



**CITY COUNCIL MEETING**  
**City Hall—Council Chambers, 590 40th Ave NE**  
**Monday, October 11, 2021**  
**7:00 PM**

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**MINUTES**

**Mayor**  
*Amáda Márquez Simula*  
**Councilmembers**  
*John Murzyn, Jr.*  
*Connie Buesgens*  
*Nick Novitsky*  
*Kt Jacobs*  
**City Manager**  
*Kelli Bourgeois*

The following are the minutes for the Meeting of the City Council held at 7:00 pm on Monday, October 11, 2021 in the City Council Chambers, City Hall, 590 40<sup>th</sup> Avenue NE, Columbia Heights, Minnesota. Due to the COVID-19 pandemic, this hybrid meeting was held both virtually and in-person.

**CALL TO ORDER/ROLL CALL**

Mayor Márquez Simula called the meeting to order at 7:00 pm.

Present: Mayor Márquez Simula; Councilmember Jacobs; Councilmember Murzyn, Jr.; Councilmember Novitsky

Absent: Councilmember Buesgens

Also Present: Lenny Austin, Police Chief; Kelli Bourgeois, City Manager; Aaron Chirpich, Community Development Director; Jim Hoeft, City Attorney; Sara Ion, City Clerk/Council Secretary; Rachel James; Syed and Samrina Naqvi (online); Will Rottler, Communications and Events Specialist.

**PLEDGE OF ALLEGIANCE**

**MISSION STATEMENT**

*Our mission is to provide the highest quality public services. Services will be provided in a fair, respectful and professional manner that effectively addresses changing citizen and community needs in a fiscally-responsible and customer-friendly manner.*

Mayor Márquez Simula mentioned that October 11, 2021 was both “Indigenous People’s Day,” a day to reflect, celebrate, honor and collaborate with Native American neighbors, and “National Coming Out Day,” an annual LGBTQIA-plus awareness day to support people “coming out of the closet.”

**APPROVAL OF AGENDA**

*Motion by Murzyn, Jr., seconded by Councilmember Novitsky, to approve the Agenda as presented. All Ayes, Motion Carried 4-0.*

## CONSENT AGENDA

*Motion by Councilmember Jacobs, seconded by Councilmember Murzyn, Jr., to approve the Consent Agenda as presented. All Ayes, Motion Carried 4-0.*

- 1. Approve the September 27, 2021 City Council Meeting Minutes**  
MOTION: Move to approve the City Council Meeting minutes of September 27, 2021.
- 2. Accept the June 23, 2021 Park & Recreation Commission Meeting Minutes**  
MOTION: Move to accept the Parks & Recreation Commission Meeting Minutes of June 23, 2021.
- 3. Approve the Expenditures for the Replacement of all Automatic External Defibrillators, (AED) in the Police Department and Fire Department**  
MOTION: Approve an expenditure of \$31,006.75 for the purchase of 25 new Defibrillators for the Police and Fire Department purchased from the AED Superstore. This funding will be a paid out of the 2021 Police department budget.
- 4. Authorize Captain Markham's Attendance at Northwestern School of Police Staff and Command**  
MOTION: Move to authorize the attendance of Captain Matt Markham at the Northwestern School of Police Staff and Command being held in River Falls from January 10 through March 18, 2022.
- 5. Approve the 2022 Contract with Medica for Employee Health Insurance**  
MOTION: Move to approve Medica as the City's health insurance provider for 2022 and authorize the City Manager to sign the contract.
- 6. Approve the Joint Powers Agreement with Anoka County for Election Expenses**  
MOTION: Move to approve the Joint Powers Agreement with Anoka County for Election Expenses.
- 7. Approve the Business License Agenda**  
MOTION: Move to approve the items as listed on the business license agenda for October 11, 2021 as presented.
- 8. Approve the Rental Occupancy Licenses**  
MOTION: Move to approve the items listed for rental housing license applications for October 11, 2021, in that they have met the requirements of the Property Maintenance Code.
- 9. Review of Bills**  
MOTION: Move that, in accordance with Minnesota Statute 412.271, subd. 8, the City Council has reviewed the enclosed list to claims paid by check and by electronic funds transfer in the amount of \$1,332,790.90.

Mayor Márquez Simula mentioned that she was pleased the AEDs would be replaced.

## PUBLIC HEARINGS

### 10. **First Reading of Ordinance No. 1671, an Ordinance Amending Chapter 3, Article 3 of the Columbia Heights City Code Relating to the Addition of a Youth Commission**

Manager Bourgeois said that Coordinator Sandell had done all the work related to the proposed Youth Commission initiative, which had been a long time in the making and part of Council discussions.

As further background, she reported the Mayor, City Manager and staff discussed the potential for a Youth Commission at the City. The idea was first presented to the Council at the March 1, 2021, Work Session to gauge interest. A select group of government agencies with youth commissions were contacted to get a better idea of how best to approach the project in the City of Columbia Heights, should the Council choose to move forward with the initiative. Coordinator Sandell presented a set of details at the Council's May Work Session comparing four municipalities' varied approaches to their youth commissions and then used direction from the Council and input from other municipalities to develop drafts of Youth Commission bylaws and other proposed language pertaining to the development of the City of Columbia Heights Youth Commission, and brought that language before the Council at the September 7, 2021 Work Session for additional input and with plans to draft final Ordinance language to be voted on at the October 11, 2021 City Council Meeting.

Staff developed draft Ordinance language to establish the creation of a Columbia Heights Youth Commission, which would consist of seven to 20 members and made up of youth from the City, with an age restriction of 12-18. The timeline for the Youth Commission would vary from the City's other boards and commissions because it would follow more of the school year. The goal for the Youth Commission would be to gather and accept youth input, which is currently not being heard very well in a formal format. There would be a Youth Commission liaison assigned to the City Council and would also share input to the other boards and commission.

The first reading of the Columbia Heights City Code Ordinance 1671 amending Chapter 3, Article 3 is scheduled for October 11, 2021 with a proposed second reading at the October 25, 2021 City Council meeting. If approved after the second reading, applications would then be posted for the Youth Commission.

Mayor Márquez Simula opened the public hearing.

Rachel James thanked all who worked on setting up the Youth Commission and said, as someone who works with youth, she is excited to see youth voices being heard and giving them the opportunity to get involved with government. She said she supports the Commission, is hopeful it will lead to youth being interested in serving and was glad to hear they would be providing input to the City's other boards and commissions.

*Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to close the public hearing and waive the reading of Ordinance No. 1671, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Novitsky, seconded by Councilmember Jacobs, to set the second reading of Ordinance No. 1671, being an Ordinance Amending Chapter 3, Article 3 of the Columbia Heights City Code Relating to the Addition of a Youth Commission, for October 25, 2021 at approximately 7:00 pm in the City Council Chambers. All Ayes, Motion Carried 4-0.*

**11. Consideration of Resolution No. 2021-81 for a Minor Subdivision to Split an Existing Lot Located at 4600 7th Street NE**

Director Chirpich reported that property owners Syed and Samrina Naqvi requested approval of a Minor Subdivision, per City Code §9.104(K), for their property located at 4600 7th Street NE. The subject site is zoned R-2A: One- and TwoFamily Residential and is surrounded by properties similarly zoned as R-2A and R-2B (Built as Duplexes). The existing parcel is approximately 21,800 square feet and has a single-family home constructed on site. The applicant intends to subdivide the property to create Parcel A (northern lot) and Parcel B (southern developed lot). Parcel A will be a vacant lot intended for the future construction of a single-family home. Parcel B will retain the existing single-family home with detached garage.

Staff review found that the proposed Minor Subdivision application met all requirements of the Zoning Ordinance and on October 5, 2021, the Planning Commission unanimously voted to recommend approval to the City Council on this matter. Staff recommends that the City Council approve the Minor Subdivision as presented, subject to one condition of approval.

Mayor Márquez Simula opened the public hearing.

No one asked to speak. Mayor Márquez Simula thanked owners Syed and Samrina Naqvi for being available online for potential Council questions.

*Motion by Councilmember Murzyn, Jr., seconded by Councilmember Novitsky, to close the public hearing and waive the reading of Resolution No. 2021-81, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Murzyn, Jr., seconded by Councilmember Jacobs, to approve Resolution No. 2021-81, a resolution of the City Council for the City of Columbia Heights, Minnesota, approving a Minor Subdivision for the property located at 4600 7<sup>th</sup> Street NE. All Ayes, Motion Carried 4-0.*

## ITEMS FOR CONSIDERATION

### Ordinances and Resolutions

**12. Second Reading of Ordinance No. 1670, an Ordinance Amending Chapter 5.3 of the Columbia Heights City Code to Revise Purpose and Intent, Definitions, License, Prohibited Sales, License Holder Responsibility, Compliance Checks and Inspections, and Violations and Penalties of Tobacco Regulations**

Director Chirpich reported that Ordinance No. 1670 had its first reading on September 27, 2021 and the ordinance proposes to amend Chapter 5.3 (Tobacco Regulations) of the City's Code.

The purpose of the Ordinance is having the interest of the Community's youth in mind, and there are two facets to the amendments. The first amendment would restrict or limit the sale of flavored tobacco products within the City to only licensed smoke shops and, secondly, the decriminalization of the purchase, use and possession of tobacco products by persons under the age of 21. Director Chirpich that is the nexus of the Ordinance, though there would be updates to definitions within the Code and cleaning up language, the purpose and intent, etc. to make the Tobacco chapter consistent in total with these two new primary amendment pieces.

Staff recommends approval of Ordinance No. 1670 on second consideration and that the Council direct staff to publish the summary Ordinance in the newspaper, which would mean that the Ordinance would then take effect 30 days from October 11, 2021 if approved by the Council.

Councilmember Jacobs said it is a difficult responsibility to maintain balance between supporting the City's local businesses and following the wishes of the residents, all while evaluating the hard data presented by both sides of an issue. She said she had done some independent studying on the subject and was astounded to find out that 34% of Minnesota high school smokers use menthol and 74% of adult African American smokers use menthol, compared to 25% of overall adult smokers in the State. Nonmenthol use by youth and young adults declined between 2004 and 2014 but the use of menthol cigarettes by this same group increased. Vaping erased 15 years of progress in lowering the use of tobacco by youth. She said the numbers are just astounding, not a safer alternative, and a comparison of grades 8, 9 and 11 between 2016 and 2019 showed tobacco use nearly doubled in percentage in those three years. Councilmember Jacobs acknowledged that she is an ex-smoker but the numbers cited are devastating. She has listened to companies that have come forward, locally have listened to residents and thinks policies such as the one before the Council at this evening's meeting are proven to reduce tobacco use by youth and African American adults, two of the most targeted tobacco industry market groups, and cannot with good conscience ignore the numbers she quoted.

*Motion by Councilmember Jacobs, seconded by Councilmember Novitsky, to waive the reading of Ordinance No. 1670, there being ample copies available to the public. All Ayes, Motion Carried 4-0.*

*Motion by Councilmember Jacobs, seconded by Councilmember Novitsky, to approve Ordinance No. 1670, being an Ordinance amending Chapter 5.3 of the Columbia Heights City Code to revise Purpose and Intent, Definitions, License, Prohibited Sales, License Holder Responsibility, Compliance Checks and Inspections, and Violations and Penalties of tobacco regulations, and direct staff to send a summary of the ordinance, as presented, for publication in the legal newspaper. All Ayes, Motion Carried 4-0.*

## **CITY COUNCIL AND ADMINISTRATIVE REPORTS**

### **Report of the City Council**

Councilmember Novitsky reported that Homecoming occurred last week and Friday high school students visited the City's elementary schools and Columbia Academy to share their school spirit.

On Friday as well there was a Booster Tailgating event followed by a 34-0 football win over Brooklyn Center. He said a lot of the Community participated in the events, and there is one more home football game next Wednesday against Fridley. Over the weekend the Lions held an "Adopt a Highway" event, which was a huge success – and 3,000 pounds filled the shredding truck, 35 garbage bags were filled between University Avenue and Keyes Park, which completely filled the roll-off dumpster and collected amount for SACA. Councilmember Novitsky thanked everyone who helped in making the City cleaner, and he added that Heights Bakery provided donuts to the 50 volunteers who participated.

Councilmember Murzyn, Jr. said he attended the shredding event and there was a fabulous turnout of residents. He also attended the Fire Department's open house, was a good turnout as well, and kids seemed to enjoy themselves.

Councilmember Jacobs attended a symposium on reckoning, equity and inclusion; attended a presentation by Avivo, which serves about 13,000 annually, addresses the needs of the homeless, maintains a tiny village of homes in the Metro area, provides education and mental health care and offering employment preparedness and advancement; attended open houses for Anoka County Sheriff's Department and the City's Fire Department; attended a Landlord Property Management forum; attended the Lions events; and facilitated seven resident reach-outs.

Mayor Márquez Simula met with Anoka County Park representatives to discuss possible updates with neighborhood involvement to Kordiak Park, the City's county park; attended the "2020 Citizen of the Year" honoree Pat Swada's Celebration of Life event at the Library, and she said it was a beautiful event and was so nice to see the family and come together as a community since she passed away during the beginning of the pandemic and people weren't able to celebrate together; attended an Affordable Housing meeting last Sunday in Brooklyn Park; spoke with students attending Heights Schools at home through Zoom about Spanish-Latino Heritage Month; attended the Minnesota Cities' Climate Caucus Zoom meeting; attended the BIPOC Elected Officials meeting about affordable housing, which was led by Richfield Mayor Maria Regan Gonzalez; met with the City's Police Chief and City managers; had tickets for the "Hops for Hunger" event last Friday but wasn't able to attend and hoped that had a great turnout; missed the City Fire Department's open house on Saturday because she was at Columbia Heights' third Pride Festival, which had 54 vendors, 600-800 attendees, food trucks and music and said it was a great day; and attended the Homecoming football game on Friday and saw the fantastic fireworks at the end, adding that she looked forward to Wednesday's game.

### **Report of the City Manager**

Manager Bourgeois said the new finance software is being implemented, which includes changes to online utility billing; there were a few hiccups relating to it occurring at the same time the City's new website went "live" and she offered apologies to any residents who were affected. The City is now a vendor with the Anoka County Community Action Program, where residents may seek utility and water billing assistance through ACCAP.org (click on Energy Assistance). The ramp behind Fairview and Jimmy's Billiards will be closed October 19-21, which will be deep cleaned in preparation for some other upcoming improvements.

She said she was excited to announce that the City became a recipient of a Department of Justice two-year grant for a social worker to be located within the Police Department, which she said is a wonderful program and the City was one of only 34 cities nationwide to receive such a grant. Manager Bourgeois said she is proud of the City's Police Department and that staff and Captains both have been very instrumental in getting it "up and going" as soon as possible. She asked all to please check the City's new website. "Truck or Treat" is scheduled for October 30 from 1:00-5:00 pm. The deadline to submit pet photos for the 2022 City calendar is November 1 and photos that include City sites or events will be given priority; photos may be submitted to [columbiaheightsmn.gov/photos](http://columbiaheightsmn.gov/photos).

Councilmember Jacobs said the City's new website looks fantastic. She added, however, that when she Googled the website, she could not find any listing for the City of Columbia Heights – it was job applications, utility billing, etc. but nothing that would allow her to go into the site directly. Manager Bourgeois said the City doesn't have a lot of control as to how the site shows up.

Mayor Márquez Simula asked if the ACCAP opportunity could be shared on social media, and Manager Bourgeois that a link would be added for information access.

#### **Report of the City Attorney**

Attorney Hoeft had no update.

#### **COMMUNITY FORUM**

Rachel James thanked the Lions for all the work on University, that it looks great, and invited anyone who is available to join some Scouts and church groups at Saturday's HeightsNEXT clean-up trash (that would otherwise go into storm drains and onto the Mississippi River) on Central Avenue – meeting at 9:00 am at the Library, where Heights Bakery will offer donuts, also sending little kids to parks so they don't have to be in the middle of traffic on Central Avenue.

Mayor Márquez Simula encouraged residents to adopt storm drains that are either near their homes or on their walks and sign up at "adoptastormdrain.com." The City is in a friendly competition with Fridley and currently is in the lead.

#### **ADJOURNMENT**

*Motion by Councilmember Jacobs, seconded by Councilmember Murzyn, Jr., to adjourn. All Ayes, Motion Carried 4-0.*

Meeting adjourned at 7:30 pm.

Respectfully Submitted,



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Sara Ion, City Clerk/Council Secretary