is just to approve the plans and specs in order to seek out bids. He stated that the desire is to pave this and add some curb and gutter to help with drainage and get as many parking spots as they can in the area. He stated that during certain events at the library, the existing parking lot runs out of spaces. He explained that it is not a daily event for the events and activities, they do run out of room. He stated that the additional lot will give them another 55 to 60 spaces. Councilmember Buesgens expressed concern about trucks using the sidewalk as a driving surface. Public Works Director Hansen stated that the intent is to get additional signage in the area to prevent this type of thing from happening. Councilmember Buesgens stated that she is very excited about the additional parking spots.

*Motion by Councilmember Buesgens, seconded by Councilmember Williams to waive the reading of Resolution No. 2020-12, there being ample copies available. All Ayes, Motion carried.*

*Motion by Councilmember Buesgens, seconded by Councilmember Williams to adopt Resolution No. 2020-12, approving Plans and Specifications and ordering Advertisement for Bids for Library Parking Lot Construction, City Project 2006.*

## **8. PUBLIC HEARINGS**

### **A. First Reading of Ordinance 1659, an Ordinance Concerning Access to Multi-Unit Housing Structures by United States Census Bureau Employees**

Kt Jacobs, Complete Count Committee Chair, provided background information regarding Ordinance 1659 and the importance of getting an accurate count for the community with the 2020 Census. She explained that the Columbia Heights Complete Count Committee is asking the City Council to consider adopting this ordinance specifically authorizing employees of the US Census Bureau to access multi-unit housing complexes, common areas only, and leave census materials within the building.

Councilmember Buesgens asked whether the Census workers could knock on doors or just leave information in the common areas.

Kt Jacobs stated her understanding that they can knock on doors and in the event there is no answer, can leave information in the common areas. She noted that they cannot just arbitrarily show up but will need to make arrangements with the building managers.

Mayor Schmitt opened the public hearing.

There was no public comment.

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn to close the*

*public hearing and to waive the reading of Ordinance 1659, there being ample copies available to the public. All Ayes, Motion Carried.*

*Motion by Councilmember Buesgens, seconded by Councilmember Murzyn to set the second reading of Ordinance 1659, being an Ordinance Amending Chapter 8 of the Columbia Heights City Code Concerning Access to Multi-Unit Housing Structures by United States Census Bureau Employees, for February 10, 2020, at approximately 7:00 pm in the City Council Chambers. All Ayes, Motion Carried.*

## **9. ITEMS FOR CONSIDERATION**

### **A. Other Ordinances and Resolutions**

#### **a. Second Reading of Ordinance 1658, an Ordinance Modifying the Animal Ordinance**

Chief Austin provided background information regarding Ordinance 1658, which was granted first reading at the City Council's January 13, 2020 meeting. He explained that toward the end of 2019, members of the police department, community development, and finance met to discuss the City's current animal ordinance and practices for managing domestic animals. This meeting had been prompted over a question regarding the number of allowed animals that is raised from time to time. During the last update of this ordinance, the limit on the number of dogs and cats was removed. The current practice of licensing domestic animals and the costs and benefits of the practice were also analyzed. It was noted the cost charged for a license was very low and staff felt efforts to increase it would likely be met with less compliance. Rather, staff focused on the objectives the license is meant to accomplish.

Chief Austin stated staff is recommending the ordinance be changed to remove the licensing requirement by requiring the objectives of the license, which are vaccination and display of owner information on the collar, directly in the City code. Staff is also recommending a limit on the number of dogs to 3, cats to 3, as well as the number of combined animals to 5 in a residence. Finally, the police department recommends to adopt the provisions of the Minnesota State Statutes as it relates to the handling of dangerous dogs, and to impose requirements for potentially dangerous dogs as well. Chief Austin stated the recommended action is to waive the reading of Ordinance 1658 and the summary of Ordinance 1658.

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky to waive the reading of Ordinance 1658, and the summary of Ordinance 1658, there being ample copies available to the public. All Ayes, Motion Carried.*

Dewayne Morrell, asked if people would still need to register their dog with the City.

Mayor Schmitt explained that people would not need to register their animal with the City and would just need to have ID and vaccination information if their dog was picked up.

*Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to adopt Ordinance 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 and direct staff to send a summary of the ordinance, as presented, for publication in the legal newspaper. All Ayes, Motion Carried.*

**B. Bid Considerations**

None

**C. New Business and Reports**

None

**10. ADMINISTRATIVE REPORTS**

Councilmember Novitsky attended the public meeting for the City Hall held at the library where parking was the big concern.

Councilmember Williams thanked the police department for all the work they do in the community especially related to the drug issues that are around. He expressed his sorrow to the family of Kobe Bryant on his death and the death of his daughter.

Councilmember Buesgens attended the public meeting for City Hall. She stated that she also attended the School Board meeting, the 3989 Central building site review with the neighborhood, and the review of the City Hall layout. She stated that she attended the Fire and Ice Plunge but was not able to jump this year. She encouraged residents to sign up with the organic composting program.

Councilmember Murzyn, Jr. stated that the Polar Plunge went well and had a good turn out this year.

Mayor Schmitt attended the Fire and Ice Plunge and had a great time. She met with the State Auditor and staff on January 24, 2020 as part of the Main Street Listening Session.

Acting City Manager Hansen noted that the EDA will meet at 5:30 on February 3, 2020, the Public Improvement Hearing will be at 6:00 p.m. and the Council Work Session will be at 7:00 p.m. He stated that the City Services Expo will be February 8, 2020 from 11:00 am to 1:00 pm at the Library Community Room. He noted that Public Works has been busy filling pot holes as weather allows.

**11. COMMUNITY FORUM**

Dewayne Morrell asked about speeds on Reservoir Boulevard and expressed concern about how fast vehicles are driving. He stated that he thinks Reservoir Boulevard is used as a short cut for trucks from the Sioux Line. He expressed concern for the safety of residents in the area due to the high speed of vehicles and the use of the road by large trucks. He stated that the situation is getting worse and he feels there needs to be more hands-on regulation and a police presence in the area and not just speed feedback signs. He shared other speed deterrent ideas such as speed bumps or strategically placed stop signs.

Louis Leavy, stated that he is here in response to a letter he received regarding a rental dwelling revocation. He asked what the Council's plan would be going forward with this revocation of a dwelling in lieu of violations.

City Attorney Hoeft stated that the City follows a set procedure in this type of situation. He stated that he doesn't know which property Mr. Leavy is referencing or where it is in the process but suggested that he contact Deputy Chief O'Brien at the Fire Department because he would be able to tell him where they are in the process of the revocation.

Mayor Schmitt noted that there should be a contact number listed in the letter of someone who can help answer his questions.

**12. ADJOURNMENT**

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

Meeting adjourned at 7:50 pm

Respectfully Submitted,



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Nicole Tingley, City Clerk/Council Secretary