



**CITY COUNCIL MEETING**  
**City Hall—Council Chambers, 590 40th Ave NE**  
**Monday, April 25, 2022**  
**7:00 PM**

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

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**MINUTES**

The following are the minutes for the Meeting of the City Council held at 7:00 pm on Monday, April 25, 2022, 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 Buesgens; Councilmember Jacobs; Councilmember Murzyn, Jr., Councilmember Novitsky

Also Present: Lenny Austin, Chief of Police; Kelli Bourgeois, City Manager; Timothy Dougall, Police Officer; Kevin Hansen, Public Works Director; Jim Hoeft, City Attorney; Sara Ion, City Clerk/Council Secretary; Joe Kloiber, Finance Director; Sarah Lenz, Utility Clerk; Nora Mevissen, City Resident; Rachel James, City Resident; Jack Israelson, City Resident

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

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

**PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS**

**A. Police and Finance Department New Staff Introductions**

Chief Austin introduced Officer Dougall who was sworn in the week prior. He stated that Officer Dougall worked for the Minneapolis Air Reserve Station for the last four years, additionally, he previously served for the U.S. Army as an Infantryman.

Officer Dougall stated that he was happy to be there, he has fallen in love with the City in the time he has been there, and looks forward to serving the City the best that he can.

Director Kloiber introduced Utility Clerk Lenz; he stated this position is evolving with the move to the new City Hall location. He added that Lenz has prior public sector and cashiering experience.

Utility Clerk Lenz stated that she has worked the last decade in retail, she is glad to be making a step forward, and be part of a new community.

**B. Arbor Day Proclamation**

Mayor Márquez Simula proclaimed April 29, 2022, as “Arbor Day” and May 2022 as “Arbor Month” and read the City’s proclamation.

Director Hansen accepted the proclamation. He stated that having a fulltime Forester, one can now start to see the results of what would like to be done with the urban forestry in the City. He added that on the agenda that evening there is a grant receipt for managing urban forests. Director Hansen said that it is also important to educate the public about the benefits of trees and planting trees; the City Forester has been able to make trees available for a reduced cost to the community. He stated that to celebrate “Arbor Day” there will be a tree planting, where kindergarteners were invited to attend an educational tree planting on Friday at Ramsdell Park.

**C. Public Works Week Proclamation**

Mayor Márquez Simula proclaimed May 15-21, 2022, as “National Public Works Week” and read the City’s proclamation.

Director Hansen accepted the proclamation on behalf of the Public Works Department and thanked the Public Works Staff for their work. He stated that the Public Works Staff is dedicated but also they really seem to enjoy their job; “when you have those two things together, you have a good, productive department that takes their job seriously”.

Mayor Márquez Simula stated that both her and Councilmember Murzyn Jr. previously worked for the Public Works Department at the City.

**D. Earth Day Proclamation**

Mayor Márquez Simula proclaimed April 22, 2022, as “Earth Day” and read the City’s proclamation.

Nora Mevissen and Rachel James, City residents, accepted the proclamation. James stated that she works at First Lutheran with young people, and she constantly hears from families the question of, “what kind of earth are we going to leave for them?”. She said that last summer at Leadership Academy, they had 26 youth share their top issues, and they had an opportunity to share those with the Mayor. She added that many of the youth focused on the environment and climate; one of those students was Nora Mevissen.

Nora Mevissen stated that the environment to her means a lot because she spends time outside with her family, and they have bees in their backyard. She added it is a fun experience to watch nature thrive and grow but sadly that is also diminishing. She said she is thankful the Council is taking a stand about the issue.

**E. Fair Housing Month Proclamation**

Mayor Márquez Simula proclaimed April 2022 as “Fair Housing Month” and read the City’s proclamation.

Mayor Márquez Simula accepted the proclamation on behalf of the community.

**F. Lomianki Presentation**

Councilmember Jacobs stated that she spent two weeks in Prague and Warsaw, and her and her husband spent the day at Lomianki, Sister City. She said they received several gifts, including a bone china porcelain cup and saucer set, that she had displayed at the meeting and presented it to the City. Jacobs stated she hopes it can be displayed in the new City Hall with other items that have been received or exchanged. She added that they had a great time and were treated well. She said they spent time with refugees and Lomianki was the first community to set up a system to intake refugees; it was an emotional day, and 3,000 refugees are housed in local homes. She stated that the church is providing supplies and there are mental health services provided.

**CONSENT AGENDA**

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

- 1. Approve April 4, 2022 City Council Work Session Meeting Minutes**  
MOTION: Move to approve the City Council Work Session Meeting minutes of April 4, 2022.
- 2. Approve April 11, 2022 Local Board of Appeals and Equalization Meeting Minutes**  
MOTION: Move to approve April 11, 2022 Local Board of Appeals and Equalization Meeting Minutes.
- 3. Approve April 11, 2022 City Council Meeting Minutes**  
MOTION: Move to approve the City Council Meeting minutes of April 11, 2022.
- 4. Accept February 2, 2022 Library Board Minutes**  
MOTION: Move to accept the Library Board Minutes of February 2, 2022.
- 5. Accept March 2, 2022 Library Board Minutes**  
MOTION: Move to accept the Library Board Minutes of March 2, 2022.
- 6. Accept March 9, 2022 Youth Commission Minutes**  
MOTION: Move to accept the Youth Commission Minutes of March 9, 2022.
- 7. Second Reading of Ordinance No. 1673 Amending Chapter 8, Article 1 of the City Code**  
MOTION: Move to waive the reading of Ordinance No. 1673 there being ample copies available to the public.  
MOTION: Move to approve Ordinance 1673, an ordinance amending Chapter 8, Article 1 of the Columbia Heights City Code Relating to Animals, and direct staff to send a summary of the ordinance as presented, for publication in the legal newspaper.
- 8. Second Reading of Ordinance No. 1674 Amending Chapter 8, Article VII of the Columbia Heights City Code Relating to Surface Drainage Connections and Discharges**  
MOTION: Move to waive the reading of Ordinance No. 1674 there being ample copies

available to the public.

MOTION: Move to approve Ordinance 1674, an ordinance amending Chapter 8, Article VII of the Columbia Heights City Code Relating to Surface Drainage Connections and Discharges, and direct staff to send a summary of the ordinance as presented, for publication in the legal newspaper.

**9. Second Reading of Ordinance No. 1675 Amending Chapter 9, Article 1 of the City Code**

MOTION: Move to waive the reading of Ordinance No. 1675 there being ample copies available to the public.

MOTION: Move to approve Ordinance 1675, an ordinance amending Chapter 9, Article 1 of the Columbia Heights City Code Relating to Land Use, and direct staff to send a summary of the ordinance as presented, for publication in the legal newspaper.

**10. Second Reading of Ordinance No. 1676 Amending Chapter 4, Article II of the City Code**

MOTION: Move to waive the reading of Ordinance No. 1676 there being ample copies available to the public.

MOTION: Move to approve Ordinance 1676, an ordinance amending Chapter 4, Article II of the Columbia Heights City Code Relating to Tree and Weed Services, and direct staff to send a summary of the ordinance as presented, for publication in the legal newspaper.

**11. Second Reading of Ordinance No. 1677 Amending Chapter 4, Article III of the City Code**

MOTION: Move to waive the reading of Ordinance No. 1677 there being ample copies available to the public.

MOTION: Move to approve Ordinance 1677, an ordinance amending Chapter 4, Article III of the Columbia Heights City Code Relating to Water Service, and direct staff to send a summary of the ordinance as presented, for publication in the legal newspaper.

**12. Resolution 2022-52, Approving Contract for Protect Community Forests by Managing Ash for EAB Grant from the MN DNR**

MOTION: Move to waive the reading of Resolution 2022-52, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2022-52, approving the contract between the MN Department of Natural Resources and the City of Columbia Heights for the Protecting Community Forests by Managing Ash for EAB grant.

**13. Award of Professional Services for Construction Materials Testing for 2022 Street Rehabilitation Program**

MOTION: Move to approve the proposal for Construction Materials Testing for 2022 Street Rehabilitation Program with Independent Testing Technologies, based on project testing requirements for an estimated cost of \$17,005.00 appropriated from Funds 415-9999-43050-2202 (Street Rehabilitation - Zones 6 and 7) and 415-9999-43050-2206 (State Aid Street Rehabilitation – 47th Avenue).

**14. Award of Professional Services for Construction Surveying and Staking for 2022 Street Rehabilitation Project**

MOTION: Move to approve the proposal for Construction Surveying and Staking for 2022

Street Rehabilitation Project - Zones 6 and 7 with Bolton & Menk, Inc. for an estimated cost of \$24,610.00 appropriated from Fund 415-9999-43050-2202.

**15. Accept Proposal from Bolton & Menk for Construction Services for Central Avenue Sanitary Sewer Rehabilitation**

MOTION: Move to accept the proposal from Bolton & Menk in the amount of \$95,350 for construction services for the Central Avenue Sanitary Sewer Rehabilitation, City Project 2204.

**16. License Agenda**

MOTION: Move to approve the items as listed on the business license agenda for April 25, 2022 as presented.

**17. Rental Occupancy Licenses for Approval**

MOTION: Move to approve the items listed for rental housing license applications for April 25, 2022, in that they have met the requirements of the Property Maintenance Code.

**18. 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 \$949,130.51.

**ITEMS FOR CONSIDERATION**

**19. Clarification of Vote on Ordinance 1672**

Attorney Hoeft stated that during the April 11, 2022, City Council Meeting, Item 5: Ordinance No. 1672 was approved by the Council. There was a motion by Councilmember Jacobs, and seconded by Councilmember Novitsky, to approve Ordinance No. 1672, being an Ordinance Amending Chapter 10, Article 3 of the Columbia Heights City Code, Regulating Targeted Picketing, and directing staff to send the ordinance, as presented, for publication in the legal newspaper. The Ordinance was voted on, All Ayes, and the Motion carried 5-0.

The Clerk prepared the Ordinance for signature and the Mayor signed the Ordinance on April 12, 2022. The Mayor contacted the Clerk the following day to state that she voted Nay on the Ordinance and would like the approved Ordinance to reflect that. While reviewing the signed Ordinance a ministerial error was found related to who seconded the motion.

To correct the Ayes and Nays recorded for this approved Ordinance, a reconsideration of this vote will need to occur.

Attorney Hoeft stated that any Councilmember that voted Aye may make a motion to reconsider the Ordinance, if it is seconded then a vote would be taken. He stated that if the motion passes, then the Council would again vote on the Ordinance; he recommended a roll call vote be taken this time for that motion.

Councilmember Buesgens asked for further clarification on the motions.

*Motion by Mayor Márquez Simula, seconded by Councilmember Buesgens, to reconsider the vote on Ordinance 1672. 2 Ayes, 3 Nays, Motion Failed 2-3.*

## **Bid Considerations**

### **20. Accept and Award Contract for Central Avenue Sanitary Sewer Rehabilitation, City Project 2204**

Director Hansen reported that in 2021, Staff prioritized infrastructure under critical roadways for rehabilitation. The sanitary sewer system along Central Avenue was identified as being in need of repair because of poor condition, age and capacity from the District 2 & 3 sewer models completed in 2021. The redevelopment of properties along Central Avenue and the future Bus Rapid Transit line planned for Central Avenue were also primary factors in choosing to rehabilitate the sanitary sewer. The rehabilitation of the sanitary sewer system will ensure its continued operation under a future Central Avenue corridor.

On January 24, 2022, the Council authorized Staff to seek bids for the Central Avenue Sanitary Sewer Rehabilitation Project. The scope of work includes the following on Central Avenue from 37th to 45th Avenues and on Gould Avenue from Central Avenue to Peters Place: 20 manhole replacements, upsizing 8-inch pipe to 10 and 12-inch pipe, piping repair to disjointed segments, patching and street restoration, and upsizing 8-inch pipe to 10-inch pipe on Gould Avenue, and street restoration from Central Avenue to Peters Place.

The construction is scheduled for late spring to start, with completion in mid-September of 2022. The work will be completed prior to the new City Hall site completion and prior to leasing/move-ins for the new apartments at the same location. The bid cost of the sewer rehab project for 2022 is much larger than our annual sewer lining/rehab plan, but the addition of Federal money through the American Rescue Plan Act (ARPA) along with a combination of other funds will allow the City to complete the project. The Engineer's Estimate for the work was \$1,550,000.

Plans and specifications were advertised for bids in the LIFE newspaper on February 11, 2022, and on QuestCDN. Three bids were received and publicly read aloud at the April 5, 2022, bid opening.

The low bid was submitted by Meyer Contracting of Shakopee, Minnesota in the amount of \$2,112,296.69. The bid was higher than the Engineer's Estimate. Funding will be provided by ARPA Funds, Sewer Construction Fund and Sewer Operations Budget, Infrastructure Fund, and State GO Grant as follows: ARPA Funds \$1,300,000, Sewer Construction Fund \$400,000, Sewer Operations Budget \$112,300, Infrastructure Fund \$239,000, and State GO Grant (sanitary sewer) \$61,000.

Based upon the bids received, Meyer Contracting, Inc. is the low, qualified, responsible bidder. The project consulting engineer is recommending award of the bid to Meyer Contracting, Inc.

Councilmember Buesgens asked if there is video of the sanitary sewer from a historical perspective. Director Hansen said that they can get photos and may be able to get some video that will give a good representation.

*Motion by Councilmember Jacobs, seconded by Councilmember Murzyn Jr., to accept and award the contract for Central Avenue Sanitary Sewer Rehabilitation, City Project 2204, to Meyer Contracting Inc. of Maple Grove, MN based upon their low, qualified, responsible bid in the amount of \$2,112,296.69 with funds to be appropriated from Fund 652.9999.45185.2204; and to transfer \$1,300,000 of ARPA Grant Funds from the Sanitary Sewer Fund to project 651-9999-45185.2204; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same. All Ayes, Motion Carried 5-0.*

## **CITY COUNCIL AND ADMINISTRATIVE REPORTS**

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

Councilmember Jacobs stated that on her trip she met with the Mayor of Prague and the Mayor of Warsaw, and also the newly appointed Ambassador to Poland; they talked about differences and different types of government. She said that while in Lomacki she presented them with a substantial gift from the Lions Club for the refuge endeavors. She stated that the weather was great, they walked a lot, and if anyone is planning on staying in Warsaw to plan to walk significantly. She later thanked the Mayor for giving "Earth Day" the proper recognition and said it has come a long way from the first one, where they had to skip school, and were therefore suspended.

Councilmember Buesgens said she met with a group of residents regarding Central Avenue who are concerned about the number of accidents between 44<sup>th</sup> Avenue and 49<sup>th</sup> Avenue. She stated that the group has decided to start a campaign, "Central Avenue, Bring Back Our Main Street"; they have a petition and public meeting scheduled for June 2, 2022, at 6:30 pm and June 4, 2022, at 1:00 pm in the Library Community Room. She attended a webinar "Watershed Protection Presentation"; MWMO interviewed the top three candidates and selected the top candidate for the Executive Director position; attended the Metro Cities Annual Meeting via Zoom; she stopped in at the University and Central Avenue clean up last Saturday. She stated there is a noticeable difference after the clean up and thanked all the volunteers.

Councilmember Murzyn Jr. said he worked with the Lions Club for the paper shredding at the clean up day event; they took in 3,500 pounds of paper.

Councilmember Novitsky stated the clean-up day event was very successful, a dumpster was filled, University Avenue had about 35 bags of trash picked up, Keys Park had four; he thanked all the volunteers. He stated he also attended Officer Dougall's swearing in ceremony.

Mayor Márquez Simula stated she attended a Sister City meeting, where Ed Higgins, a community volunteer presented that he will be going to Poland and Ukraine to help the refugees by bringing medical supplies. She said the City's "Pride Planning Committee" did a photo and interview with Lavender Magazine last week at Sullivan Park; attended the Youth Commission meeting; attended the BiPOC Elected Officials Meeting where they heard from speakers regarding affordable housing; was interviewed for a Clean Transportation documentary by the University of Minnesota; attended a play at First Lutheran Church about the Last Supper; attended the HeightsNext Board Meeting; attended the Friends of Kordiak Park meeting, a new group of residents that want to work on the County park within the City. She stated she met with residents that have concerns on Central Avenue safety; attended the Traffic Commission meeting; attended a 30-hour training mediation course; attended the Latino Community meeting at Immaculate Conception Church; did her first police officer ride-along; had a Monarch Festival planning meeting that day; she thanked the Lions Club, HeightsNext, and the other organizations that worked the clean up event, as she was unable to attend this year.

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

Manager Bourgeois said that "Arbor Day" is that Friday, where a tree planting will take place with the kindergarten students. She stated that police will have a "National Drug Take-Back Day" which is partnered with "Coffee with a Cop" on April 30, 2022, from 10:00 am – 2:00 pm at the Public Safety Building. The police are also doing a pilot program for catalytic convertor theft prevention, where you can get a free marking kit if the vehicle is on the list of makes and models; they will be available at the mentioned events or residents can stop by during office hours Monday through Friday 8:00 am – 4:30 pm. She said that Fridley is hosting a hazardous waste drop off event at the Fridley Fire Department on April 30, 2022, from 9:00 am – 1:00 pm, where residents can drop off items. She stated that Outstanding Citizens Nominations are open, for youth and general population; applications are due May 3, 2022. She said the Council is invited to the Fire Department's awards event on May 11, 2022, at 6:00 pm at the Public Safety Building.

### **COMMUNITY FORUM**

Mayor Márquez Simula opened the community forum.

Jack Israelson, City resident, stated he wanted to address the recent spike in accidents on Central Avenue between 44<sup>th</sup> Avenue and 49<sup>th</sup> Avenue. He said there has been over five accidents in the last few months. He addressed Central Avenue as a whole, calling it a "stroad", a combination of a street and a road; they are dangerous, inefficient, expensive, and prioritize cars over people. He stated he has been learning about Google Urban Planning and has developed a bias towards walkability. He said that the downtown area where the new City hall and historical buildings are to be walkable, because of the fresh-new mixed development, but that Central Avenue currently feels dangerous. He said that even though the speed limit is 30 miles per hour, people constantly speed; where on the north part of Central Avenue it gets worst where they are less regulated intersections, entrances, and exits. He stated that he knows the City doesn't have control over the design but spoke to possible options and solutions and gave examples of other countries, stressing the importance of walkability and other modes of transportation.

Rachel James, City resident, stated she was there on behalf of HeightsNext to say thank you to the City and to the Lions Club for helping on the Central Avenue and parks clean up; there were 40 HeightsNext



volunteers, plus many other volunteers; 283 pounds of trash was collected. She mentioned that residents from outside of the City were asking about how to organize this type of event in their town.

**ADJOURNMENT**

*Motion by Jacobs, seconded by Councilmember Novitsky, to adjourn. All Ayes, Motion Carried 5-0.*

Meeting adjourned at 7:49 pm.

Respectfully Submitted,



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Sara Ion, City Clerk/Council Secretary