



**CITY COUNCIL MEETING**  
**City Hall—Council Chambers, 590 40th Ave NE**  
**Monday, November 22, 2021**  
**7:00 PM**

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**MINUTES**

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

The following are the minutes for the Meeting of the City Council held at 7:00 pm on Monday, November 22, 2021 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, Police Chief; Kelli Bourgeois, City Manager; Britta Dornfeld; Marisa Foye; Tatiana Martin Gonzales; Jim Hoeft, City Attorney; Sara Ion, City Clerk; Rachel James; Joe Kloiber, Finance Director; Mahmoud Mohamed; Lorien Mueller; Dan O'Brien, Assistant Fire Chief; Charlie Thompson, Fire Chief; Felicity Varaclara.

**PLEDGE OF ALLEGIANCE**

**MISSION STATEMENT**

*Our mission is to provide the highest quality public services. Services will be provided in a fair, respectful and professional manner that effectively addresses changing citizen and community needs in a fiscally-responsible and customer-friendly manner.*

**APPROVAL OF AGENDA**

Mayor Márquez Simula announced 1) the removal of Item 13, "Consideration of Revocation of the License to Operate a Rental Unit at 1070 Grandview Court #206," of the Agenda because the property became compliant and 2) the update to Item 8, "Rental Occupancy Licenses for Approval," which added the 1070 Grandview property, as well as other pending properties.

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

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

**A. Native American Proclamation**

Mayor Márquez Simula recognized members of the Columbia Heights School District's American Indian Parent Community Group who were in the City Council meeting audience or attended via Zoom and read the City's Proclamation recognizing the month of November 2022 as "Native American Heritage Month" and November 25, 2021 as "Native American

Heritage Day.”

Marisa Foye, Tatiana Martin Gonzales and Felicity Varaclara accepted the Proclamation and expressed appreciation to the City for the recognition. Mayor Márquez Simula also noted that Ms. Foye and Ms. Gonzales are members of their Schools Commission and thanked them for their participation.

**B. Community Adopt-A-Drain Challenge Recognition**

Mayor Márquez Simula reported there were many winners in the Adopt-A-Drain Challenge for Anoka County.

Britta Dornfeld, Outreach Specialist with Coon Creek Watershed District, reported the first Anoka County Adopt-A-Drain Challenge included Columbia Heights, Fridley, Anoka and Blaine from March to October 2021, to see which city could get the most Adopt-A-Drain reports for new adoptions and cleanings. She displayed a map of all the adoptions in the City, which totaled 163 new adoptions, 55 new adopters and 349 reported cleanings during that period. She said Columbia Heights “swept the competition away” and then congratulated everyone. To celebrate the winning, she presented to the City the “Golden Garbage Grabber” as well as a commemorative plaque.

Ms. Dornfeld also thanked all the individual monthly challenge winners, including meeting attendees Samara Bilyea-Anderson (April), Councilmember Buesgens (July) and HeightsNEXT (August), as well as winners who could not attend the evening’s meeting, those being Manessa Christian; Christine T.; and Jennifer, Dan and Mark Greenfield. Lastly, she thanked every drain adopter who has stepped up to protect local water quality as well as all who helped organize the challenge, including the participating cities, the Anoka Conservation District, the Mississippi Watershed Management Organization and the Rice Creek Watershed District. She said the inspiration for the challenge came from Kameron Kytonen of Andover, who suggested it; Michelle Spangler, who was a Minnesota Water Steward in Northwest Minneapolis; and the Adopt-A-Drain program.

Councilmember Buesgens asked whether the competition would become an annual event, and Ms. Dornfeld said that would be the hope. Councilmember Buesgens encouraged those interested to register on “adoptadrain.org.”

**C. Columbia Heights Public School District Report**

Lorien Mueller, Public School Board liaison to the City Council, said it was good to see Ms. Foye and Ms. Gonzales and that the School and City have recently created Youth Commission “to hear the student voice.”

Much like the City's effort, the School Board added two student representatives, one to the Policy subcommittee and another to the Community Engagement subcommittee. No school was scheduled for Thursday and Friday of Thanksgiving week. She said the "Clue" onstage performance was exceptional, and "Willy Wonka Junior" will be performed by Columbia Academy students December 9-12 at the High School mainstage auditorium. Winter sports and athletics practices have just begun. The Activities Department is creating punch cards for ten upcoming events, at a cost of \$40 for adults and \$20 for students, with a potential savings of over \$20 if attending all ten events (games, musicals, one-act play, etc. at the schools). There will be an early-release day on December 10 for data days, which gives teachers opportunities to look at data to see how they direct their instruction for the best student growth and opportunities. There will be no school beginning December 23, 2021 through January 2, 2022; students will return to school Monday, January 3. She wished everyone a Happy Thanksgiving and said she would give her next report in either December or January.

## CONSENT AGENDA

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

- 1. Approve November 8, 2021 City Council Meeting Minutes.**  
MOTION: Move to approve the City Council Meeting minutes of November 8, 2021.
- 2. Accept September 1 and October 6, 2021 Library Board Minutes.**  
MOTION: Move to accept the Library Board Minutes of September 1 and October 6, 2021.
- 3. Receipt of Body Worn Camera Audit.**  
MOTION: Move to acknowledge the receipt of the findings of the Body Worn Camera audit conducted on the Columbia Heights Police Department by the Office of the Minnesota State Auditor on October 6, 2021. A copy of those audit findings will become a part of the record of this meeting.
- 4. Authorize Agreement with Swagit for 2022 Recording Services.**  
MOTION: Authorize the payment of \$20,340 to Swagit for 2022 video recording services, to include an increase in the total number of indexed and remotely directed meetings annually to 50.
- 5. Renew Contract for Annual Audit with Redpath and Company at a fee of \$37,000.**  
MOTION: Move to approve renewal of the contract for annual audit with Redpath and Company at a fee of \$37,000.
- 6. Approval of Resolution 2021-94, Updating Income Limit for Senior Citizen Utility Rates.**  
MOTION: Move to waive the reading of Resolution 2021-94, there being ample copies available to the public.  
MOTION: Move to adopt Resolution 2021-94, being a resolution updating the income limit for senior citizen utility rates.

- 7. Approval of Resolution 2021-97, Transfer Funds to the Fire Department 2021 Budget.**  
MOTION: Move to waive the reading of Resolution No. 2021-97, there being ample copies to the public.  
MOTION: Move to adopt Resolution 2021-97, being a resolution amending the 2021 Fire Department budget.
- 8. Amended Rental Occupancy Licenses for Approval.**  
MOTION: Move to approve the items listed for amended rental housing license applications for November 22, 2021, in that they have met the requirements of the Property Maintenance Code.
- 9. License Agenda.**  
MOTION: Move to approve the items as listed on the business license agenda for November 22, 2021 as presented.
- 10. 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 \$1,142,882.03.

## PUBLIC HEARINGS

- 11. Consideration of Resolution 2021-91, Revocation of the License to Operate Rental Units Within the City of Columbia Heights Against the Rental Property at 4633 Tyler Street NE for Failure to Meet the Requirements of the Residential Maintenance Codes.**  
Assistant Chief O'Brien said there was no additional information to add to the material provided to the Council in their meeting packet that requested revocation of the license to operate rental units within the City of Columbia Heights against the rental property at 4633 Tyler Street NE.

Mayor Márquez Simula opened the public hearing.

No one wished to speak.

*Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to close the public hearing and waive the reading of Resolution 2021-91, there being ample copies available to the public. All Ayes, Motion Carried 5-0.*

*Motion by Councilmember Novitsky, seconded by Councilmember Murzyn, Jr., to adopt Resolution 2021-91, being a Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried 5-0.*

- 12. Consideration of Resolution 2021-92, Revocation of the License to Operate Rental Units Within the City of Columbia Heights against the Rental Property at 4975/4977 Tyler Street NE for Failure to Meet the Requirements of the Residential Maintenance Codes.**

Assistant Chief O'Brien said there was no additional information to add to the material provided to the Council in their meeting packet that requested revocation of the license to operate rental units within the City of Columbia Heights against the rental property at 4975/4977 Tyler Street NE.

Mayor Márquez Simula opened the public hearing.

No one wished to speak.

*Motion by Councilmember Jacobs, seconded by Councilmember Murzyn, Jr., to close the public hearing and waive the reading of Resolution 2021-92, there being ample copies available to the public. All Ayes, Motion Carried 5-0.*

*Motion by Councilmember Jacobs, seconded by Councilmember Murzyn, Jr., to adopt Resolution 2021-92, being a Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried 5-0.*

**13. ~~Consideration of Resolution 2021-93, Revocation of the License to Operate a Rental Unit Within the City of Columbia Heights against the Rental Property at 1070 Grandview Court #206 for Failure to Meet the Requirements of the Residential Maintenance Codes.~~**

The License Revocation at 1070 Grandview Court #206 was cancelled because the Residential Maintenance Codes were met.

## **CITY COUNCIL AND ADMINISTRATIVE REPORTS**

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

Councilmember Novitsky reported that the Lions hosted their annual fall wrestling event, which was well attended and El Albano won the Lions Open Weights Belt, and there will be another event in the spring. A representative of the Alexandra House spoke at the monthly membership meeting, in an effort "to spread the good word."

Councilmember Murzyn, Jr. wished everyone a safe and happy Thanksgiving.

Councilmember Jacobs attended the National League of Cities (NLC) Summit November 12-19, attending over 15 live sessions as well as several On-Demand sessions; topics included infrastructure, equity, community diversity, transportation, housing crisis and crime prevention. Independent of the Summit, she attended some virtual presentations, one being "Reckoning Wealth Equity, Black Media and Voices" and another being the SBA's "Small Business Recovery in Our Community." She thanked the City for providing her with the opportunity to attend the NLC Summit, recognizing that, although less expensive because of it being virtual, it is still costly for the City to make these educational pieces available. As a board member of the District's Salvation Army, she will be bell ringing 10:00 am to 2:00 pm on December 3 at the Cub in HarMar Mall; and she said that she would like to see residents there and have them make a donation, adding that there is a nationwide and district competition for those who raise the most money during their shifts and if unable to stop by, she encouraged to make a

donation directly to the Salvation Army and mention her name, as she would be credited for that. She had two resident reach-outs.

Councilmember Buesgens attended, along with the other Councilmembers, a tour of the City's new building at 40<sup>th</sup> and Central, the new City Hall and apartments; she said it is going very well and she is very excited about that. Attended the School Board work session this month and reported that the new School Board member is Brenna Zeimet; she added that the person who conducted the School Board training had authored a book, and the School Board had bought the book and members each read a chapter and discussed it at their work session. Attended the High School choir concert and said the students did a great job. Attended the Park and Recreation Commission meeting, where rate fee increases were discussed for Friday and Saturday nights as well as other changes including ways to reduce overcrowding. Attended the Zoom version of the National League of Cities conference, and the one that really stood out for her was discussion about recycling – where they are at the national level and are discussing closed-loop production (ERPs), a national movement where companies pay for their share of recycling and cleanup; to date there is no ERP for Minnesota for plastics, and she encouraged residents to send emails to House Representative Sandra Feist and Senator Mary Kunesh-Podein to begin looking into creating legislation.

Mayor Márquez Simula toured the new City Hall and apartment building and said it was very exciting to see how they are coming along. Worked with volunteers at First Lutheran Church to create a Las Posadas, which is a Mexican traditional Christmas celebration, and will be held at the church on December 19; more information may be obtained on their website. She hosted a Regional Council of Mayors Coffee in the Community Room at the Library. Joined the Alexandra House Development Committee Board meeting this week. She got her COVID booster and flu shots, which she was excited about, and encouraged residents to be vaccinated. Attended the Park Board meeting, Traffic Commission meeting and National League of Cities conference. Joined the Twin City North Chamber meeting, during which Manager Bourgeois participated at on a panel to share and answer questions on the City is spending its ARPA (American Rescue Plan Act) dollars. Worked with City Clerk Ion to finalize the Mayor's Monarch Pledge details with the National Wildlife Federation and said residents are still welcome to add their yards to the City's Monarch Pledge map before December 1. She saw the production of "Clue" at the High School, which was fantastic; and one of the new School Board member's children participated.

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

Manager Bourgeois reported that the "Pets of Columbia Heights 2022 City Calendar" is available for preorder ("[columbiaheightsmn.gov/photos](http://columbiaheightsmn.gov/photos)") and said the photos are wonderful, with over 80 having been submitted; calendars will available after December 1. She encouraged those interested in the Youth Commission to submit their applications after December 1 at "[columbiaheightsmn.gov/youth](http://columbiaheightsmn.gov/youth)." The yard waste collection goes through this week, with the last pickup on November 27; then it will go to every-other-week collection for household organics. On December 3, Captain Eric Johnston from the City's Police Department graduates from the Northwestern Staff and Commands School, and the City is very proud of him. At the last City Council meeting, residents spoke about Central Avenue pedestrian safety and storm water pond safety; and she said Kevin Hansen, City Public Works Director, will be addressing those concerns at a December City Council meeting.

**Report of the City Attorney**

Attorney Hoeft had no update.

**COMMUNITY FORUM**

Mahmoud Mohamed, 981 43-1/2 Avenue NE resident, said his family is at risk of becoming homeless because the property's rental license was revoked on October 25, though the landlord had attempted to comply with Code within the 45-day period -- and they have to vacate the property by December 10. His hope is that the landlord can complete all of the City's requests but, if not, hopes a 60-day extension would be possible for him find another place to live, as his three children "are not in a position to have unstable arrangements" and he has a three-year-old who has special needs. He said he has lived in Columbia Heights for seven years and has never had any problems with the City -- but is worried if the landlord cannot complete the work and his family has to move out.


Mayor Márquez Simula said the City will follow up with Mr. Mohamed and examine what options may be viable, adding that she is very sorry for the situation that he is in. Councilmember Buesgens added that, although unfortunate, the City has standards that landlords need to meet; and she wants all renters to have a safe, well maintained and clean environment in which to live. She added that when landlords don't meet those standards, the City has steps that they have to go through and, unfortunately, Mr. Mohamed's landlord didn't meet those requirements -- but the City staff will review to see if anything can be done, though no promises can be made.

**ADJOURNMENT**

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

Meeting adjourned at 7:36 pm.

Respectfully Submitted,



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Sara Ion, City Clerk