

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
DECEMBER 9, 2019**

The following are the minutes for the regular meeting of the City Council held at 7:00 pm on Monday, December 9, 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: Lenny Austin, Police Chief; Kelli Bourgeois, City Manager; Aaron Chirpich, Community Development Director; Jim Hoeft, City Attorney; KT Jacobs; Joe Kloiber, Finance Director; Dan O'Brien, Assistant Fire Chief; Tim Quinlan; Amada Marquez-Simula; Nicole Tingley, City Clerk; Nikki Wakal; Tia Wilke

2. INVOCATION

Invocation was provided by Nikki Wakal, Pagan Community.

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 announced updates to the evening's agenda: Item 6-A, "Announcement for HeightsNEXT and Columbia Heights Public Library Pet Bed Workshop," and Item 7-O, "Cancel December 23, 2019, Regular City Council Meeting.

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

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Announcement for HeightsNEXT and Columbia Heights Public Library Pet Bed Workshop

Amada Marquez-Simula of HeightsNEXT invited all to participate in the HeightsNEXT and Columbia Heights Public Library's third annual "Pet Bed Workshop," 12:00-3:00 pm on Saturday, December 14, at the Columbia Heights Public Library, 3919 Central Avenue NE. The workshop's purpose is to make pet beds to donate to local animal shelters. All materials are provided though volunteers may donate clean old blankets, sweaters and/or pillows.

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 Work Session of December 2, 2019.

MOTION: Move to approve the minutes of the City Council Meeting of November 25, 2019.

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the minutes of the Library Board meeting of November 6, 2019.

MOTION: Move to accept the minutes of the Planning Commission meeting of October 1, 2019.

MOTION: Move to accept the minutes of the Park and Recreation Commission meeting of September 25, 2019.

C. Adopt Resolution 2019-95 Updating Income Limit for Senior Utility Rates

MOTION: Move to waive the reading of Resolution 2019-95, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2019-95, being a Resolution updating the income limit for senior citizen utility rates.

D. Final Compensating Change Order and Payment for Miscellaneous Concrete, Project No. 1900

MOTION: Move to approve the final compensating change order and accept the work for 2019 Miscellaneous Concrete Repairs and Installations, City Project No. 1900, and authorize final payment of \$10,140.25 to Standard Sidewalk, Inc. of Blaine, Minnesota.

E. Extension of GIS Range Rider Contract

MOTION: Move to approve a one-year extension to the GIS Joint Powers Agreement in the amount of \$31,280.00 and authorize the Mayor and City Manager to enter into an agreement for the same.

F. Adopt Resolution 2019-99 Establishing Senior Citizens or Retired and Disabled Persons Hardship Special Assessment Deferral

MOTION: Move to waive the reading of Resolution No. 2019-99, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2019-99, being a Resolution establishing a new maximum income of \$37,600.00 for Senior or Retired and Disabled Persons to be eligible for special assessment deferral.

G. Adopt Resolution 2019-97, Amending the 2019 Police Department Budget for Range Rental Fees

MOTION: Move to waive the reading of Resolution No. 2019-97, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2019-97, being a Resolution amending the 2019 budget to use certain additional revenue.

H. Adopt Resolution 2019-98, Amending the 2019 Police Department Budget for Overtime

MOTION: Move to waive the reading of Resolution No. 2019-98, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2019-98, being a Resolution amending the 2019 budget to use certain additional revenue.

I. Authorize School Liaison Officer Contract with Columbia Heights School District

MOTION: Move to authorize the Mayor and Police Chief to enter into a Joint Powers Agreement with Columbia Heights Public Schools for the provision of a Police School Liaison Officer program as stipulated in the Joint Powers Agreement for the period of January 1 through December 31, 2020.

J. Award a Contract to Cyber Advisors, Inc. for a Cybersecurity Risk Assessment, Not to Exceed \$29,000.00 and Authorize Staff to Negotiate and Execute the Related Agreement

MOTION: Award a contract to Cyber Advisors, Inc. for a cybersecurity risk assessment, not to exceed \$29,000.00 and authorize staff to negotiate and execute the related agreement.

K. Adopt Resolution 2019-100, Amending the 2019 Fire Department Budget for Reimbursed Funds

MOTION: Move to waive the reading of Resolution No. 2019-100, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2019-100, being a Resolution amending the 2019 Fire Department Budget.

L. Consideration of Adoption of the City of Columbia Heights Fee Schedule for 2020

MOTION: Move to waive the reading of Resolution No. 2019-101, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2019-101, approving the City of Columbia Heights Fee Schedule for 2020.

M. Approve Business License Applications

MOTION: Move to approve the items as listed on the Business License Agenda for December 9, 2019, as presented.

N. 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 \$746,810.32.

O. Cancel December 23, 2019, Regular City Council Meeting

MOTION: Move to cancel the December 23, 2019, Regular City Council Meeting.

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

8. PUBLIC HEARINGS

A. Resolution 2019-96, Adopting a Budget for the Year 2020, Setting the City Levy, Approving the HRA Levy and Approving a Tax Rate Increase

Director Kloiber described the proposed 2020 budget before the Council as a culmination of discussions at three Council work sessions and its preliminary approval at the Council meeting in September, which was then submitted to Anoka County for their use concerning property taxes. One additional budget change is the elimination from the cable television fund of \$20,000.00 proposed item for a resident telephone survey; rather, staff will obtain other options for obtaining community input. Changes in the annual budget and tax levy from 2019 are thoroughly described in the City Manager's budget message, which is available on the City website and include a proposed increase of 7% in taxable operating expenses (first half of which are cost-of-living increases, inflation of existing agreements and projected inflation for utilities, supplies and fuel -- and the second half is the proposed increase in service level, which includes an increase of one police officer, one police records technician and two firefighters, who will also assist with daytime rental inspections). The result is an average of 8-1/2% to 9% increase in property taxes. He also reported that residents may inquire as to whether they qualify for a Minnesota Property Tax Refund on that website.

Councilmember Novitsky stated that, after the City's careful review, the proposed services increase is justified in better serving community needs, responding to the population increase.

Mayor Schmitt relayed concern about what would occur should the internet service break down between now and two years beyond when the new City Hall opens and from where those funds would come. Director Kloiber said it would be pulled from reserve funds, adding that the City does not try to pad for every contingency but has a very healthy amount of reserve funds for unforeseen circumstances. He said the Council would have to authorize such an expenditure, noting that a super majority of 4 out of 5 votes would be required to amend a budget.

Mayor Schmitt opened the public hearing.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to waive the reading of Resolution 2019-96, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to close the public hearing and adopt Resolution 2019-96, being a Resolution adopting a budget for the year 2020, setting the city levy, approving the HRA levy and approving a tax rate increase. 4 Ayes (Councilmember Buesgens, Councilmember Murzyn, Jr., Councilmember Novitsky and Mayor Schmitt), 1 Nay (Councilmember Williams), Motion Carried 4-1.

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

Director Chirpich reported that the revocation resolution before the Council concerns the property at 3827 Central Avenue North, which in 2006 received a conditional use permit to allow for off-street parking within that district in conjunction with the business operations of the Jeff, Bobby and Steve's convenience store on the corner. Since that time, code deficiencies have been identified, such as the site being used for the storage of inoperable vehicles and spillover lighting to adjacent properties.

Mr. Chirpich has met with the property owner, and staff recommends not seeking revocation now because the inoperable vehicles have been removed and the owner will install a shield for the spillover lighting (with a possible two-week deadline to be determined by staff).

Councilmembers inquired as to whether deficiencies noted in the past, since 2006, had been met sufficiently; and Mr. Chirpich cited them and said they are for the moment though not totally resolved.

Mayor Schmitt opened the public hearing.

Tim Quinlan, 3830 Reservoir Boulevard, said he lives five houses north of Jeff, Bobby and Steve's and his property adjoins the lot in question. He said several boards had fallen from the adjoining wooden fence that belongs to the store owners and he screwed them back up because they had not done so. In addition, two high-intensity lights and three additional lights of theirs are extremely bright and shine into his home, which are very noticeable, especially in the winter when trees do not camouflage the lighting.

Attorney Hoeft offered two options for Council consideration: the first, to not take any action now and staff would have to add for a future public hearing, and, two, table the matter so that an additional public hearing would not be needed and then discuss in the future if needed.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to table Resolution 2019-102 to January 13, 2020. 3 Ayes (Councilmember Buesgens, Councilmember Murzyn, Jr. and Mayor Schmitt), 1 Nay (Councilmember Novitsky), 1 Abstain (Councilmember Williams), Motion Carried 3-2.

Councilmember Novitsky asked staff to verify, in advance of the January 13 Council meeting, that all previous conditions concerning the property are in compliance.

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

None

B. Bid Considerations

None

C. New Business and Reports

a. Approval of Tow Contract Recommendation

Chief Austin reported that five vendors responded to the Police Department's Request for Proposals for a tow contract and, after department review of three vendors including site visits, it is their recommendation to contract with Schmit Towing for a two-year period.

Councilmember Buesgens said she was impressed with Schmit Towing's technology ability to track cars for people to get in and said it is a good bid, and Councilmember Murzyn commended the Police Department for their search for the best vendor.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to authorize the Mayor and City Manager to enter into a contract with Schmit Towing, Inc. for towing, impounding and storage of motor vehicles as specified in the City's Request. The term of this contract is to be January 1, 2020, to December 31, 2022. 3 Ayes (Councilmember Buesgens, Councilmember Murzyn, Jr. and Mayor Schmitt), 2 Abstain (Councilmembers Novitsky and Williams), Motion Carried 3-2.

10. CITY COUNCIL AND ADMINISTRATIVE REPORTS

Councilmember Novitsky announced the "Waffle Breakfast with Santa" 9:00 am to noon on Sunday, December 15, at Murzyn Hall. All proceeds will benefit the "Shop with a Cop" program.

Councilmember Murzyn congratulated Dan O'Brien for becoming Assistant Fire Chief and Dale Sorenson on his retirement after 20 years of service in the Police Department.

Councilmember Williams announced the Christmas celebration for residents at Heights Manor on Friday, December 13, with live music and dinner.

Councilmember Buesgens reported that during her attendance at the National League of Cities Conference in San Antonio, Texas, she was able to ride an AV shuttle and also attended a roundtable regarding AV vehicles; she said, beyond digital mapping, cities have limited ability to prepare. She was surprised to learn at the conference that nationwide 43-52% are renters and 70% of rentals are single-family homes. As liaison, she attended the Library Board meeting on Wednesday, and the board has finished its strategy planning and is finalizing the vision and mission statement; and also attended the school board meeting and helped in preparation for the upcoming the HeightsNEXT's "Pet Bed Workshop."

Mayor Schmitt reminded everyone that the Canadian Pacific Holiday Train will arrive on Wednesday, December 11, at 8:00 pm at Lions Park, 37th Avenue NE and Stinson Boulevard. She expressed appreciation to the City's Fire and Police Departments in preparation for safety at the event. She will be unable to attend, though, as she will be among 100 national mayors invited to the White House on Thursday, December 12, for discussions.

Manager Bourgeois said she was very happy to report that four new paid on-call firefighters had been added to staff.

11. COMMUNITY FORUM

KT Jacobs, City resident, provided an update regarding the upcoming Census. A mass email blast has been distributed to nonprofits, the first mailing Census is expected in mid-March and door knocking will begin May 1. Task teams are moving forward with reach-outs.

She said any groups interested in obtaining Census information for the languages of English, Spanish, Simplified and Traditional Chinese, Vietnamese, Korean, Russian, Arabic, Tagalog, Polish, French, Haitian Creole, Portuguese and Japanese may contact the committee at CHCensus2020@gmail.com.

Tia Wilke, City resident, said that she is alarmed and appalled, as a handicapped resident, by the blocking of the sidewalk by vehicles parked in front of the former Fire Department garage. She does not feel safe because she must walk in the street or by the bay doors because of it and asked that the issue be addressed in the future.

Mayor Schmitt wished everyone a happy holiday season and said the Council will next convene on Monday, January 13, 2020.

12. ADJOURNMENT

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

Meeting adjourned at 8:10 pm.

Respectfully Submitted,



Nicole Tingley, City Clerk/Council Secretary