



CITY COUNCIL MEETING
City Hall—Council Chambers, 3989 Central Ave NE
Monday, March 11, 2024
6:00 PM

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

AGENDA

The following are the minutes for the Meeting of the City Council held at 6:00 pm on Monday, March 11, 2024, in the City Council Chambers, City Hall, 3989 Central 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; Andrew Boucher, City Planner; Aaron Chirpich, Community Development Director/ Assistant City Manager; Kevin Hansen, Interim City Manager; Sara Ion, City Clerk; Scott Lepak, City Attorney; Troy Vaughn, COP Coordinator; Molly Rhoe, 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

The Pledge of Allegiance to the Flag: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

APPROVAL OF AGENDA

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

PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. National Night Out Information.

COP Coordinator Troy Vaughn stated that National Night Out has been a part of the City and the Police Department for over 30 years. It is an opportunity to build programming, community policing, partnerships, awareness for police programs, and current crime issues. This year it is anticipated that there will be 40-50 parties. If anyone is interested in hosting a block party, contact the Columbia Heights Police Department. He added if the

Councilmembers are interested in riding along with an officer that day, the Police Department would help coordinate that. National Night out will be on August 6, 2024.

CONSENT AGENDA

Mayor Márquez Simula asked Interim City Manager Hansen to elaborate on item 7, but did not need to have it pulled from the Consent Agenda for further discussion.

Interim City Manager Hansen explained that for item 7, it is amending the Resolution from “No Mow May” to “Less Mow May”. The science supports doing less mowing rather than no mowing at all as it relates to the pollinators.

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

1. **Approve the February 26, 2024 City Council Meeting Minutes.**
MOTION: Move to approve the February 26, 2024 City Council Meeting minutes.
2. **Accept the January 2nd, 2024, Regular EDA Meeting Minutes.**
MOTION: Move to accept the January 2nd, 2024, Regular EDA Meeting Minutes.
3. **Resolution 2024-018 Authorizing Staff to Apply for Minnesota Department of Natural Resources Outdoor Recreation Grant Program.**
MOTION: Move to Waive the reading of Resolution 2024-018, there being ample copies available to the public
MOTION: Move to Approve Resolution 2024-018 to Authorize staff to apply for Minnesota Department of Natural Resources Outdoor Recreation Grant Program.
4. **Authorizing Staff to Apply to the National Fitness Campaign to Become a Partner Community, Receive Grant Funding From Blue Cross Blue Shield of Minnesota, and Build a Fitness Court Studio.**
MOTION: Move to waive the reading of Resolution 2024-24, there being multiple copies available to the public.
MOTION: Move to Approve Resolution 2024-24 Authorizing staff to apply to the National Fitness Campaign to become a partner community, receive grant funding from Blue Cross Blue Shield of Minnesota, and build a Fitness Court Studio.
5. **Approve Change Order with HKGi for Comprehensive Plan Amendment Consulting.**
MOTION: Move to waive the reading of Resolution 2024-21, there being ample copies available to the public.
MOTION: Move to approve Resolution 2024-21, a resolution approving change order for HKGi consulting contract.
6. **Resolution 2024-22, Amending the Budget for Project 2111, the Municipal Service Center Master Plan, for \$175,000.**
MOTION: Move to waive the reading of Resolution 2024-22, there being ample copies available to the public.

MOTION: Move to close the public hearing and adopt Resolution 2024-22, being a resolution Amending the Budget for Project 2111, The Municipal Service Center Master Plan for \$175,000.

7. Adopt Resolution 2024-23, Amending Resolution 2022-46 “No Mow May”.

MOTION: Move to waive the reading of Resolution 2024-23, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2024-23, being a resolution Amending No Mow May.

8. Second Reading of Ordinance No. 1692, an Ordinance proposing a new roadway, alley, and right-of-way easement serving 1650 40th Avenue NE.

MOTION: Move to waive the reading of Ordinance No. 1692, an Ordinance proposing new roadway, alley, and right-of-way easement to serve 1650 40th Avenue NE, there being ample copies available to the public.

MOTION: Move to approve Ordinance No. 1692, an Ordinance proposing new roadway, alley, and right-of-way easement to serve 1650 40th Avenue NE. Additionally, direct staff to send the summary ordinance for publication in the legal newspaper.

9. Second Reading of Ordinance No. 1693, an Ordinance proposing vacation of roadway, alley, and right-of-way easements serving 1650 40th Avenue NE.

MOTION: Move to waive the reading of Ordinance No. 1693, an ordinance vacating roadway easements for 1650 40th Avenue NE, there being ample copies available to the public.

MOTION: Move to approve Ordinance No. 1693, an Ordinance proposing vacation of roadway, alley, and right-of-way easements serving 1650 40th Avenue NE. Additionally, direct staff to send the summary ordinance for publication in the legal newspaper.

10. License Agenda.

MOTION: Move to approve the items as listed on the business license agenda for March 11th, 2024, as presented.

11. Rental Occupancy Licenses for Approval.

MOTION: Move to approve the items listed for rental housing license applications for March 11, 2024, 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 \$1,669,472.06.

ITEMS FOR CONSIDERATION

Ordinances and Resolutions

13. First Reading of Ordinance 1694, revising City Code Section 5A.410 regarding Conduct on Licensed Premises/Crime Free/Drug Free and Disorderly Use Lease Requirements.

Police Chief Austin noted in the 2023 Legislature, a law was passed that prohibits residential landlords from imposing any type of penalty for terminating the lease based on criminal activities on or near the premises. He noted because of that, some changes need to be made to the City's Crime Free/Drug Free section of the Property Maintenance Code so it reflects the new law. The change will reflect the language from dealing with criminal activity on or near the premises to on the premises or on the curtilage of the premises. He explained that if there was criminal activity in front of or on the street of a residence, it would no longer be a penalty the landlord could impose on the tenant.

Councilmember Buesgens asked if the landlord had any control of eviction or asking the tenant to leave if a tenant was selling drugs on the street outside of the property. Police Chief Austin replied that the landlord can take action on just about anything but it is not a situation where the City would be notifying the landlord of the activity. The landlord may call the City regarding a report from a situation in the neighborhood. The City will no longer be following up with a letter like in previous situations.

Councilmember James commented that the provisions in the Ordinance specifically list that if there are calls for domestic abuse, emergency services or for assistance that it does not apply to the new changes of the law. She added that she believes it is essential that the City aligns the regulations with the State law but that there is room for further advancement. She added that she has read the other cities are abolishing or modifying similar Ordinances. She explained that during the Council work session, they discussed revisiting the item in a year and proposed that the City dedicates time throughout the year to research the intent, efficacy and repercussions of the law.

Motion by Councilmember Spriggs, seconded by Councilmember Jacobs, to waive the reading of Ordinance No. 1694, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Spriggs, seconded by Councilmember Buesgens, to set the second reading of Ordinance 1694, revising City Code Section 5A.410 regarding Conduct on Licensed Premises/Crime Free/Drug Free and Disorderly Use Lease Requirements for March 25, 2024 at approximately 6:00 pm in the City Council Chambers. All Ayes, Motion Carried 5-0.

14. Consideration of a Rental License Exemption for 3835 Van Buren Street NE.

City Planner Boucher stated on February 25, 2024, the owner of 3835 Van Buren Street NE, reached out to the Community Development Department requesting an exemption from the single-family rental density cap. The letter that staff received was included in the meeting packet. Section 1 of Ordinance 1685, which established the single-family rental density cap, states that: "If the number of detached single-family dwellings rental properties meets or exceeds the permitted number of rental properties per defined block on the effective date of the ordinance from which this section is derived, a property owner

may request a temporary license to allow an additional rental property for that block. The City Council may grant or deny a temporary license in its sole discretion. Persons requesting a temporary license must make an annual application to the City. No property owner shall hold a temporary rental license for the same property for more than two consecutive years.”

City Planner Boucher added as it is the homeowners’ right to appeal to the Council. Staff brought forth the appeal along with supporting documents for discussion and review. If approved, Resolution 2024-020 would grant a temporary rental license exemption to the homeowner with a few additional requirements. The homeowner is required to complete the license application process within three months from the passage of the resolution. This puts a limit on how long they can take to bring the house into rental compliance if needed. The temporary rental license will be valid for one year from the date that the license is approved. This provides the homeowner and tenant the ability to rent the home for a full one-year lease. After the term of the temporary license, the persons requesting a temporary license must make an annual application to the City. No property owner shall hold a temporary rental license for the same property for more than two consecutive years.

Councilmember Buesgens asked what the percentage of rentals was for the block. City Planner Boucher replied 20% with 20 total units and four rentals. If another rental was approved it would bring the percentage up to 25%.

Mayor Márquez Simula allowed the applicant an opportunity to speak. Applicant Chelsea Sanchez explained that she is applying for the rental license because she recently got engaged and will be moving into her finance’s house.

Motion by Councilmember Buesgens, seconded by Councilmember Jacobs, to waive the reading of Resolution 2024-020, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Jacobs, to adopt Resolution 2024-020, being a Resolution of the City Council of the City of Columbia Heights approving the single-family rental exemption request for the rental application at 3835 Van Buren Street NE, Columbia Heights, MN 55421. All Nays, Motion Failed 0-5.

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Councilmember James noted that she volunteered at the Local Political Parties Caucus and the CoHi Con event. She added that she attended the EDA meeting and the Council Work Session. She mentioned that the presidential primary was on March 5th and thanked all of the poll workers. She attended a meeting with community partners regarding their input on the new police chief. March 7th was City Day on the Hill where she was in communications with Senator Kunesh, Representative Feist, and Representative Koegel about bonding and the City’s priorities.

The Council has been working on Commission interviews. She thanked the Friends of the Library for putting on the puzzle contest. She stated that she attended the Columbia Academy SpongeBob musical. She added “Ramadan Mubarak to all of our citizens who are observing this Holy month.”

Councilmember Buesgens mentioned that she volunteered at the CoHi Con event with Councilmember Buesgens and Mayor Márquez Simula. She attended two events with Mayor Márquez Simula with the consultant for the new City Manager. She attended the 40th Avenue open house. She explained that the Council conducted interviews for the various Commissions and added her appreciation for those who applied.

Councilmember Jacobs stated that she attended a business networking organization, the Council Work Session and EDA meeting, and the Board and Commission interviews. She noted that there were 12 new applicants for the Boards and Commissions and five renewals. She added that she attended the 40th Avenue Corridor open house with Councilmember Buesgens. She had eight resident reach outs.

Mayor Márquez Simula explained that she attended the sensible land use organizations meeting titled “Angry Neighbors”, the Parks and Recreation meeting, the EDA meeting, and the Council Work Session. She volunteered at the CoHi Con event. She added that she is a member of the Regional Council of Mayors Executive Team and attended that meeting and the Board and Commission interviews. She stated she attended the caucuses and voted in the presidential primary as well as attended the Good Day MSP breakfast meeting for the Minneapolis Business Chamber. There have been two community partner meetings to discuss the new police chief and what the community would like to see in that position. An online survey will be sent out to gather input on what the community would like to see in a police chief. She added that a Kordiak Park survey was put on by Anoka County to gather input on what the community would like to see at the park.

Report of the City Manager

Interim City Manager Hansen added to Mayor Márquez Simula’s comments regarding the Kordiak Park survey and noted that survey is on the Anoka County website as well as the City’s website. The 40th Avenue open house was the second open house. The comments that were given during the open house will be used to develop a final layout plan. The plan will come back to the County and the Council for final approval.

Interim City Manager Hansen explained that the City Services Expo is on April 11 from 5-7 pm. The expo will provide an opportunity for community members to see what the City has going on, what projects are coming in the future, and employment opportunities. Business of the Year nominations are due March 25, 2024. The forms are available on the City’s website. The City is putting on an Arbor Day sale but will likely be closing early due to the availability of trees since 90% of them have already been purchased. He encouraged community members to reach out to the Public Works Department if they are interested in purchasing a tree.

Interim City Manager Hansen noted that through the Communications Department, there would be a “name a mini truck contest.” Information can be found on the City’s Facebook page. The Library is hosting a meeting, “driver’s licenses for all” on March 14 from 5-7 pm.

COMMUNITY FORUM

Molly Rhoe, City resident, expressed her concerns on the intersection of Reservoir Boulevard and 44th Avenue. She noted that there is a line that indicates a right turn lane, but when drivers turn onto 44th Avenue, there is a solid line which causes confusion because drivers think they need to stay in the lane and then it causes traffic. She asked if a piece of the white line could be taken away so drivers know that is it a turn lane. She added there is no storm sewer at the location which causes puddles and the road to heave, which means it needs to be patched up frequently. She asked why there was no storm sewer there.

Interim City Manager Hansen replied that Staff would speak with the Street Superintendent to look at the striping and determine if there is any confusion. He added that there is no storm sewer in the immediate area and they would have to extend it since there is no catch basin around, which is a large project. He added that it is a priority for the City to be able to extend storm sewers to that area.

ADJOURNMENT

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

Meeting adjourned at 6:37 pm.

Respectfully Submitted,



Sara Ion, City Clerk/Council Secretary