



**CITY COUNCIL WORK SESSION**  
**Public Safety Building—Training Room, 825 41st Ave NE**  
**Monday, January 04, 2021**  
**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**

Due to COVID-19 pandemic, this hybrid meeting was held both virtually and in-person.

**CALL TO ORDER**

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

Present: Mayor Márquez Simula, Councilmembers Buesgens, Jacobs, Murzyn, Jr., and Novitsky

Also Present: Lenny Austin, Police Chief; Kelli Bourgeois, City Manager; Aaron Chirpich, Community Development Director; David Cullen, Street/Park Superintendent; Mitch Forney, Community Development Coordinator; Kevin Hansen, Public Works Director; Erik Johnston, Police Captain; Charlie Thompson, Fire Chief; Nicole Tingley, City Clerk

Councilmember Kt Jacobs requested to add item 12 Clarification on Meetings.

**WORK SESSION ITEMS**

**1. Discussion to Purchase Fire Truck/Loose Equipment**

Fire Chief Thompson gave a presentation regarding the purchase of a custom fire engine. He started off by listing the advantages and disadvantages of both commercial fire engines and custom fire engines.

Next, Thompson stated that he would like to use the Houston-Galveston Area Purchasing Consortium to purchase the custom fire engine. He noted that the consortium is compliant with Minnesota State Statute and would reduce the purchasing timeline by approximately 2 months as it would not be required to seek bids.

Thompson explained his proposal for the fleet of Fire trucks. Thompson stated he proposed to keep the 1996 Fire Engine instead of replacing it. He noted that having three engines would decrease the ISO number and provide needed transportation for firefighters.

Thompson stated that the price of the custom fire truck came in at \$640,433 without loose equipment. He explained that he wanted to keep the total cost with loose equipment around \$640,000. Therefore, he proposed including the loose equipment in the 2022 Fire Department budget. The custom truck would not arrive until February 2022 so it would work with the timing. He explained the discounts included in the price.

Mayor Márquez Simula asked about the timeline of purchasing the loose equipment, examples of what the loose equipment included and the dollar amount. Thompson

anticipated placing the order in December with the items arriving the first week in February 2022. He provided examples of loose items and prices including SCBAs, hoses, nozzles, and a thermal imaging camera.

Councilmember Novitsky asked if insurance savings related to an ISO rating decrease would be for homeowners or only businesses. Thompson replied that the savings for homeowners would be insignificant compared to commercial by moving from a 4 to a 3 with having three engines. He added that a rating of a 2 or 1 would provide more savings to homeowners, but the requirements to achieve those ratings are cost prohibitive.

Mayor Márquez Simula asked what trucks the fire department has and if the new truck would be replacing any of those. Thompson stated that the fire department has a 2015 general safety engine, a 1996 general safety engine, a 2005 ladder truck and SUVs. The custom fire truck would not be replacing any of the current trucks.

Councilmembers Buesgens and Murzyn, Jr. commented with their support for this purchase.

## **2. Hilltop Police Contract**

Police Chief Austin stated that Captain Johnston worked with the City of Hilltop to draft the new contract. Captain Johnston provided background information on how the contract was drafted. He stated that the measure of number of calls for service caused an increase in the contract amount which was of concern to the City of Hilltop. He explained that it was negotiated to have Hilltop implement a more robust property maintenance code with rental licensing to maintain a 4% increase for the next 3 years. The intent would be to drive down calls for service.

Councilmember Novitsky asked what the cost percentage increase for Hilltop would have been solely based on calls for service. Johnston stated that it would have been closer to a 6-7% increase.

Mayor Márquez Simula asked if there was a timeframe for assessing if this approach is working. Johnston stated that it is a three year contract. He added that he anticipates that in the short term there will be a small increase in calls for service as applying the new property maintenance code.

Councilmembers Buesgens and Murzyn, Jr. commented with their support.

## **3. Winter Parking**

Public Works Director Hansen provided an overview of the current Snow and Ice Control Policy. Topics included when public works starts their operations, the order of plowing streets, snow removal, how employees are assigned, what equipment used, and which sidewalks are maintained by the City.

Hansen shared survey data from cities near Columbia Heights on winter parking regulations. He noted that many other cities start their operations at 2 inches of snow

(Columbia Heights starts at 3 inches) and have overnight parking bans.

Hansen explained how the department has transitioned its snow plowing operations from being reactive to proactive and how they have increased communication on the parking ban and snow operations.

Next, Police Chief Austin provided an overview on how the enforcement of winter parking restrictions. Austin stated that every October, the police department distributes notice flyers on cars that the winter parking restrictions will soon be in effect. He stated how the police department divides the city into quadrants for enforcement and they make an effort to cover the entire city each week. Austin noted that in regards to the winter parking stats that he provided to the City Council that the number of vehicles towed is dependent on how much snow, when it snows, and how long the snow lasts. He added that the police department tries to not tow a lot of vehicles and that they make an effort to contact residents.

Councilmember Jacobs inquired about references to 3.5 inches and 3 inches of snow. Hansen clarified that the ordinance for enforcement is 3.5 inches and that public works operations start at 3 inches.

Jacobs asked if there is a mechanism to determine adequate parking for rental units as that seems to be an issue. Austin answered that under the property maintenance code that landlords are required to provide adequate off-street parking. He commented that he has seen for the most part, they do and the police department has found that sometimes it is renters not utilizing the available off-street parking.

Jacobs suggested making videos for the public highlighting nuisance ordinances and having articles in the newsletter.

Hansen invited the councilmembers to go on a ride-along. Bourgeois stated that city staff have discussed making a video of snow plow operations for the public.

Councilmember Buesgens asked if vehicles are cited before they are towed and ticketing during the holidays. Austin stated that tickets are placed before a vehicle is towed and that the police department typically does not cite for winter parking a week or two during the holidays.

Buesgens asked if there are more violations in certain parts of the City. Austin answered that there generally are, but they would have to further look at the data. He added that the focus of the police department is areas that are hard for plows to get through including Circle Terrace and the 4500 block of Madison.

Buesgens commented that Columbia Heights has been recently designated by Metropolitan Council as an Urban Center and that the comparisons made for winter parking ordinances were against suburbs. She added that she did not want the ordinances

to change, but it needs to be brought to the attention of City Council. Hansen stated that he looked at the websites of Richfield, West Saint Paul, South Saint Paul, and Hopkins and that those cities start operations at 2 inches and that there is no street parking until streets have been plowed curb to curb.

Councilmember Murzyn, Jr. encouraged the City Council to go on a ride-along in a snowplow. He commented that the parking ban is important and that the road conditions were terrible before it was in place.

Councilmember Novitsky commented that he would prefer having a parking ban over snow emergencies because of the high towing costs for residents. Buesgens agreed and added that the City should try and target areas with parking difficulties with information and options including usage of the Fairview Ramp when available.

Street & Park Superintendent Cullen explained how if cars are parked directly across the street from each other can cause snowplows not to be able to get through. Additionally, even one car parked on a narrow street can block a snowplow. Cullen noted many of the snowplow drivers are new and it takes a significant amount of time to get a new snowplow truck if one were damaged.

Buesgens asked about allowing residents to ride-along in a snowplow. Bourgeois advised against this for liability reasons noting that the members of the City Council are considered employees. Bourgeois added that police ride-along programs have been vetted by the League of Minnesota Cities and are smaller vehicles.

Bourgeois explained that the City acquired the Fairview parking ramp in a worse condition than thought. She stated that it is close to being improved enough for the usage of paid public parking. She stated that City staff will come up with a process and price for parking permits for residents at the Fairview Ramp for the City Council to consider and anticipated it would be for the second meeting in January.

Captain Johnston stated that the police department has been issuing more winter parking permits, not because of more applications, but because of recognition of changing demographics and parking demands.

Mayor Márquez Simula asked how to change the snow emergency threshold to 2 inches. Hansen replied that he would like to bring it to the City Council for changes for next season.

Márquez Simula asked about using the park parking lots for overnight parking and snow events. Johnston stated that it is currently not permitted to park in park parking lots after 11 pm. Hansen added that park parking lots are not high on the priority list in their policy. He explained how it would be difficult as they would have to plow the lots first and make sure cars could get out.

Márquez Simula suggested including odd/even side with the winter parking permits in order to help avoid vehicle blockages for snowplows in the middle of the night. Johnston

replied that parking permits are void during a snow event and that if there are vehicle blockages the vehicles are towed right away. Murzyn, Jr. commented that with having odd/even side with the parking permits it may seem it is permitted to park on the street overnight as long as it is on the right side.

Márquez Simula asked if Top Value 3 is plowed by the strip mall it is in. Cullen stated that the City plows it and explained how all city buildings are plowed.

Márquez Simula inquired about the plowing of the sidewalk in front of Kordiak Park as there was not anyone assigned from the County to plow it last year. Hansen replied that the City is in contact with representatives from the County to address it.

Márquez Simula asked if the sand barrels around the city are for public use. Hansen stated they are.

#### **4. Review and Comparison of Tobacco Sales and Indoor Smoking Regulations**

Community Development Director Chirpich stated that two recent citations for tobacco sales to minors prompted these citations prompted a larger conversation regarding tobacco sales and consumption regulation with the City. He stated that the City does not specifically regulate sampling or indoor smoking in city ordinance.

Chirpich explained that the State of Minnesota prohibits indoor smoking, but allows for sampling. He shared what the ordinances are from an analysis of 23 cities. Chirpich noted that Columbia Heights is currently under state jurisdiction without city ordinances and there has not been any state action.

Chirpich provided an overview of options as follows:

1. Prohibit indoor smoking and/or sampling in city ordinance and locally enforce
2. More clearly define sampling and locally enforce
3. No change

The City Council discussed the options.

Councilmember Buesgens asked if Hookah bars are included. Chirpich responded that they are and there is one called Hookah Kingdom. Buesgens stated that she would like to prohibit both indoor smoking and sampling.

Mayor Márquez Simula inquired what the affected businesses think about prohibiting sampling. Chirpich responded that they have not asked the businesses specifically yet.

Chirpich explained that the Hookah Kingdom would not be able to have sampling, but could still conduct sales. He added that more engagement is required for a tobacco ordinance change than other ordinances.

Councilmember Novitsky stated that both indoor smoking and sampling should be prohibited so it is easier to enforce and no distinction has to be made.

Márquez Simula agreed with Buesgens and Novitsky.

Councilmember Jacobs stated she preferred that there is not sampling. She added that her second would be to prohibit seating and better define sampling and that her third choice would be to have outdoor sampling only.

The City Council discussed outdoor sampling. It was clarified that outdoor sampling is not covered in any of the other city codes.

Chirpich clarified the difference between tobacco sales licenses versus tobacco shop licenses and noted there is not a license for sampling. He explained that the City's past approach has been to reduce the number of tobacco shop licenses when a business leaves.

Jacobs asked about the expiration on Hookah Kingdom's tobacco sales license. Chirpich it is an annual license and it was just renewed. Bourgeois stated that it is her understanding that they are able to keep their license until the next renewal period even with ordinance changes.

Márquez Simula asked for a list of tobacco shops, their license renewal dates, their track record and history when this item is discussed next.

Councilmember Murzyn, Jr. inquired on what the police perspective on changing the ordinance. Police Chief Austin stated that the goal of the police department is to have an ordinance that is clear and enforceable.

**5. Meeting Dates for City Council Orientation**

City Manager Bourgeois confirmed the City Council Orientation dates and times. It will be held Tuesday, January 12 and Wednesday, January 13 from 1:00 pm to 4:30 pm.

**6. City Council Liaison and Council President Appointments for 2021**

The City Council discussed the proposed list of liaison assignments provided by Mayor Márquez Simula that were included in the Work Session packet. The City Council agreed that the assignments as proposed should be on the agenda for the January 11<sup>th</sup> meeting.

Councilmember Jacobs inquired if being the liaison for Metro Cities would include the Metro Cities Racial Equity Committee previous Mayor Donna Schmitt was a part of. Bourgeois stated that it is separate and that she would reach out to the Metro Cities Director and ask about how the position would be replaced.

**7. Discuss Appointments to Columbia Heights Volunteer Firefighters Relief Association Board of Trustees for 2021**

The City Council agreed that Councilmember Murzyn, Jr. and Kelli Bourgeois should be appointed to the Columbia Heights Volunteer Firefighters Relief Association Board of Trustees. Murzyn, Jr. and Bourgeois explained the role of the relief association does.

**8. Board & Commission 2021 Appointment Process, Application & Interview Questions**

Councilmember Novitsky asked to change the varying term lengths. The City Council had a

discussion provided direction to City staff in regards to making ordinance changes for board and commission terms. The City Council agreed to a single term length for all boards and commissions of 3 years. Additionally, the City Council agreed that there should be a term limit of two consecutive terms unless there are no other applications. The City Council clarified that they would like those who meet the two consecutive term limit on one commission to be able to serve on a different commission.

Councilmember Buesgens suggested having attendance requirements for all boards and commissions. The rest of City Council agreed.

The City Council discussed the application and interview questions.

Councilmember Jacobs suggested adding a question on the application regarding if an individual was recommended by someone to apply. She clarified it was different than a reference.

The City Council agreed to including the question “What are some of the most important concerns or issues that you think the City will face in the next 5-20 years?” to the interview questions for all boards and commissions.

City Clerk Tingley asked what question the City Council would like to add to the Planning Commission ones since the question regarding concerns or issues for the City is already included. Tingley recommended “What is your opinion and understanding of the Comprehensive Plan? How familiar are you with the Comprehensive Plan? What role do you think it will play in the evaluation of a typical application which you will see as a Planning Commissioner?” The City Council agreed to add that question.

Buesgens asked for job descriptions of the board and commission positions. Tingley explained the information handout she put together on the commissions and stated she could make it more detailed.

Mayor Márquez Simula suggested adding the question “How did you hear about this position?”

Márquez Simula asked about including an optional section on the application for demographics including age, race, gender, and renter or homeowner.

City Manager Bourgeois stated that it could be added and explained how the questionnaire with demographics would need to be separated from the application so that demographics would not be identifiable to an applicant.

Councilmembers Buesgens and Murzyn, Jr. inquired on why it should be asked and how it would be helpful.

Councilmembers Novitsky and Jacobs stated that it would not reflect the data of the applicants if it is optional.

Bourgeois stated that the data could be used anecdotally at the end of the process for recruitment next time. She warned the City Council that applicants may have the perception that the demographic questionnaires were not separated from the applications.

The City Council provided direction to ask to provide email addresses for references and to contact references following the interviews.

Interview dates of March 8 and March 15 were determined to accommodate reference checks.

**9. Mayor's Monarch Pledge**

Mayor Márquez Simula shared that she was going to work towards the Mayor's Monarch pledge. She noted that a lot of the requirements are things that the City is already doing. She asked the City Council for feedback and noted she was thinking about a proclamation in February.

Councilmember Jacobs suggested August for a proclamation as it is the month with the highest number of monarchs. She also suggested a community education program in August. Jacobs inquired what the costs would be for the Monarch Pledge.

Márquez Simula stated that she was only planning costs of staff time and signage to gardens.

Jacobs inquired which action items the Mayor was planning on completing. Mayor Márquez Simula replied the proclamations and the city gardens. She clarified she was going to promote the existing gardens.

Councilmember Novitsky suggested showing Flight of the Monarch for a movie night.

Jacobs asked if the Mayor was planning on changing the mowing ordinances. Márquez Simula stated she was. Jacobs responded that she would support educational activities associated with the Monarch Pledge, but not an ordinance change.

**10. Board of Appeal and Equalization Meeting Date and Location**

City Clerk Tingley stated that the City needs to submit 2 preferences for dates and times to hold the 2021 Local Board of Appeal and Equalization meeting. Tingley suggested Monday, April 26 at 6:00 pm and Monday, May 3 at 6:00 pm. The City Council agreed with the dates and times.

**11. City Expo Cancellation**

Bourgeois stated that City Staff is proposing cancelling the City Expo for 2021 due to the COVID-19 pandemic. The City Council agreed that the City Expo should be cancelled.

**12. Clarification on Meetings**

Councilmember Jacobs requested this item to clarify the location of future City Council meetings and work sessions.



Councilmember Jacobs and Councilmember Novitsky stated that the meetings and work sessions should be held in the City Council Chambers. Both agreed that the residents should have the ability to attend in-person.

Councilmember Murzyn, Jr. agreed on the meetings being held in the City Council Chambers. He liked the Public Safety Training Room for work sessions for the larger space.

Councilmember Buesgens and Mayor Márquez Simula wanted the meetings to be held in hybrid using the Public Safety Training Room or entirely by Zoom. Buesgens stated that it is hard to hear those speaking when the meetings are held in the Council Chambers due to the technology.

The City Council decided to hold hybrid meetings with the City Council Meetings being held in the Council Chambers and City Council Work Sessions being held in the Public Safety Training Room.

**ADJOURNMENT**

The work session was adjourned at 11:00 pm.

Respectfully submitted,



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Nicole Tingley, City Clerk/Council Secretary