



CITY COUNCIL MEETING
City Hall—Council Chambers, 590 40th Ave NE
Monday, February 13, 2023
6:00 PM

Mayor
Amáda Márquez Simula
Councilmembers
Connie Buesgens
Kt Jacobs
Rachel James
Justice Spriggs
City Manager
Kelli Bourgeois

MINUTES

The following are the minutes for the Meeting of the City Council held at 6:00 p.m. on Monday, February 13, 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 p.m.

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

Also Present: Aaron Chirpich, Community Development Director; Lenny Austin, Chief of Police; Jim Hoeft, City Attorney; Bob Kirmis, Consultant Planner; Sara Ion, City Clerk; Bethany Ledford, HeightsNext Presenter; Sharon Carson, City Residents Jessen Como, Ruff Dog Loves Owner; Kevin Lynch, City Resident; Julie Zapp, City Resident.

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.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. HeightsNext Presentation re MWMO Grant by Bethany Ledford.

Bethany Ledford shared ways her family has been blessed through the Blooming Sunshine Garden. She mentioned they have been blessed by the community, being able to eat from the garden, and to teach her kids in the process. She thanked the Council for the grant in order to continue to grow the garden. She noted they partnered with the Mississippi watershed management organization and received a grant \$5,000 to help develop the land and clean up the water by using rain barrels. She shared photos of the rain barrels, and the garden.

CONSENT AGENDA

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

1. Accept the November 1, 2022 Planning Commission Meeting Minutes.

MOTION: Move to accept the November 1, 2022 Planning Commission Meeting minutes.

2. Accept the December 12, 2022 EDA Meeting Minutes.

MOTION: Move to accept the December 12, 2022 EDA Meeting minutes.

3. Accept the December 14, 2022 and January 11, 2023 Youth Commission Meeting Minutes.

MOTION: Move to Accept the December 14, 2022 and January 11, 2023 Youth Commission Meeting minutes.

4. Accept the October 20, 2022 Charter Commission Meeting Minutes.

MOTION: Move to accept the 10/20/22 Charter Commission Meeting minutes.

5. Resolution 2023-10 Appointing The City Manager To The Heights Owners Association Board of Directors.

MOTION: Move to waive the reading of Resolution 2023-10 there being ample copies available to the public.

MOTION: Move to approve Resolution 2023-10 appointing the City Manager to the Heights Owners Association Board of Directors.

6. Resolution 2023-11 Approving Seasonal/Temporary Recreation and Public Works Seasonal Positions Pay Adjustments.

MOTION: Move to waive the reading of Resolution 2023-11, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2023-11, approving wage adjustments for seasonal/temporary recreation positions, and seasonal public works positions.

7. Change to the 2023 Police Electric Vehicle Purchase.

MOTION: Move to authorize the Police Chief to purchase a 2021 Ford Mustang Mach E from Ford Hibbing for \$53,503.

8. Approve Permit for the 2023 St. Patrick's Day Parade.

MOTION: Move to authorize the Police Department to issue a parade permit for the St. Patrick's Day Parade, contingent on the above conditions, to be held on Thursday, March 17th, 2023 beginning at 6:00 p.m. for the following streets: 40th Avenue at Van Buren St; west on 40th Avenue to 5th St and end on 5th St just south of 40th Ave.

9. License Agenda.

MOTION: Move to approve the items as listed on the business license agenda for February 13, 2023 as presented.

10. Rental Occupancy Licenses for Approval.

MOTION: Move to approve the items listed for rental housing license applications for February 13, 2023, in that they have met the requirements of the Property Maintenance Code.

11. 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 \$3,803,602.01.

PUBLIC HEARINGS

12. First Reading of Ordinance No.1682, an Ordinance Amending Chapter 9.111 of the City Code of 2005 to Establish Animal Kennels and Shelters as a Conditional Use in the City's I-1, Light Industrial Zoning District.

Director Chirpich noted that the Planning Commission reviewed the case last week and are doing the first reading of the ordinance with a text amendment to change the language of the City Code. He noted it would introduce animal kennels and animal shelters as a conditional use in the City's I-1 light industrial zoning district. He added they would go through the conditional use permit the applicant is applying for in greater detail during the February 27, 2023 meeting if the ordinance passes, and goes through a second reading. He stated the current action is to determine if the Council wants to introduce the I-1 light industrial zoning district and then will move from there. He noted some opposition from the public, and expressed Staff is supportive of the amendment and is willing to work through the issues that have been brought forth.

Planner Kirmis noted three sections with amendments. He explained the first proposed change was to the definition of "kennel." He stated within the business district, animal shelters and animal kennels are an allowed conditional use. He added they are suggesting the definition of "kennel" be modified to be consistent with the terms "animal kennel" and "animal shelter." He clarified they are also proposing to expand the definition to specifically reference the allowance of animal daycare centers.

Planner Kirmis noted the second part of the amendment is to allow animal kennels and animal shelters as a conditional use in the district. He mentioned within conditional uses, there is an opportunity for public input. He added as part of the conditional use process, the City can apply conditions specific to when a permit is applied for.

Planner Kirmis mentioned the third part of the amendment relates to the development standards that apply and noted there are a number of standards currently in place. He noted the amendment would add conditions relating to outdoor activity, which would include:

- The space shall be cleaned regularly so as not to create a nuisance as defined by the City Code.

- Animal waste produced within the space shall not be allowed to directly enter the City's storm sewer system.

Planner Kirmis noted that the amendment includes indoor activity conditions which were taken as an example from the City of New Hope. He stated Staff researched and spoke with other cities about acceptable conditions and noted the amendment would include:

- The kennel or shelter shall provide a minimum floor area of 48 square feet per dog and 20 square feet per cat or any other animal boarded at any one time, exclusive of office or storage area.
- Air temperature within the kennel or shelter shall be maintained between 60 degrees and 80 degrees Fahrenheit.
- Within the kennel area, wall finish materials below 48 inches in height shall be impervious, washable materials such as sealed masonry, ceramic tile, glass board, or fiberglass reinforced plastic (FRP) panels.
- Floor finishes shall be sealed concrete, or another impervious surface approved by the City.
- Animal waste shall be immediately cleaned up with solid wastes being enclosed in a container of sufficient construction to eliminate odors and organisms. All animal waste shall be disposed of on a daily basis.
- The kennel or shelter shall provide sufficient, uniformly distributed lighting to the kennel area.

Planner Kirmis mentioned the City Council and Planning Commission can recommend additional conditions to individual conditional use permit applications.

Councilmember Buesgens noted during the Planning Commission meeting there were concerns from residents regarding noise complaints and the owner explained they have not had an issue with noise complaints in the past. She asked Director Chirpich how many noise complaints were recorded in Minneapolis due to the dog daycare. Director Chirpich stated there would be more detail at the next meeting, and added there have been no complaints on record regarding noise or nuisance.

Councilmember Buesgens stated she drove by the site and believes it is a great location for a dog daycare and would be a good addition to the City.

Councilmember James explained after reviewing the conditions for an I-1 light industrial zoning district, a dog kennel would fit the definition. She mentioned animal shelters and animal kennels are a growing business with it being a \$1.18 billion business in 2022 and a projection of it being a \$2.2 billion business in the next 10 years. She added this could be a good opportunity for the City.

Councilmember James asked what the process was for animal waste not to enter the City's storm sewer system. Directory Chirpich stated the Public Works department made that

condition and added they do not have a specific standards but are currently planning on using turf and intercepted with a filter.

Mayor Márquez Simula opened the public hearing.

The applicant, Jessen Como, explained all waste is picked up immediately, while all urine is cleaned with a biodegradable cleaning solution and hosed down after. He noted there is no filter in place. Mayor Márquez Simula asked to confirm that all solid waste would be picked up immediately. Mr. Como confirmed it is picked up immediately and put into biodegradable bags.

Councilmember James noted the condition recommends specific space per dog; she asked how this related to the owner in his current location. Mr. Como stated the new location has more space available, and could allow for more dogs to attend the daycare.

Motion by Councilmember Buesgens, seconded by Councilmember Spriggs to close the public hearing. All Ayes, Motion Carried 5-0.

Motion by Councilmember Jacobs, seconded by Councilmember Buesgens to waive the reading of Ordinance No. 1682, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Jacobs, seconded by Councilmember James to set the second reading of Ordinance No. 1682, an Ordinance amending chapter 9.111 of the City Code of 2005 to establish animal kennels and shelters as a conditional use in the City's I-1, Light Industrial zoning district, for February 27th 2023, at approximately 6:00 p.m. in the City Council Chambers. All Ayes, Motion Carried 5-0.

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Councilmember Jacobs stated she attended a sociometrics lecture about adapting roles to community involvement, and the prisoner or patient, she attended the community engagement goal setting sessions. She stated she observed the regular school board meeting and youth commission meeting and attended the police awards night. She noted she watched season 11, episode 1 of Undercover Boss where they featured "College Hunks" which is a new vendor in the City. She reminded residents that they can put trash bins out 24 hours before and after pick up. She mentioned Columbia Heights was 1 of the 4 Cities mentioned in being pioneers of mental health advocates and explained the City has hired a second mental health professional due to the outcome of the program. She added she facilitated 6 community reach outs.

Councilmember James stated on January 30, 2023 she attended the League of Women Voters in New Brighton where they commissioned a study of firearms in Minnesota and are receiving consensus votes and encouraged all who were interested in learning more about the study to go on their website. She noted on January 31, 2023 HeightsNext hosted an event at the library with information on the

proposed passenger light rail to Duluth that would run through Columbia Heights and mentioned more information could be found at northernlightsexpress.org. She added that federal infrastructure would pay for 7/8 of the project and Minnesota funding would pay for 1/8 of the project. She stated she attended Snow Blast and gave a shout out to Will Rottler for coordinating the event, the HeightsNext Volunteers and Katie Holznagel for coming up with the original idea. She mentioned she met with other clergy and faith leaders of Minnesota to work with governor Walz and was a signor for the clean energy law. She noted she attended the Council goal setting meeting and has been attending a training with elected leaders through the League of Minnesota Cities and has completed a number of courses.

Councilmember Spriggs noted there were some overlap in the reports and added he attended the Council Corner and discussed a book, he attended a library board meeting and mentioned some exciting ideas such as eliminating room rental fees. He explained he attended the EDA work session and the Council goal setting meeting and went to Snow Blast. He stated he has been attending the elected leaders training through the League of Minnesota Cities. He mentioned he has been contacting other city councilmembers to introduce himself and see if there are any other projects that are in the future. He stated he is scheduled to speak in front of the school board as the Council liaison.

Councilmember Buesgens stated she attended the new Council Corner, and met with the school superintendent, Zena Stenvik to discuss when she could visit and see how they could partner with MnDOT to put in a rain garden along Central Avenue. She noted she is attending a beginner drawing class through Parks and Recreation and went to Snow Blast. She added that she is the liaison for the Planning Commission and attended that meeting. She noted she attended the vision and goal setting with Staff and is hoping to share the information once it is solidified. She stated there is a Minnesota climate adaptation partnership webinar on February 21, 2023 at 12 p.m. and can register for free.

Mayor Márquez Simula stated Chief of Police, Lenny Austin and herself signed in support the Driver's License for All in order to keep people safer. She explained she presented at the Mayors Monarch Pledge National Wildlife Federations zoom call and shared what the City has provided. She noted she presented on equity at the Regional Council of Mayors. She mentioned HeightsNext put on a pet bed activity workshop at the library with 42 volunteers and made 91 pet beds which will be donated to the Midwest Animal Rescue Services. She added she attended a concert at Crooners and went to the Rotary Club's Operation Pollination meeting. She stated she toured Valley View School and Columbia Heights Academy with the principals and superintendent. She noted the Blooming Sunshine Garden is working with an eagle scout to install raised beds. She stated she attended the Anoka County Fire Protection Council meeting, the police awards ceremony, the Parks and Recreation Commission, the youth commission meeting, the Rotary meeting and Snow Blast.

Report of the City Manager

Director Chirpich reminded residents that there are open seats for the Planning Commission, Library Board, Parks and Recreation and the Charter Commission. He noted descriptions of the board roles and duties and the application can be found on the City's website. He explained the application deadline is February 28, 2023 and be mailed or delivered to City Hall or emailed to the City Clerk at sion@columbiaheightsmn.gov.

Director Chirpich noted there is an informational meeting for the 53rd Avenue street and trail improvement project on Wednesday, February 15 at 6 pm at the library.

Director Chirpich reviewed the Snow Blast event and gave a shout out to everyone who attended, with an estimated 700 people attending. He noted all the volunteers and sponsors who made the event possible such as Kiwanis, HeightsNext, Columbia Heights Lion's, Columbia Heights Athletic Boosters, Community Grounds, Columbia Heights Fire Explorers, City of Fridley Recreation, Columbia Heights Public Schools, Community Education, Columbia Heights Key Club, Columbia Heights youth commission, Columbia Heights rental and Barna, Guzy & Steffen law firm.

COMMUNITY FORUM

Julie Zapp and Sharon Carson, City residents, stated they live at the Legends of Columbia Heights, a Senior Dominion property. Ms. Zapp noted the Legends of Columbia Heights consistently raises rental rates and provides low maintenance to the building. She added that the rental rates are determined annually by the average median income published by HUD. She mentioned in the previous year, rental rates were raised 12.5% which is allowed based on the AMI but mentioned most residents live on fixed incomes which has created hardship on residents. She explained most residents have to decide between a roof over their head, food, or medicine and many residents have had to go back to work since the rent has exceeded their social security and are fearful they will become homeless.

Ms. Carson added that there is low maintenance to the building but clarified that they are not complaining about the maintenance staff or administrative staff since they have been good to the residents and work hard. She noted the main maintenance issues include the windows which have been washed once in 5 years, and the carpet which have not been clean. She explained police are often at the building because there is easy access to the garage which lead into the buildings. She stated she has heard many residents complain about the safety of the building, particularly when safety doors are left open.

Mayor Márquez Simula stated there was an update and referred to Councilmember Spriggs.

Councilmember Spriggs mentioned he has been working with residents from the Legends and would show them a letter that is address to the senior leadership of Dominion expressing concerns on the rent rate and maintenance issues. He stated the City is limited in what they can do but plans to distribute the letter to other elected officials and Legend residents.

Councilmember James asked what was mentioned when Ms. Carson and Ms. Zapp first learned about the property. Ms. Carson stated she was told she should expect a raise in the rent each year and it would be about 2-3%. She explained that they expect a raise but this past year was much higher than usual. Ms. Zapp added the AMI may be high this year and could be a chance that there will be another high rental rate. She noted they are working with a number of legislators in hopes of being able to submit legislation to cap the rent at 3% for fixed income.

Mayor Márquez Simula noted they have been working on this since summer 2022 and recognized the work they have done.

Councilmember Buesgens stated she has been a part of the Housing and Economic Committee and noted they are aware of the rental increases and are working with the State and HUD. She explained their building was 60-80% AMI. She asked what they could do in order to make sure it does not happen again.

Ms. Zapp thanked the Council and those who have helped them.

Councilmember Spriggs asked how many residents have moved out or consider moving out due to the rental increases. Ms. Carson stated she hears different things but there are currently 22 vacancies which is the highest it has been. Ms. Zapp added there are 4 more residents moving out in March while others are waiting until their lease is up. She mentioned they have a food shelf at Legends every other Friday and have noticed more residence attending. Ms. Carson added for many residents it is their only source of food.

Councilmember Jacobs asked what the building capacity was. Ms. Carson explained there are 190 units with over 500 residents. Councilmember Jacobs asked if there were 22 vacancies. Ms. Carson stated it was what they knew but she was confident there were more. Ms. Zapp noted there was a Dominion meeting recently with multiple sites in attendance with other sites stating they had multiple vacancies as well.

Kevin Lynch, City resident, stated he lives in transitional living and is required to get a job and fix his car which he has completed. He mentioned a couple of weeks ago, he slid on the road and ended up in a snow bank. He could not get his car out of the snow bank so he walked back to get help. When he got back to his car 30 minutes later, it had been towed. He noted that he does not have money in order to get his car back and did not receive sufficient enough time to get his car out of the snow bank. He stated he called the police and they told him he should have called 911, but he did not have a cell phone to call at the time. He added everything he owns is in his car, and he now owes \$1,000 in order to get his car. He explained because he does not have his car as he lost his job. He expressed that it felt unfair and he did not receive much help from the police. He asked the Council for help and thanked the Council for what they do.

Mayor Márquez Simula asked Mr. Lynch if they had his contact information in order to contact him. Mr. Lynch confirmed that he provided it. Mayor Márquez Simula added they would see what they could do to help.

ADJOURNMENT

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

Meeting adjourned at 7:03 pm.

Respectfully Submitted,



Sara Ion, City Clerk/Council Secretary