

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
FEBRUARY 13, 2017**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday February 13, 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 7:05 p.m.

2. ROLL CALL

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

Also Present: Walt Fehst; City Manager, Jim Hoeft; City Attorney, Kevin Hansen; Public Works Director, Joe Hogeboom; Community Development Director, Keith Dahl; Economic Development Manager, Elizabeth Holmbeck; City Planner, Scott Nadeau; Police Chief and Katie Bruno; City Clerk/Council Secretary

3. INVOCATION

Invocation provided by Bob Lyndes, Crest View Senior Communities

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

City Manager Walt Fehst presented the Council each with an All-America City lapel pin, and an All-America City/City of Peace medallion. Fehst reported the items were purchased by the Columbia Heights Activity Fund. Pins and medallions will also be given to City Staff, ISD 13 Staff and Students that were part of the delegation that traveled to Denver in June, 2016.

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 23, 2017

MOTION: Move to approve the minutes of the City Council worksession of February 6, 2017

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the Park & Recreation Commission Minutes from November 16, 2016

MOTION: Move to accept the Traffic Commission Minutes from December 5, 2016

MOTION: Move to accept the unapproved Traffic Commission Minutes from February 6, 2016

MOTION: Move to accept the EDA Commission Minutes from January 3, 2017

MOTION: Move to accept the Planning & Zoning Commission Minutes from January 4, 2017

MOTION: Move to accept the Library Board Minutes from December 7, 2016

MOTION: Move to accept the Library Board Minutes January 18, 2017

C. 2017 Ford Pickup Capital Equipment Purchase

MOTION: Move to authorize the purchase of one new 2017 Ford F250 3/4-ton pickup truck off the State of Minnesota purchasing contract from Midway Ford of Roseville, MN in the amount of \$23,400 plus sales tax; and one power lift gate from Aspen Equipment of Bloomington, MN in the amount of \$2,563 plus sales tax. Funding shall come from the Street Capital Equipment fund 431-43121-5150.

D. Approving Plans and Specifications and Ordering Advertisement for Bids for 2017 Utility Improvements 40th Avenue

MOTION: Move to approve the plans and specifications and order Advertisement for Bids for the utility rehabilitation of storm sewer on 40th Avenue east of Central Avenue to LaBelle Pond.

E. Approving Plans and Specifications and Ordering Advertisement for Bids for 2017 Utility Improvements Main Street

MOTION: Move to waive the reading of Resolution 2017-17, there being ample copies available for the public.

MOTION: Move to adopt Resolution 2017-17 which accepts the Feasibility Report and approves the plans and specifications, and orders the Advertisement for Bids for the replacement of water main on Main Street between 40th and 42nd Avenues.

F. Approving Plans and Specifications and Ordering Advertisement for Bids for Circle Terrace Park Building

MOTION: Move to approve the plans and specifications and order Advertisement for Bids for the Circle Terrace Park Building, based on a recommendation from the Park and Recreation Commission.

G. Final Payment for Chatham Road Lift Station Rehabilitation

MOTION: Move to accept the work for Chatham Road Lift Station Rehabilitation, City Project No. 1414, and authorize final payment of \$9,868.61 to Meyer Contracting, Inc. of Maple Grove, Minnesota.

H. Final Payment for Library Bid Package 1

MOTION: Move to accept the work for Library CP-1, City Project No. 1410, and authorize final payment of \$29,444.38 to Veit & Company, Inc. of Rogers, Minnesota.

I. Final Payment for Water Tower Rehabilitation

MOTION: Move to accept the work for Water Tower Rehabilitation, City Project No. 1507, and authorize final payment of \$26,430.00 to Odland Protective Coatings, Inc. of Rockford, Minnesota.

J. Designate One Hour Parking on 40th Avenue Adjacent to 332 40th Avenue NE

MOTION: Move to designate "ONE HOUR PARKING, 7:00 AM TO 9:00 PM" on the south side of 40th Avenue adjacent to 332 40th Avenue NE.

K. Approve Amendment to Joint Powers Agreement (JPA) for North Metro Regional Street Maintenance Consortium

MOTION: Move to approve the Seventh Amendment to the Joint Powers Agreement for the North Metro Regional Street Maintenance Consortium, combining the 20-day comment period and the 30-day "opting out" period for all or a portion of the work with the 30-day period beginning shortly after the bids are opened.

L. Resolution 2017-16, approving a professional services agreement between the City of Columbia Heights and Hoisington Koegler Group Inc. for the Columbia Heights Comprehensive Plan Project. **Removed for discussion.*

M. Approve Transfer of PSB Range Rental Fees

MOTION: Move to transfer \$10,560 received in Public Safety Building Range rental fees be transferred to the Police Department budget line item 3105 for Training.

N. Approve Gambling Permits, 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 and a raffle at their event being held March 19, 2017 at 4030 Jackson Street NE, Columbia Heights; and furthermore, that the City of Columbia Heights hereby waives the remainder of the thirty-day notice to the local governing body.

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, pull tabs and a raffle at their Fun Fest event being held August 4-6, 2017 at 4030 Jackson Street NE, Columbia Heights; and furthermore, that the City of Columbia Heights hereby waives the remainder of the thirty-day notice to the local governing body.

O. Authorization to Purchase Police Vehicles

MOTION: Move to authorize the purchase of two 2017 Ford Police Interceptor Utility vehicles and one 2017 Ford Taurus unmarked vehicle under the State of Minnesota bid, with funding to come from 431.42100.5150, in the amount of \$77,89.90 and that the Mayor and City Manager are authorized to enter into a contract for same. These vehicles will be used as marked patrol cars and unmarked police vehicles.

MOTION: Move to authorize the Police Chief to expend up to \$53,215.00 to set up and outfit two marked patrol cars and an unmarked vehicle.

P. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for Feb. 13, 2017.

Q. 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 164514 through 164748 in the amount of \$2,419,010.66.

Councilmember Buesgens requested item L be removed for discussion.

Motion by Councilmember Williams, seconded by Councilmember Murzyn, Jr. to approve the Consent Agenda items A, B, C, D, E, F, G, H, I, J, K, M, N, O, P and Q. All Ayes, Motion Carried.

The following item was removed for discussion:

L. Resolution 2017-16, approving a professional services agreement between the City of Columbia Heights and Hoisington Koegler Group Inc. for the Columbia Heights Comprehensive Plan Project.

City Planner Elizabeth Holmbeck reported that the plan is updated every ten years. The last update was completed in 2008, and this update is due to be submitted to the Metropolitan Council by the end of 2018. In October 2016, the City Council authorized a budget for this project. The City received six proposals and interviewed the top three candidates. Hoisington Koegler Group Inc. is being recommended, the contract has been reviewed by City Staff and the City Attorney.

Mark Koegler indicated he is looking forward to working with the City Council and City Staff as the Project Manager for the comprehensive Plan Update.

Motion by Councilmember Williams, seconded by Councilmember Buesgens to waive the reading of Resolution 2017-16, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Williams, seconded by Councilmember Buesgens to adopt Resolution 2017-16, approving a professional services agreement between the City of Columbia Heights and Hoisington Koegler Group Inc. All Ayes, Motion Carried.

8. PUBLIC HEARINGS

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

Keith Dahl, Economic Development Manager reported the Council discussed various revisions to the ordinance at their February work session including; removing the 300' liquor licensure restriction for breweries to be located within 300 feet of a school or a religious institution, as well as whether or not to remove two development design standards related to a right-of-way landscape buffer and audible amplified sound.

Mayor Schmitt indicated there have been questions regarding the sale of liquor during wrestling events at Murzyn Hall. Dahl reported that because the wrestling events and the liquor operations are held in two separate locations within Murzyn Hall, there is not a compliance issue.

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

Motion by Councilmember Williams, seconded by Councilmember Buesgens to set the second reading of Ordinance No. 1638, being an ordinance relating to malt liquor for February 27, 2017 at approximately 7:00 P.M. in the City Council Chambers. All Ayes, Motion Carried.

B. Consideration of Resolution 2017-15, approving a Preliminary Plat for Venture Pass Partners, LLC.

City Planner Elizabeth Holmbeck reported that on behalf of Hy-Vee, Inc., Venture Pass Partners, LLC has applied for Preliminary Plat Approval for the vacant parcel located at 4707 Central Avenue NE. The site is currently one lot of record and the applicant is requesting to re-plat the property to create two separate lots. The plat would allow for two separate developments to occur on the property; a convenience store to be built on the south end in conjunction with the future Hy-Vee Grocery Store, and a future fast casual restaurant on the north end. The applicant went before the Planning and Zoning Commission on February 7th, 2017. At the meeting, the Preliminary Plat was unanimously recommended for approval.. Councilmember Murzyn, Jr. reported there was one question at the Planning & Zoning Commission meeting regarding the retaining wall.

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Buesgens to waive the reading of Resolution 2017-15, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Murzyn, Jr., seconded by Councilmember Buesgens to adopt Resolution 2017-15, approving a Preliminary Plat for Venture Pass Partners, LLC. All Ayes, Motion Carried.

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

B. Bid Considerations

C. New Business and Reports

10. ADMINISTRATIVE REPORTS

Councilmember Buesgens reported she attended the League of Minnesota Cities Conference for Newly Elected Officials as well as the Green Expo and the Bridgeview Chili Cook-off Fundraiser.

Mayor Schmitt reported the Columbia Heights team (led by Dan O'Brien) took First Place in the recent Bridgeview Chili Cook-off Fundraiser. Mayor Schmitt also attended the Regional Council of Mayor's event at Dorsey & Whitney. The Race Equity Initiative was discussed. The Urban League Institute has scholarship opportunities; information was shared with City Staff.

Councilmember Murzyn, Jr. reported the Fire and Ice Plunge was a success, all proceeds going to SACA.

Councilmember Williams reported he attended a Board Meeting at Heights Manor. Residents are concerned with the deterioration of residents. Williams indicated a new president is working to improve conditions.

Report of the City Manager

City Manager Walt Fehst reminded interested residents to submit their application for the open city council seat prior to the February 23rd deadline.

11. CITIZENS FORUM

Sal DiLeo-Northeast Minneapolis reported the City of Peace Scholarships will be presented to the four Columbia Heights High School recipients this spring.

Malcom Watson-1717 49th Ave NE reported on some history on Silver Lake Beach.

12. ADJOURNMENT

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

Meeting adjourned at 8:03 p.m.



Respectively Submitted,
Katie Bruno, Council Secretary/City Clerk

RESOLUTION NO. 2017-15

A resolution of the City Council for the City of Columbia Heights, Minnesota, approving a Preliminary Plat for Venture Pass Partners, LLC.

Whereas, a proposal (Case # 2017-0202) has been submitted by Venture Pass Partners, LLC on behalf of Hy-Vee, Inc. to the City Council requesting Preliminary Plat Approval from the City of Columbia Heights at the following site:

ADDRESS: 4707 Central Avenue NE, Columbia Heights, MN 55421.

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING: Preliminary Plat Approval per Code Section 9.104 (L).

Whereas, the Planning and Zoning Commission held a public hearing as required by the City Zoning Code on February 7, 2017;

Whereas, the City Council has considered the advice and recommendations of the Planning and Zoning Commission regarding the effect of the proposed Preliminary Plat upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

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

Section 9.104 (L) (6) of the Zoning Ordinance outlines conditions that must be met in order for the City to grant a Preliminary Plat. They are as follows:

- (a) The proposed Preliminary Plat conforms to the requirements of City Code Section 9.115.
- (b) The proposed Subdivision is consistent with the Comprehensive Plan.
- (c) The proposed Subdivision contains parcel and land subdivision layout that is consistent with good planning and site engineering design principles.

Further, be it resolved, that the attached plans, maps, and other information shall become part of this Preliminary Plat; and in granting approval the City and the applicant agree that the Plat shall become null and void if a Final Plat is not submitted to the City Council within one (1) calendar year after the approval date, subject to petition for renewal.

CONDITIONS

1. All required state and local codes, permits, licenses and inspections will be met and in full compliance.
2. The applicant shall be responsible for the cost of filing and recording written easements with the Anoka County Recorder's Office.
3. An approved Preliminary Plat shall be valid for a period of one year from the date of the City Council approval. In the event that a Final Plat is not submitted to the City Council within this time period, the Preliminary Plat will become void.

RESOLUTION NO. 2017-16

A resolution of the City Council for the City of Columbia Heights, Minnesota,

Whereas, the Metropolitan Council (Met Council) has been the regional policy-making body, planning agency, and provider of essential services for the seven-county Twin Cities region for nearly 50 years, and;

Whereas, a board appointed by the Governor guides the strategic growth of the metro area, adhering to the council's mission of fostering efficient growth for a prosperous region, and;

Whereas, in an effort to establish uniform regional governance of housing, transportation, and utility infrastructure, the Metropolitan Council requires each unit of local government within its jurisdiction to maintain a Comprehensive Plan, and;

Whereas, Comprehensive Plans must be updated and reapproved by the Metropolitan Council every ten years, with the next approval deadline being December 31, 2018, and;

Whereas, the City of Columbia Heights is required to adhere to regional Comprehensive Plan standards and requirements, and;

Whereas, the City of Columbia Heights has selected Hoisington Koegler Group Inc. to provide professional services related to the 2018 Comprehensive Plan update.

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 hereby approves the professional services agreement between the City of Columbia Heights and Hoisington Koepler group Inc. for the Columbia Heights Comprehensive Plan Project.

RESOLUTION NO. 2017-17

A resolution of the City Council for the City of Columbia Heights, Minnesota,

WHEREAS, the City Council has initiated a water main replacement on Main Street from 40th to 42nd Avenue, and

WHEREAS, a report has been prepared by the Director of Public Works with reference to the Main Street water main replacement, and

WHEREAS, the Main Street water main replacement includes the following main segments:

- Main Street from 40th Avenue to 42nd Avenue

WHEREAS, the report provides information regarding whether the proposed project is feasible, necessary and cost effective, and

Said report is hereby received by the City Council of Columbia Heights on February 13, 2017.

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

FINDINGS OF FACT

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF COLUMBIA HEIGHTS, MINNESOTA

1. The Council will consider the improvement of such water mains in accordance with the report and the assessment of water services to abutting or benefited property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$345,000.
2. Such improvement is necessary, cost-effective, and feasible.
3. Such improvement is hereby ordered as proposed in the Council Resolution adopted the 13th of February, 2017.
4. These improvements shall also be known as Project No. 1703.
5. The City Engineer, Kevin Hansen, is hereby designated as the engineer for this improvement.
6. The City Clerk shall prepare and cause to be inserted in the official paper and in a trade journal an advertisement for bids upon making of such improvement under such approved plans and specifications. The advertisement shall be published a minimum of three weeks prior to the bid opening, shall specify the work to be done, shall state that bids will be received by representatives of the City Council of Columbia Heights until 10:00 a.m. on Wednesday, March 22, 2017 at which time they will be publicly opened at the place designated, will then be tabulated and will be considered by the City Council on Monday, March 27, 2017 in the Council Chambers. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, bid bond, or certified check payable to the City of Columbia Heights for 5 percent of the amount of such bid.