



CITY COUNCIL MEETING
City Hall—Council Chambers, 590 40th Ave NE
Monday, September 13, 2021
7:00 PM

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

MINUTES

The following are the minutes for the Meeting of the City Council held at 7:00 pm on Monday, September 13, 2021 in the City Council Chambers, City Hall, 590 40th 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 Buesgens; Councilmember Jacobs; Councilmember Murzyn, Jr.; Councilmember Novitsky

Also Present: Lenny Austin, Chief of Police; Kelli Bourgeois, City Manager; Aaron Chirpich, Community Development Director; Mohamed Farah, Police Officer; Ibrahim Farah, Police Officer; Minerva Hark, City Planner; Jim Hoefl, City Attorney; Sara Ion, City Clerk/Council Secretary; Rachel James, Resident; Matt Markham, Police Captain; Kathleen Moriarty, Director of Adult Basic Education Center; Dan O'Brien, Assistant Fire Chief; Representative Ilhan Omar; Will Rottler, Events and Communication Specialist; Tabitha Wood, Investigator.

PLEDGE OF ALLEGIANCE

MISSION STATEMENT

Omitted

APPROVAL OF AGENDA

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

PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Representative Ilhan Omar

Mayor Márquez Simula welcomed Representative Omar, who congratulated the City on its Centennial Celebration and presented the award and resolution that was submitted to the Congressional Record. Representative Omar said “co-governance is one of the core values of her office, shapes the work done every single day, and she fundamentally believes her success in Congress is contingent upon collaboration with community and government bodies through these conversations” and then shared an update on her work in Washington D.C.

- Last week she went on a Congressional delegation trip to Line Three with fellow Congress members, including Senator Mary Kunesh.
- Last month the House passed a budget resolution that advances the bipartisan infrastructure package, so now House committees have begun to write instructions for the budget reconciliation package. She said it will:
 - deliver more jobs;
 - cut taxes;
 - lower costs;
 - make the wealthiest few and big corporations pay their fair share;
 - create millions of jobs while tackling the climate crisis;
 - ensure that America will not only compete but lead the way on the clear energy future
 - clean technologies will create two billion jobs each year over the next decade while reducing carbon emissions by 50% by 2030;
 - “transformative” investments in women and families, including childcare, paid leave, home-based care and universal free pre-K and unlock the full economic potential of parents in the workplace; and
 - “historic” investments in workforce training to connect workers to jobs, R&D to strengthen American manufacturing and small business access to credit and investment.
- She said, “We have been able to make sure 40 million American families receive a tax cut through the Biden childcare tax credit while already cutting child poverty in half. The Build Back Better agenda doubles down on those investments and will result in one of the largest tax cuts for Americans overall.”
- Lastly, she said that she hoped to update the City in the next couple of weeks on the advancement of the cited legislation.

Mayor Márquez Simula thanked Representative Omar for attending the meeting, and Councilmember Buesgens thanked her for the work she does for the Community.

B. Constitution Week Proclamation

Mayor Márquez Simula read the proclamation designating the week of September 17-23 as “Constitution Week” in the City.

Chief Austin said it was fitting during Constitution Week to talk about the Police Department’s collaborative effort with the Adult Education Center in their most recent project entitled “Rights and Responsibilities of Communities and Police,” with the help of the National Constitution Center in Philadelphia, Pennsylvania. The charter of the National Constitution Center is to “disseminate information about the United States Constitution on a nonpartisan basis in order to increase awareness and understanding of the Constitution among the American people,” and their training and education, he said, certainly fulfilled this goal. He then thanked the Columbia Heights Public Library Foundation for their help, including attending members Sharon Shedlov, Terry Nightingale and Jane Polley.

He then introduced Kathleen Moriarty, Director of the Adult Basic Education Center Columbia Heights-Fridley, who described it as part of an eight-district consortium that is titled Metro North Adult Basic Ed that offers free programming for adults 17 and older (as long as they are not dual-enrolled in secondary ed) and the Center on Central Avenue primarily serves nonnative English speaking learners. The project cited previously consisted of three phases, the first this spring being seven online Constitution training sessions for five officers, three basic ed teachers and Ms. Moriarty. The second this summer consisted of three basic ed teachers drafting a 24-hour unit of instruction, incorporating all that was learned in the first phase to pass onto the participants who are part of the IEL Civics Federal Grant Program and will increase their knowledge of United States history, the Constitution, the knowledge of their rights and responsibilities as community members or police officers, their ability to engage in civil discourse and civil dialogue and learn to listen to different perspectives, and build a comparative understanding of the current role of police and their historical role in society. The third phase was a recent trip to Philadelphia, where training continued and participants were immersed in history.

Captain Markham said the project has been in process for a while but the pandemic slowed its progression quite a bit. Four officers and five teachers trained over five weeks by Constitution Center teachers, which he said was excellent but the Philadelphia trip “brought it home” for all attending participants, specifically the exhibits in the National Constitution Center. The last day of the trip included civil dialogue amongst the group, which will be discussed with students.

Mayor Márquez Simula said it has been an exciting journey and she is very proud of the Community and those thinking ahead in ways to engage learners.

C. National Suicide Prevention Awareness Month Proclamation

Councilmember Buesgens read the proclamation designating September 2021 to be “National Suicide Prevention Awareness Month” in the City.

D. Hispanic Heritage Month Proclamation

Mayor Márquez Simula read the proclamation designating September 15 to October 15, 2021 to be “Hispanic Heritage Month” in the City, which will be available to read in both Spanish and English on the City website.

CONSENT AGENDA

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to approve the Consent Agenda as presented. All Ayes, Motion Carried 5-0.

1. Approve August 23, 2021 City Council Meeting Minutes

MOTION: Move to approve the City Council Meeting minutes of August 23, 2021.

2. Approve September 7, 2021 City Council Work Session Minutes

MOTION: Move to approve the City Council Work Session minutes of September 7, 2021.

3. Accept August 4, 2021 Library Board Meeting Minutes

MOTION: Move to accept the Library Board Meeting minutes of August 4, 2021.

4. Consideration of Resolution No. 2021-71, Joint Agreement and Contract Between the City of Columbia Heights and the City of Hilltop for Rental Licensing Services

MOTION: Move to waive the reading of Resolution No. 2021-71, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2021-71, being a resolution entering into a Joint Agreement and Contract between the City of Columbia Heights and the City of Hilltop for Rental Licensing Services.

5. License Agenda

MOTION: Move to approve the items as listed on the Business License Agenda for September 13, 2021 as presented.

6. 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 \$1,763,828.71.

PUBLIC HEARINGS

7. Second Reading of Ordinance No. 1669, an Ordinance Amending Chapter 5.5 of the Columbia Heights City Code to Update Definitions and Application Requirements, Eliminate Limited Intoxicating Liquor Licenses, and Eliminate Minimum Building and Capacity Requirements in Restaurants for Liquor and Beer Licensing

Planner Hark reported that, in summary, Ordinance No. 1669 would:

- Eliminate the minimum dining floor area and minimum number of guests for restaurants to qualify for any on-sale alcohol licenses;
- Amend the requirement for hotels with on-sale intoxicating liquor licenses to meet minimum gross sales of 55% food in their dining areas;
- Amend the requirement for restaurants with on-sale liquor or wine licenses to meet minimum gross sales of 55% food, not to exceed 45% alcohol sales;
- Amend the requirement for bowling centers with on-sale liquor licenses to meet minimum gross sales of 55% food and bowling;
- Eliminate Limited Intoxicating Liquor Licenses, as they are no longer applicable;
- Provide a definition for Bowling Center;
- Amend definition of Bona Fide Club or Club;
- Amend definition of Hotel;
- Amend definition of Restaurant;
- Update application requirements for all alcohol licenses; and
- Incorporate gender neutral language.

Staff recommends approval of Ordinance No. 1669, on second consideration.

Mayor Márquez Simula opened the public hearing.

No one wished to speak. The Mayor then closed the public meeting.

Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to waive the reading of Ordinance No. 1669, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Novitsky, seconded by Councilmember Buesgens, to approve Ordinance No. 1669, being an Ordinance amending Chapter 5.5 of the Columbia Heights City Code to update definitions and application requirements, eliminate Limited Intoxicating Liquor Licenses, eliminate minimum building and capacity requirements in restaurants for liquor and beer licensing, and direct staff to send a summary of the ordinance as presented, for publication in the legal newspaper. All Ayes, Motion Carried 5-0.

ITEMS FOR CONSIDERATION

Ordinances and Resolutions

8. **Consideration of Resolution No. 2021-72, a Resolution of the City Council for the City of Columbia Heights Identifying the Need for Livable Communities Demonstration Account Funding and Authorizing Application for Grant Funds**

Planner Hark explained that Southern Anoka Community Assistance (SACA) and Reuter Walton Development have teamed up to apply for the Metropolitan Council's 2021 Livable Communities Demonstration Account (LCDA) grant funding program. The goals of the LCDA program are to maximize connections between housing, jobs, and regional amenities such as parks, trails, and cultural centers, to create more housing choices by introducing new housing types or preserving affordable housing, minimizing a project's impact on climate change through sustainable site design and building practice, and to contribute to an economically prosperous and equitable region by creating living wage jobs accessible to local workers.

Qualifying applicants include local government organizations that participate in the Local Housing Incentives Account Program and counties or development authorities (such as HRAs, EDAs, etc.) in the seven-county metro region. Since developers, individuals, or community organizations cannot apply directly to LCA programs, SACA and Reuter Walton are working directly with the City of Columbia Heights Community Development Department as their government partner in order to apply for this grant funding. Eligible costs include storm water management, public realm improvements, renewable energy systems, site acquisition and preparation, and rehabilitation of affordable housing. If approved for funding, project must begin within the 36-month grant period.

SACA and Reuter Walton have requested a combined total of \$1,232,000.00 in LCDA grant funding and hope to be awarded this amount to assist in the future development of affordable housing units and SACA's new food shelf on the vacant portion of 825 41st Avenue NE. Funding recommendations are set to be made in 2022.

In support of SACA and Reuter Walton pursuing grant funding for their collaborative projects in the City of Columbia Heights, City Staff recommends approval of Resolution No. 2021-72.

Motion by Councilmember Buesgens, seconded by Councilmember Novitsky, to waive the reading of Resolution No. 2021-72, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn, Jr., to approve Resolution No. 2021-72, a resolution of the City Council for the City of Columbia Heights identifying the need for Livable Communities Demonstration Account funding and authorizing application for grant funds. All Ayes, Motion Carried 5-0.

9. Restructure the Information Systems Department, Create an Information Technology Director Position and Amend the 2021 IS Budget to Fund the IT Director Position for the Remainder of 2021

Manager Bourgeois explained that earlier this year the City contracted with Sciens Consulting to assess the City's IS functions and to provide a strategic plan to guide information technologies moving into the coming years. Sciens has completed their analyses and provided the City with their final strategic plan report. At last week's work session Sciens presented an overview of their findings.

These findings included recommendations for significant organization structure and staffing changes to the existing Information Systems Department. These changes include:

- Creating an Information Technology Division under the direction of the City Manager and eliminating the Information Systems Department under the Finance Director's authority;
- Creating a new division-head position of Information Technology Director; and
- Change the existing Information Systems Director position to a Network Engineer position and the existing Assistant Information Systems Director position to a Systems Administrator position.

It is recommended that these staffing changes be made immediately in order to have the Division Head position in place before implementation of other hardware, software, and systems changes are made. Staff has prepared job descriptions for the new position and the two restructured positions and is prepared to post for the IT Director position immediately.

Councilmember Buesgens thanked Manager Bourgeois and said she is excited about the creation of an information Technology Department and getting its necessary support and looks forward to meeting the new Director.

Mayor Márquez Simula said she thinks Councilmember Buesgens spoke for their entire Council and said the changes seem to have been overdue.

Director Bourgeois commented that the current Information Systems staff are wonderful and have done so much with the resources given over the years and the changes are to help them get to the next level that residents and staff expect.

Motion by Councilmember Jacobs, seconded by Councilmember Novitsky, to waive the reading of Resolution No. 2021-73, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Jacobs, seconded by Councilmember Novitsky, to adopt Resolution No. 2021-73, a resolution authorizing the establishment of an Information Technology Division under the direction of the City Manager, creating an Information Technology Director position to be posted and filled immediately and amending the 2021 budget to appropriate \$28,125.00 to fund the Information Technology Director position. All Ayes, Motion Carried 5-0.

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Councilmember Novitsky said the week has been active with school starting and he congratulated the football team on their win; volleyball is doing well, and he volunteered as a line judge for the varsity team; thanked the police officers for keeping the heavy traffic moving on 49th; and attended the swearing-in ceremony of Officer Andrew Nightingale. He said the Library is doing well, able to fill programs to capacity, and the board had a constructive discussion about using media platforms more efficiently.

Councilmember Murzyn, Jr. attended his grandson's first soccer game; the VFW will conduct its flag retirement ceremony on Saturday, September 18, at 10:00 am; and the first Sunday Breakfast will be held on September 19 from 9:00 am to 1:00 pm.

Councilmember Buesgens attended via Zoom the Metro Council Housing and Economic meeting; said she loved the new storm drain mural at Silver Lake Park and challenged residents to sign up on the Public Works website to adopt a storm drain and keep an eye out for trash, which could then fall straight into the Mississippi River; attended the "Movie in the Park" that featured "The Goonies," which about 100 residents attended; attended a Somali picnic and soccer tournament and was able to hand out their trophies and medals to the individual young people; volunteered at the Blooming Sunshine Garden; attended the retirement part for firefighter Will Shutte; attended the swearing-in ceremony of new police officer Andrew Nightingale, who is the son of previous Officer Nightingale who retired a few years ago; attended on Saturday the first "Art in the Park" (50 artists) in Kordiak County Park, which she said was a super hit from a number of Metro cities and the food trucks ran out of food before the end of the event.

Councilmember Jacobs attended some presentations the past couple of weeks on "Cultural Competency Isn't Enough" (how cultural humility develops trust as the core of inclusivity), "Gestalt Approach to Global Diversity and Inclusion" (nationalities, ethnicities and culture being recognized as the sum of diversity and how we risk losing that focus when we over dissect the pieces) and "Building Electrification" (looking at ideologies, combining policy and technology and sustainability and trying to remove us from fossil fuel utilization and moving into full electrical supply in both public and residential buildings); attended the retirement ceremony for firefighter Will Shutte; attended the swearing-in ceremony for Officer Andrew Nightingale and said she supported the previous comments regarding that, which is the historically the first father-son officers in the City and is a monumental event. She gave a shout-out for Coordinator Sandell on the proposed Youth Commission in the Bylaws, "which is a very tedious and arduous undertaking and often feels thankless until one gets to the end (of it) and he has done a great job and is weathering that."

Councilmember Jacobs also thanked Mayor Márquez Simula for recognizing suicide awareness; as she has worked in a portion of the mental health field, it holds a very personal importance for her and said she was glad it was included in the evening's agenda.

Mayor Márquez Simula said she has had quite a few family funerals over the last three weeks so hasn't be able to attend most of City events; however, she did attend the school convocation and staff picnic at Kordiak County Park, which she said was a lot of fun; the Columbia Heights Business Council has resumed meeting in person, which meets quarterly at the Library, and the next meeting will be held on the first Friday in December; and attended "The Goonies" movie night and plans to attend this Friday's movie night.

Report of the City Manager

Manager Bourgeois said Assistant Chief O'Brien spoke with the resident who expressed a concern during the Open Forum at the Council's last meeting about Wendy's garbage issue. The Fire Department had been out to the site to do an enforcement inspection prior to the last Council meeting and continues to work with Wendy's new general manager, who has been given notice of compliance and a week to resolve the issue. There will be a follow-up inspection on Tuesday, September 21, and it is Manager Bourgeois' understanding that a contractor has been secured by Wendy's to do the work.

"Movie in the Park" will be held on Friday, September 17, at 7:30 pm and feature "Moana." The Recreation Department's "Fall Boogie Bash" roller-skating event will be held 6:00-8:30 pm on Tuesday, September 21, at Murzyn Hall parking lot. The Fire Department's open house will be held on Saturday, October 9, from 11:00 am to 2:00 pm. The "Trucker Treat" will be held on Saturday, October 30, 1:00-5:00 pm.

The monthly e-newsletter is available on the City website. 40th Avenue will be closed by Central Avenue to allow for the new building's sanitary sewer connection from at least September 20-24, and notices are being distributed to neighboring residents. Over 100 trees have been adopted by various groups and people, which was a huge success, and she thanked all of the organizations and people that adopted a tree.

Report of the City Attorney

Attorney Hoeft had no update.

COMMUNITY FORUM

Rachel James, City resident, offered kudos and thanked the Council and City staff for all of the 100th Celebration events, which she said were amazing, as well as the "Mayor's Monarch Festival" and HeightsNEXT's "Art in the Park." She said it seems like the City is going in a long way for a small city, is excited about that, is anxious to find out the Census results and wonders how the next 100 years will be, thinking about the connection to Anoka County and the development and growth of Minneapolis – seeing more arts sector from Northeast, more dense housing and how the City might meet the next challenges over those years.

Mayor Márquez Simula thanked Ms. James for her comments, said more information will be shared as Census updates become available, and also thanked Coordinator Sandell and City staff for all of their work on the 100th Centennial events.

Lastly, Mayor Márquez Simula said the “Heights Cultural Festival,” a free event, will be a view of Columbia Heights’ cultures over the last 100 years and held on Saturday, September 25, 2:00-5:00 pm at the High School gym.

ADJOURNMENT

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

Meeting adjourned at 7:48 pm.

Respectfully Submitted,



Sara Ion, City Clerk/Council Secretary