

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
JANUARY 23, 2017**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday January 23, 2017 in the City Council Chambers, City Hall, 590 40th Avenue N.E., Columbia Heights, Minnesota

1. CALL TO ORDER

Mayor Schmitt called the meeting to order at 7:09 p.m.

2. ROLL CALL

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

Also Present: Kelli Bourgeois; Human Resource Director/Assistant to the City Manager, Jim Hoeft; City Attorney, Gary Gorman; Fire Chief, Renee Dougherty; Library Director and Katie Bruno; City Clerk/Council Secretary

3. INVOCATION

Invocation provided by Bill Hugo, St Matthew Church

4. PLEDGE OF ALLEGIANCE

5. ADDITIONS/DELETIONS TO MEETING AGENDA

(The Council, upon majority vote of its members, may make additions and deletions to the agenda. These may be items brought to the attention of the Council under the Citizen Forum or items submitted after the agenda preparation deadline.)

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

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 January 9, 2017

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the Charter Commission minutes from October 20, 2016.

C. Consideration of a Resolution Approving A Collective Bargaining Agreement Between the City of Columbia Heights and International Union of Operating Engineers, Local 49

MOTION: To waive the reading of Resolution 2017-12, there being ample copies available to the public.

D. Consideration of a Resolution Approving 2017-2018 Salary and Fringe Benefit Adjustments for Non-Union Supervisory and Confidential Employees

MOTION: To waive the reading of Resolution 2017-13, there being ample copies available to the public.

MOTION: To adopt Resolution 2017-13, approving cost of living salary adjustments and changes in fringe benefits for non-union supervisory and confidential employees.

E. Consideration of Appointments to fill vacancies on Advisory Commissions. **Removed for discussion.*

F. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for January 23, 2017.

G. Payment of Bills

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8, the City Council has received the list of claims paid covering check number 164363 through 164513 in the amount of \$ 841,237.07.

Mayor Schmitt requested Item E be removed for discussion.

Motion by Councilmember Williams seconded by Councilmember Murzyn, Jr. to approve the Consent Agenda items A,B,C,D, F and G. All Ayes, Motion Carried.

The following item was removed for discussion:

E. Consideration of Appointments to fill vacancies on Advisory Commissions.

Mayor Schmitt indicated there is currently one vacancy on the Planning & Zoning Commission and one vacancy on the Library Board. Council interviewed four applicants, just prior to the meeting. After much discussion, the following appointments were made:

Motion by Councilmember Williams seconded by Councilmember Murzyn, Jr. to appoint Mike Novitsky to the Planning & Zoning Commission. 3 Ayes, 1 Nay, Motion Carried. Ayes; Schmitt, Williams and Murzyn, Jr. Nay; Buesgens.

Motion by Councilmember Williams seconded by Councilmember Murzyn, Jr. to appoint Tricia Conway to the Library Board. All Ayes, Motion Carried.

8. PUBLIC HEARINGS

A. First Reading of Ordinance No. 1638, Brewery Ordinance

Mayor Schmitt indicated that there are outstanding questions related to the item, and it will be discussed further at the February 6th work session, and at the February 13th City Council meeting.

Motion by Councilmember Murzyn, Jr. seconded by Councilmember Williams to waive the reading of Ordinance No. 1638, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr. to table the item, and discuss at the February 6, 2017 work session. All Ayes, Motion Carried.

B. Consideration of declaration of a nuisance and abatement of violations within the City of Columbia Heights is requested regarding the properties at 4320 7th Street NE and 4329 Main Street NE for failure to meet the requirements of the Residential Maintenance Code.

Fire Chief Gary Gorman reported the property at 4320 7th St NE required replacement of overhead garage doors. The property at 4329 Main St NE required repair to a light fixture, an overhead garage door and a broken front window.

Kay Peabody-4333 Main St NE had questions about the abatement process, indicating the light fixture has been repaired. Chief Gorman explained the violations are found during inspections, and if the City is required to repair the items, the amount is charged back to the property owner. Gorman indicated they have received complaints from neighbors. Ms. Peabody reported the contractor hired to make the required repairs have not cleaned up their debris, and wondered if the homeowner will be held responsible for the clean-up. Gorman indicated the City will go out and assure all is cleaned up. Ms. Peabody also questioned where she could find the City Code. Councilmember Buesgens directed her to the City's website or the Community Development department.

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Buesgens to close the public hearing and to waive the reading of Resolution Numbers 2017-10 and 2017-11, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Williams to adopt Resolution Numbers 2017-10 and 2017-11, being resolutions of the City Council of the City of Columbia Heights declaring the properties listed a nuisance and approving the abatement of violations from the properties pursuant to City Code section 8.206. All Ayes, Motion Carried.

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

B. Bid Considerations

C. New Business and Reports

10. ADMINISTRATIVE REPORTS

Report from the Mayor and Council

Councilmember Buesgens reported she attended a sustainability/climate change forum at the library on January 7th. The Charter Commission meeting was attended in January; discussion regarding the council vacancy and appointment took place.

Councilmember Buesgens encouraged residents to check the local newspaper for upcoming events with the community group "Heights Next".

Councilmember Murzyn, Jr. reported the Columbia Heights Athletic Boosters will hold a fundraiser at Sarnas on January 27th. The Fire & Ice Polar Plunge is scheduled for Saturday, January 28th at 12:00 P.M., proceeds will go to SACA. The Lions will host the Sweetheart Dance on February 11th at Murzyn Hall.

Mayor Schmitt attended the MWMO Board meeting. The MWMO has a program working with youth in Minneapolis, called the Mississippi River Green Team. Schmitt is hoping it can be made available to Columbia Heights youth in the future.

Mayor Schmitt announced the Annual Sister Cities Young Artists Showcase will take place on February 21st at Murzyn Hall.

Mayor Schmitt met with a local farmers group, and they are looking for additional members. The Mayor's prayer breakfast is scheduled for Wednesday, May 11th at 7:00 A.M.

Report of the Assistant to the City Manager

Kelli Bourgeois, Human Resource Director/Assistant to the City Manager reported the City is launching a new website this week, and some features may be limited.

Report of the City Attorney

11. CITIZENS FORUM

Frost Simula-1700 49th Ave NE questioned where copies of resolutions can be found. Mayor Schmitt noted there is a copy available in the agenda packet at the meeting, as well as online.

12. ADJOURNMENT

Motion by Councilmember Williams, seconded by Councilmember Murzyn, Jr. to adjourn. All Ayes, Motion Carried.

Meeting adjourned at 7:55 p.m.



Respectively Submitted,
Katie Bruno, Council Secretary/City Clerk

RESOLUTION NO. 2017-10

Resolution of the City Council for the City of Columbia Heights declaring the property a nuisance and approving abatement of ordinance violations pursuant to Chapter 8, Article II, of City Code, of the property owned by Nyjibi Ojuway (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 4320 7th Street N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on December 20, 2016.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. That on November 16, 2016, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
2. That on December 16, 2016, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
3. That on January 6, 2017, inspectors re-inspected the property and found that violations remained uncorrected.
4. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Repair/replace overhead garage door.
5. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

1. That the property located at 4320 7th Street N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
2. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
3. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

RESOLUTION 2017-11

Resolution of the City Council for the City of Columbia Heights declaring the property a nuisance and approving abatement of ordinance violations pursuant to Chapter 8, Article II, of City Code, of the property owned by Bart Mady (Hereinafter "Owner of Record").

Whereas, the owner of record is the legal owner of the real property located at 4329 Main Street N.E., Columbia Heights, Minnesota.

And whereas, pursuant to Columbia Heights Code, Chapter 8, Article II, Section 8.206, written notice setting forth the causes and reasons for the proposed council action contained herein was sent via regular mail to the owner of record on January 5, 2017.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

6. That on December 6, 2016, an inspection was conducted on the property listed above. Inspectors found violations. A compliance order was sent via regular mail to the owner at the address.
7. That on January 5, 2017, inspectors re-inspected the property listed above. Inspectors noted that violations remained uncorrected. A compliance order and statement of cause was mailed via regular mail to the owner listed in the property records.
8. That on January 11, 2017, inspectors re-inspected the property and found that violations remained uncorrected.
9. That based upon said records of the Fire Department, the following conditions and violations of City Codes(s) were found to exist, to wit:
 - A. Shall repair/replace electrical light fixture on garage.
 - B. Shall scrape/paint any and all bare wood on house, garage, overhead garage door, etc.
 - C. Shall repair/replace broken front window.
10. That all parties, including the owner of record and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code Section 8.206(A) and 8.206(B).

CONCLUSIONS OF COUNCIL

4. That the property located at 4329 Main Street N.E. is in violation of the provisions of the Columbia Heights City Code as set forth in the Notice of Abatement.
5. That all relevant parties and parties in interest have been duly served notice of this hearing, and any other hearings relevant to the abatement of violations on the property listed above.
6. That all applicable rights and periods of appeal as relating to the owner of record, occupant, or tenant, as the case may be, have expired, or such rights have been exercised and completed.

ORDER OF COUNCIL

1. The property located at 4329 Main Street N.E. constitutes a nuisance pursuant to City Code.
2. That a copy of this order shall be served upon all relevant parties and parties in interest.

RESOLUTION 2017-12

A Resolution of the City Council for the City of Columbia Heights, Minnesota, approving a collective bargaining agreement between the City of Columbia Heights and International Union of Operating Engineers, Local 49

Whereas, negotiations have proceeded between International Union of Operating Engineers, Local 49, representing Public Works Maintenance Workers of the City, and members of the City's negotiation team; and

Whereas, said negotiations have resulted in a mutually acceptable collective bargaining agreement for calendar years 2017 and 2018; and

Whereas, changes to the current agreement are hereby attached as Exhibit A, and a copy of said collective bargaining agreement is available for inspection at the Office of the City Manager and is made a part hereof by reference.

Now Therefore, Be It Resolved that the collective bargaining agreement as negotiated, be and is hereby established as the salary and fringe benefit program for calendar years 2017 and 2018 for International Union of Operating Engineers, Local 49 bargaining unit employees of the City; and

Be It Further Resolved that the Mayor and City Manager are hereby authorized to execute this collective bargaining agreement.

RESOLUTION 2017-13

A Resolution of the City Council for the City of Columbia Heights, Minnesota, approving 2017 and 2018 cost of living and fringe benefit adjustments for non-union supervisory and confidential/essential employees

Whereas, the City of Columbia Heights adopted a Wage Compensation Program for Non-Unionized City Employees effective January 1, 1980 (Resolution 80-47), which indicated that on an annual basis changes will be adopted in Group Salary Ranges; and

Whereas, the City of Columbia Heights adopted a Comparable Worth Implementation Plan effective January 1, 1988 (Resolution 88-50), to assure comparable compensation for positions with comparable skills, effort, responsibilities, and working conditions, and proportional compensation for positions where such factors are different; and

Whereas, the City of Columbia Heights annually reviews the Employer's share for various insurance programs and other benefits for its non-unionized supervisory and confidential/essential employees to compare what is provided to other employee groups in the City.

Now Therefore Be It Resolved, that the City of Columbia Heights hereby establishes cost of living adjustments and fringe benefits adjustments to all non-union supervisory and confidential/essential salary ranges for calendar years 2017 and 2018 as shown in attached Exhibit A.

RESOLUTION 2017-13

NON-UNION SUPERVISORY AND CONFIDENTIAL/ESSENTIAL EMPLOYEES

EXHIBIT A

Wages:

- 2017: 2.25% cost of living adjustment over 2016 wages, effective January 1, 2017
- 2018: 2.5% cost of living adjustment over 2017 wages, effective January 1, 2018

Insurance:

The EMPLOYER will contribute up to a maximum of eight hundred sixty-five dollars (\$865) per month per (permanent and probationary full-time) employee for group health and group dental, including dependent coverage, life and long term disability insurance for calendar years 2017 and 2018. For calendar year 2017, for employees taking family health insurance through the EMPLOYER, the EMPLOYER will contribute an additional \$100 per month towards health insurance premiums, for a total EMPLOYER contribution of \$965 for employees taking family health insurance. For calendar year 2018, For employees taking family health insurance through the EMPLOYER, the EMPLOYER will contribute an additional \$200 per month towards health insurance premiums, for a total EMPLOYER contribution of \$1065 for employees taking family health insurance.

Thirty dollars (\$30) per month City contribution into a city designated health savings account for all employees enrolled in an IRS qualified high deductible health plan.

For 2018, The EMPLOYER will allow (permanent and probationary full time) employees who are covered by a group plan elsewhere to waive City health insurance coverage and receive \$200 per month to be paid into a deferred compensation plan.