



CITY COUNCIL MEETING
City Hall—Council Chambers, 590 40th Ave NE
Monday, May 08, 2023
6:00 PM

Mayor
Amada Márquez Simula
Councilmembers
Connie Buesgens
Kt Jacobs
Rachel James
Justice Spriggs
Interim City Manager
Kevin Hansen

MINUTES

The following are the minutes for the Meeting of the City Council held at 6:00 pm on Monday, May 8, 2023, in the City Council Chambers, City Hall, 590 40th Avenue NE, Columbia Heights, Minnesota.

WELCOME/CALL TO ORDER/ROLL CALL

Mayor Márquez Simula called the meeting to order at 6:00 pm.

Present: Mayor Márquez Simula; Councilmember Buesgens; Councilmember Jacobs; Councilmember Spriggs; Councilmember James

Also Present: Lenny Austin, Chief of Police; Kevin Hansen, Interim City Manager; Jim Hoeft, City Attorney; Sara Ion, City Clerk; Steve Foreseth, City Resident; Earl McCoy, City Resident; Jennifer Pyper Muno, City Resident

MISSION STATEMENT

Columbia Heights is a vibrant, healthy and connected City. We are here to actively support the community, deliver equitable services, build and strengthen connections, improve upon our past, and uphold our successes. We strive to be better and ensure Columbia Heights is a great place for everyone, today and in the future.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

CONSENT AGENDA

Motion by Councilmember James, seconded by Councilmember Spriggs, to approve the Consent Agenda as presented. All Ayes, Motion Carried 5-0.

1. Accept February 7, 2023 Planning Commission Meeting Minutes

MOTION: Move to accept the Planning Commission meeting minutes of February 7, 2023.

2. Approve March 6, 2023 EDA Meeting Minutes.

MOTION: Move to approve the EDA meeting minutes of March 6, 2023.

3. Approve April 3, 2023 EDA Meeting Minutes.

MOTION: Move to approve the EDA meeting minutes of April 3, 2023.

- 4. Approve the April 12, 2023 City Council Corner Meeting Minutes.**
MOTION: Move to approve the April 12, 2023 City Council Corner meeting minutes.
- 5. Approve the April 24, 2023 City Council Meeting Minutes.**
MOTION: Move to approve the April 24, 2023 City Council meeting minutes.
- 6. Accept April 5, 2023 Library Board Minutes.**
MOTION: Move to Accept the Library Board minutes from April 5, 2023.
- 7. Presentation of Body Worn Camera Audit results to City Council.**
MOTION: Move to acknowledge the receipt of the Body Worn Camera audit report dated April 12, 2023. The audit was conducted on the Columbia Heights Police Department by Lynn Lembcke Consulting on March 3, 2023. A copy of those audit findings will become a part of the record of this meeting.
- 8. Amend Library Meeting Room Usage Policy.**
MOTION: Move to amend the Library Board Meeting Usage Policy.
- 9. Annual declaration that the City of Columbia Heights does NOT waive the monetary limits on the Municipal Tort Liability under Minnesota Statutes, Section 466.04.**
MOTION: Move to declare that the City of Columbia Heights does NOT waive the monetary limits on municipal tort liability under Minnesota Statutes, section 466.04.
- 10. License Agenda.**
MOTION: Move to approve the items as listed on the business license agenda for May 08, 2023 as presented.
- 11. Rental Occupancy Licenses for Approval.**
MOTION: Move to approve the items listed for rental housing license applications for May 8, 2023, in that they have met the requirements of the Property Maintenance Code.
- 12. 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 \$378,581.31.

PUBLIC HEARINGS

This is the public's opportunity to speak regarding this matter. Any comments made after the public hearing is closed will not be considered by the City Council and will not be included as part of the formal record for this matter.

- 13. Second Reading of Ordinance No. 1683, Amending Chapter 3, Article 3 of the City Code Pertaining to Boards and Commissions.**

Interim City Manager Kevin Hansen stated this was the second reading of the Ordinance and there was no new information for the Council to consider. The ordinance primary changes include:

- Updating language related to the period of time between service on the same board and commission to “one term”;
- Removal of the Traffic Commission;
- Addition of Sustainability Commission; and
- Updates to Youth Commission language to reduce the number of members from 20 to 13, and to include members who attend school in ISD 13.

Mayor Márquez Simula expressed her excitement regarding the addition of the Sustainability Commission and noted applications have already been requested on the website. She encouraged those who were interested in applying for the Sustainability Commission to submit their applications.

Councilmember James mentioned the Youth Commission is expanding membership to School District students and reducing the numbers in order to be more efficient. She thanked the Staff liaison Ben Sandell and Mayor Márquez Simula and explained the reason for the changes are to allow more people to be involved.

Mayor Márquez Simula noted City Clerk Sara Ion is also a Staff representative on the Youth Commission. She added the Youth Commission will have their last meeting on Wednesday and then have the summer off since they are students.

Mayor Márquez Simula opened the public hearing.

There were no public hearing comments.

Motion by Councilmember Jacobs, seconded by Councilmember Buesgens, to close the hearing and waive the reading of Ordinance No. 1683, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Spriggs, seconded by Councilmember Jacobs, to approve Ordinance No. 1683, an Ordinance amending Chapter 3, Article 3 of the City Code pertaining to Boards and Commissions, and direct staff to send the ordinance, as presented, for publication in the legal newspaper. All Ayes, Motion Carried 5-0.

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Councilmember Buesgens mentioned she gathered with the Blooming Sunshine Garden to begin planning what plants will go into the garden. The garden received a grant from MWMO to plant \$1,800 of pollinator plants. She encouraged residents to adopt a storm drain and noted she had 10 gallons of various items stuck in the storm drain she adopted. She noted with the rain coming, it is important to continue to check storm drains and clean them. She attended the Sensible Land Use Coalition with other Councilmembers and Community Development Directory Aaron Chirpich. She attended the Metro Climate Action Committee meeting, the Police Academy, Opera “Jesus Christ Superstar” at St. Matthews Lutheran Church, the High School play “Leaving Iowa”, and Arbor Day Celebration with other

Councilmembers. She thanked the Fire Department for saving the squirrel that got its head stuck in a drain hole in a dumpster. She also thanked everyone for their patience in the pothole repair and noted Public Works is going through 12 tons of asphalt a day and are working hard.

Councilmember James stated she attended the Police Academy where they broke down the SRO numbers in the schools. During the May 1, 2023 EDA meeting, Alatus, the developer working with the City provided a presentation where they mentioned there is a 60% rental occupancy rate at Ratio Apartments. Alatus will be the developer for the project between 43rd Avenue and 44th Avenue. They plan to tear down the existing building later this summer and will begin phase one which will include about 208 units, two big retail spaces, a fitness center, and begin to build out on Central Avenue. She attended the tree planting, visited with Metro Transit, and connected with the Buy Nothing free sale.

Councilmember Jacobs mentioned she attended the Police Academy with other Councilmembers, the Arbor Day tree planting, and the Sensible Land Use presentation. She noted it was Ben Sandell's last Council meeting. She wished him the best in all he does in his future and thanked him for his work.

Councilmember Spriggs noted he attended the Council Academy, and two Arbor Day celebrations. He added he had an arbor day tree delivered to his home and is excited to plant it. He attended a meeting with Mayor Márquez Simula, Chief Austin, Captain Markham, and the City Manager regarding school safety and the SRO's. He signed a letter of joint support regarding the Legend's rent increase concerns and was happy that the other Councilmembers signed on, as well as elected officials from Coon Rapids, Minnetonka, Falcon Heights, Spring Lake Park, and Blaine. He attended the EDA and Library Board meetings.

Mayor Márquez Simula noted Cheers for Beers would be on Friday and is a partnership between HeightsNext and Top Value Liquor. The event will be from 6-9 pm and you can purchase tickets at cheersforbeersmn.com for \$40 ahead of time or \$45 the day of the event. There are \$20 designated driver tickets available for purchase as well. She wished a Happy Mother's Day to mothers, mothers to be, and good friends helping other people. She noted what Mother's Day means to her: caregiving, parenting, friends, and guardians. She attended the Regional Council of Mayors meeting where they discussed the possibility of hosting the World Expo in Bloomington, Minnesota. She added they would reach out to Sister City, Lomianki, Poland, to see if they know people who are a part of the voting process. She mentioned she helped organize the Buy Nothing event on Saturday and volunteered for the Every Meal Program at Valley View School. She stated she did a pothole repair drive along and met all the City crew members. She mentioned a Staff potluck that was taco themed. She attended the Police Council Academy with the other Councilmembers where they discussed a partnership with the Council and SRO's in order to know them more. Last Wednesday was a Red Letter Day for the City where the first second gentleman, Doug Emhoff, went to Adama Restaurant to be a part of the Small Business Association. The food shelf, SACA, received a \$1 million check from Congresswoman Omar. She helped host a luncheon for Congresswoman Oman and the mayors who are in District 5. She met with Father James who is leaving Immaculate Conception Church in a few weeks. She went with the North Metro Carpenters Union on an investigation ride along. She added the information from the EDA meeting is a public document and you can find the information on the City's website under "agendas and meetings" in the government section. She attended the Columbia Heights High School play, the Arbor Day ceremony, an art event at Church of All Nations, the Anoka Fire Protection Council meeting,

the Regional Council Mayor Group equity meeting, the student council meeting at the High School, the Sensible Land Use meeting, the Joint Law Enforcement Council meeting, the Parks and Rec meeting as a liaison, and a meeting at the Library with the County and DNR services for the Friends of Kordiak Park Group. She thanked Ben Sandell for his work with the City.

Report of the City Manager

Interim City Manager Hansen stated the Public Works team is going to increase the amount of asphalt that is being used for filling in potholes in order to get as much done as they can and will allocate more resources and manpower to do so. He noted some projects coming up include sanitary sewer lining on Central Avenue beginning next Monday that will be done during the evening and night and should be completed in six to eight weeks. He added there will be construction on 37th Avenue with an informational meeting held at the Library on May 22, 2023 at 6 pm and the meeting will have an in person and virtual option. He stated notices have gone out to the adjacent property owners.

Interim City Manager Hansen stated registration for the Citywide garage sale is open and information can be found on the City's website. The deadline for registration is May 31, 2023. Pets at the Park will be hosted on June 3, 2023 at Keyes Park. Applications for the Sustainability Commission are open and will close on June 16, 2023. The Anoka County Job Training Center is doing a job fair for teens at the Library on May 9, 2023 from 3-6 pm. The bike "fix it" clinic will be at the Library on Saturday from 10-12 pm. On May 17, 2023 at 5:30 pm there will be a workshop at the Library for end of life planning. The Library will be closed for training on Thursday, May 18, 2023.

Councilmember Buesgens asked if the application for the Sustainability Commission could be linked on Facebook so it could be easily shared. Interim City Manager Hansen stated that could be done.

COMMUNITY FORUM

City Resident, Earl McCoy stated he is inquiring about the Highlanders Center and stated the gym has not been open to adults since Covid. He asked the Council if they could look into the Highlander Center and see if it could be reopened for adults to play basketball and volleyball. Mayor Márquez Simula mentioned she saw a post on Instagram from the School that mentioned some times that it is open.

City Resident, Steve Foreseth expressed how proud he is to be a citizen of Columbia Heights because of the Council. He noted his excitement for the addition of Councilmember Spriggs and explained Councilmember Spriggs just finished eight years of extensive education at the University of Minnesota Medical School and was awarded his Doctor of Medicine degree. He congratulated Councilmember Spriggs and thanked him for making the community proud, being actively engaging, and ethical. He noted Councilmember Spriggs is planning on continuing an additional four years of education for pediatrician and internal medicine degrees. He added he has seen Councilmember Spriggs actively fight for the rights of the senior citizens that are being treated unfairly and Councilmember Spriggs serves on City Committees. He noted the rest of the Council serves on a Committee except for one member. He described how Councilmember Spriggs was honest and ethical.

Councilmember Jacobs noted Mr. Foreseth was speaking about an individual Councilmember instead of the whole Council. Mayor Márquez Simula asked him to focus on the entire Council.

Mr. Foreseth noted the Council held an investigation and stated the results of the investigation were that KT Jacobs was found guilty of lying. He asked what the Council's position was on the citizen's Citywide mission to call for a recall vote to remove KT Jacobs from her position. He explained he was working to dismantle racism from government positions and within the community.

City Resident, Jennifer Pyper Muno provided an update on the petition for a recall vote for Councilmember KT Jacobs. She stated numerous meetings were held and they have engaged with thousands of community members in difficult conversations regarding the events that happened last summer. She added the efforts will continue until said Council person resigns or is formally removed from office. She mentioned she was appalled after watching the February 2023 work session and added this Council person "lacks accountability" and played "the victim". She described objectional behavior she found unacceptable and undermines public trust in the democratic process. She mentioned the importance of leaders in authority to take ownership of their actions and be held accountable for their mistakes. She stated she remains committed to addressing this issue and ensuring those responsible are held accountable for their actions. She stated we must work towards a culture of transparency, honesty, and accountability in our public officials. She reviewed the previous Council's action to censure, remove Committee responsibilities, and ask for a resignation. She asked the Council where they stand on this current issue since the Council person has refused to step down. She commented on the recall committee's efforts to obtain voter's signatures on a recall petition and stated they will continue to keep the Council informed of this campaign. She emphasized the importance of accountability to regain the trust of the community.

ADJOURNMENT

Motion by Councilmember James, seconded by Councilmember Buesgens, to adjourn. All Ayes, Motion Carried 5-0.

Meeting adjourned at 6:43 pm.

Respectfully Submitted,



Sara Ion, City Clerk/Council Secretary