



CITY COUNCIL WORK SESSION
City Hall—Shared Vision Room, 3989 Central Ave NE
Monday, November 06, 2023
6:00 PM

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

MINUTES

The following are the minutes for the Work Session Meeting of the City Council held at 6:00 pm on Monday, November 6, 2023, in the Shared Vision Room, City Hall, 3989 Central Avenue NE, Columbia Heights, Minnesota.

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; David Cullen, Interim Public Works Director; Kevin Hansen, Interim City Manager; Sara Ion, City Clerk; Erick Johnston, Police Captain; Sulmaan Khan, Interim City Engineer; Joe Kloiber, Finance Director; Jason Schulz, Liquor Operations Manager; Andrew Splinter, Assistant Finance Director.

WORK SESSION ITEMS

1. MnDOT: Central Avenue PEL Update (Preferred Alternative, Public Engagement).

Interim City Manager Hansen briefly presented the topic and introduced Chris Bowers from MN DOT to discuss the PEL Study information. Bowers stated that this project has been underway for the past several years. He stated that the amount of feedback from Columbia Heights on this project has been outstanding. The PEL Study will likely conclude with all four options previously presented to the community in the mix and there was a lot of traffic modeling completed as part of the study. The study concluded that the Southern part of Columbia Heights would not be negatively impacted by moving Central to one lane, this is not the same analysis for Northern Columbia Heights. Currently the PEL Study does not indicate where Central should go from 2 lanes to one. There have also been requests for a bike facility on Central, however there are a lot of maintenance concerns associated with this that would need to be undertaken by the City.

Bowers additionally highlighted the infrastructure improvements that would be occurring. He stated that they have been watching the demonstration areas from traffic cameras, and that they have really learned a lot from several locations. They are currently working on an interim safety project for 43rd to 47th for 2025. He further clarified that overall, we need a shared goal and vision from the community to choose a preferred alternative and create a preliminary design that is also compatible with the safety projects and transportation components for the F Line BRT. The more developed our plan is, the easier it will be to start the process of securing funding. There will likely be open houses, surveys to work with the

community to pick the best options for the community by the middle to late 2024. He highlighted that the big project in this corridor is not planned until 2033. There is a bonding request for 150 million over 3 years for the area where the F line will traverse. They are actively searching for funding to try to expedite the work.

Councilmember Buesgens inquired about the plan for resurfacing in 2033 and the plans and funding that are available.

Hansen and Bowers clarified how they plan to advance the preliminary design to utilize the funds and not impede future work.

Councilmember Buesgens inquired about the interim safety program for 2025.

Bowers apologized that there was not a fully developed plan, but that is part of the reason why they are having the discussion.

Interim City Manager Hansen inquired about the timing of the F Line BRT.

Alicia Venti from Metro Transit gave additional information from the standpoint of how this line is contingent on the MNDOT plans and process. She also reviewed the BRT program.

Councilmember Spriggs stated that he would like to make sure the safety study comes down to 43rd.

Mayor Márquez Simula inquired about the feedback MNDOT received from the community.

Bowers stated that there were a lot of concerns from the community about roundabouts. Once all the information is reviewed there will be a recap available.

Councilmember James inquired if the local route 10 would be eliminated.

Venti stated that the bus service would not be eliminated.

Mayor Márquez Simula inquired if the bus station could be moved from in front of the VFW.

Councilmember Jacobs inquired if they have had feedback related to drug use at this location. She stated that the staff from the VFW often takes care of these concerns.

Venti stated that platform locations can be moved based on concerns. Bowers further clarified the location of that station on the BRT proposal is not in its current location.

Councilmember Buesgens inquired if the lobbyist the City is hoping to hire could assist with the funding for these items for the City / MNDOT.

Hansen stated that this would be something that needs to be reviewed.

Mayor Márquez Simula further stated that she is still waiting for the purple streetlights to be taken care of by MNDOT.

2. Introduction and Discussion of Ordinance 1691, Being an Ordinance to Update Regulations Regarding Animal Control.

Police Captain Johnston presented the information related to this topic and highlighted the changes that need to be made to bring the current ordinance in line with State Statute.

Councilmember Buesgens would like to have a change to the language to indicate that the animal is being “respectfully euthanized”

Councilmember Spriggs inquired about specifying what a “public nuisance is”. Councilmember Buesgens agreed with this request and moving the definition away from the destruction component of the ordinance.

Captain Johnston stated that this ordinance gives the City the authority to act to seize control of the animal. He cautioned that this is a legal question that needs to be directed to the City Attorney. He stated that he will be keeping this item on the agenda for a first reading at the next Council meeting, with the proposed edits.

3. 2024 Budget Presentations by Division.

Public Works & Engineering

Interim City Manager Hansen gave an overview of the 2024 Public Works operations and enterprise budgets. The presentation will be available online on the Finance page. Hansen also gave follow up information on the impact of open positions and COLA increases on budget, as well as the concerns with the state aid funds related to seal coating.

The Council was concerned about the wage offered and the need for additional seasonal employees.

Councilmember Buesgens was concerned about the funding for alley repair.

Hansen clarified that they would analyze the wage if needed, and there will be further information on the alley repair program in the budget presentation.

Interim Public Works Director Cullen led the budget presentation related to capital equipment that needs to be purchased. There is an overall focus on having mixed duty vehicles to reduce the size of the fleet.

Interim City Engineer Khaan led the budget presentation related to some of the capital improvements and the infrastructure fund for 2024. He highlighted the water meter replacement as well as the cycle for street rehabilitation (taking a break in 2024 and 2025) to reconstruct alleys. There has been a survey completed related to the alley program, and highlighted the sections that would be focused on.

Finance & Liquor

Finance Director Kloiber gave an overview of the 2024 Finance and Liquor budget. The presentation will be available online on the Finance page.

Councilmember Buesgens inquired if the remodel of Store 3 would be put on hold with the understanding that we need to review potential store configuration for a municipal cannabis store.

Director Kloiber discussed that many of the practical terms of interpreting the state statute could impact the remodel.

***Mayor Márquez Simula stated that she has concerns on the sale of miniature liquor bottles and corresponding litter and would like to see the information related to the sales statistics.** She would also like to see rebranding of “Top Valu” to “Columbia Heights” focus.

Manager Schulz confirmed that he will be compiling information for the Council related to these sales.

Director Kloiber would also like to work on brainstorming an incentive to recycle the bottles and prevent them from being littered.

Councilmember Buesgens inquired about the debt service funds that could be reassigned in 2028.

Director Kloiber stated that this would be liquor funds / profits that are subject to the Council on how they are spent. However, Store 1 and 2 will likely need to be evaluated for allocation of funds related to roof and cooler replacement.

Mayor Márquez Simula would like additional support for the staff in training them in liquor and beer education. She would like to have staff receive additional **education and to further discuss the beneficial budget implications.**

Schulz reviewed the educational opportunities that are available from the suppliers and distributors free of charge.

Kloiber stated that there is an employee discount for liquor store employees for the purpose of furthering the education level at the stores.

Councilmember James inquired about the costs of maintaining the old city hall.

Kloiber stated that there is a learning curve to adjust and dial in the HVAC systems for the maintenance of the new building and old building.

Kloiber and Hansen further elaborated that we would need the old city hall location for Public Works employees with the pending issues related to building a new public works building. This would likely lead to maintaining the building until 2027.

Administration

Interim City Manager Hansen gave an overview of the 2024 Administration budget. The presentation will be available online on the Finance page.

Councilmember James inquired about the need to increase the City Manager budget with any updates needed to increasing City Manager salary.

Interim City Manager Hansen stated that there will need to be a budget increase to address this if needed.

Interim City Manager indicated that there is a potential to go out for RFP based on the Council's desire to utilize alternate services for City Attorney.

Mayor Márquez Simula inquired if the cost for these services will go up.

Councilmember Jacobs gave information about Charter Commission President Laine announcing the departure of the City Attorney at the end of the year during the October Charter Commission meeting.

Councilmember James additionally stated that the City Attorney was not at the Charter Commission meeting and did not announce this or confirm this.

Interim City Manager Hansen clarified that the cost for legal services would likely increase and that there is no official announcement on the City Attorneys retirement date.

Mayor Márquez Simula inquired why specific items were billed under the Council Budget as "Outreach".

Director Kloiber addressed the concern related to the evolution of the accounts supporting special events and recognition. He stated that there is nothing finite about how these items are sectioned into the budget. There is difficulty in administering the budget when there are many items that fall under this category.

4. Update Regarding State Bonding Request for Public Works Building.

Interim City Manager Hansen gave an overview of the presentations to be given to the Legislature Bonding Committee next Tuesday evening. Columbia Heights is the last presentation of the evening, and there will be a fact sheet that will be handed out to attendees. There is about five minutes allotted to each presentation, so the presentation will need to be succinct.

5. Proposals from Executive Search Firms for City Manager Search.

Councilmember Buesgens asked to address two items prior to the presentation by HR Director Kelli Wick.

Councilmember Buesgens asked Councilmember Spriggs as to why he has changed his mind about using an external search.

Councilmember Spriggs stated that the Council has a responsibility to do their due diligence to hire a City Manager. He wants to see what is out there and hopes that Interim City Manager Hansen applies.

Councilmember Buesgens then read a statement (please see attached supporting document)* about the Council making decisions on what is best for firstly for residents and secondly City Staff. She reviewed the recent community survey results, and how they were considered excellent and that residents felt that they were getting their tax money worth related to City services. She stated that she is a strong supporter of the staff because they directly provide these services to the community and not the Council. In her professional experience one of the worst things that can happen is when changes are made without consulting the front-line staff.

Councilmember Buesgens stated that Interim City Manager Hansen has been able to pick up the ball and continue the exceptional customer service to our residents, including increasing the quality of life for City residents. In the past six months there has been no change in these services. She is concerned that bringing on a new City Manager will negatively impact on the residents as the Council has just gained momentum. She compared what is currently occurring to replacing a winning coach in the middle of the season. She does not feel that there are reasons for the disruption to this winning streak. She stated that Interim City Manager Hansen has met with more residents and more community outreach than any of the Council in his 22 years of service to the City.

Councilmember Buesgens clarified that this is not an opportunity for the Council to use this as a learning experience, or to spend money on a search that initiates a transition period that will slow down all the progress that has recently been made. She would like to continue the winning streak and keep Interim City Manager Hansen in his position.

Councilmember Jacobs stated that over 25 employees have come to her and asked “what does this mean for my employment”. She stated that a lot of effort has been invested in developing a top-notch staff and we are at risk of losing staff.

Mayor Márquez Simula directed a comment to Director Wick as to why she nodded her head in confirmation to the impact on staff, and stated that she was surprised to see this. She was thinking the proposals would be shared in a neutral / HR perspective and that the Council is being given the best information to decide on a Search Firm.

Councilmember James stated that there needs to be a search for candidates because there was no succession planning. She wants to be able to trust the City Manager to run all the

departments of the City. The Manager – Council format of Columbia Heights dictates that their due diligence is to complete a search with internal and external candidates.

Mayor Márquez Simula indicated that it was recently conveyed to her that when conducting interviews, the “right person should rise to the top” and that using the consulting firm is to help with the interview questions, the criteria and the panels to conduct the interview. She wants a consulting firm to clarify what the Council and community are looking for in a candidate. She has been told that her job as the Mayor is to hire the Police Chief. She further clarified that she was not qualified to hire a police chief, has not hired a police chief, and has no track record of appointing a Police Chief. When it comes time to hire a Police Chief if she is still the mayor, she will use a search firm so then the department can relax because “the cream rose to the top”. She wants to make sure that Council is doing their due diligence and talking to a consulting firm is part of that process for her.

Mayor Márquez Simula was concerned that there were no evaluations completed of the past City Manager and that this is an opportunity to set a clear understanding that they are rebooting the information related to the position of City Manager. She feels that there needs to be serious data related to the expectations for the position for City Manager evaluations.

Councilmember Jacobs confirmed that there were evaluations completed and on record.

Mayor Márquez Simula stated that the Council does not have the skill set to make these decisions. She clarified that she still wants an external search to look around.

Councilmember Buesgens cautioned about the succession planning currently in place at the Police Department and using a search firm to hire a Police Chief could jeopardize this.

Councilmember Jacobs clarified that using a search firm is the definition of an outside search. There is a difference between an outside search and an inside search.

Councilmember Spriggs stated that an outside search does not preclude an internal candidate from applying. He then stated that previous City Manager Bourgeois was promoted internally and that did not prevent her from leaving the City for another opportunity. He then stated that the council should not be mad at each other, and if there was a person to choose to be mad at, it was previous City Manager Bourgeois. He felt she was to finish her career with the City and that the Council cannot predict the future. He conveyed concerns that she left three months after an election, and it was unexpected.

Councilmember Jacobs clarified that there was never an intent for former manager Bourgeois to conclude her career in Columbia Heights, and it was not unexpected.

Mayor Márquez Simula stated that Bourgeois was not in the room, and that “we do not need to speak for her”.

Councilmember Buesgens relayed that she felt Council is still doing their due diligence by continuing Interim City Manager Hansen in the position, because it is what is right for the City and continuing the progress that had been made.

Councilmember James indicated that she defined a search as receiving external assistance in finding a City Manager. She would be sad if this disagreement continued with the Council through the whole process.

Councilmember Jacobs asked to hear what HR Director Wick was in attendance to present.

Director Wick asked for the Council's input on how they would like to proceed with the presentation of the search firms.

Mayor Márquez Simula and Councilmember Buesgens stated that the input they received made them lean towards GovHr.

Councilmember Buesgens would like to interview the consultants, as the Council will be working with them for four to six months.

Director Wick reviewed that all three proposals are similar, there are not a lot of differences between the proposals and costs of the potential search firms. She further clarified that the Council would guide the process and ask for clarification as the process continued.

Councilmember Jacobs stated that she would be in favor of interviewing Baker Tilly and GovHR. She is not interested in DDA.

Councilmember Buesgens and James agreed.

Director Wick clarified that the direction to staff was to reach out to schedule interviews with Baker Tilly and GovHr. Director Wick will work to coordinate interview times between 4pm and 8pm (M, T, TH, F) to schedule the interview per Council feedback on availability.

Councilmember James would like to do both the interviews on the same day. She stated that she appreciated the helpful information that was prepared by Director Wick.

Mayor Márquez Simula stated that she appreciated that all the information was prepared ahead of time for review.

6. Council Corner.

Review of Questions for EDA Commission Interviews on 11/13/2023.

Council gave feedback to City Clerk Ion on the questions they preferred for the upcoming EDA interviews, eliminating questions 2, 6, 7 and 9 from the list of questions presented in the packet. Clerk Ion confirmed that she will have interview packets and questions prepared for the 20-minute interview sessions starting on Monday at 4:30 pm.

Review of Proposed Dates for Joint Council / School Board Meeting in 2024.

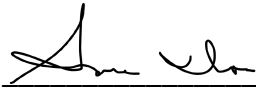
Council will be hosting the next joint meeting with the school board. The council recommended January 29th at 6pm as a date that would work best for the meeting. The council expressed that they would like the focus of the meeting to be the upcoming collaborations and partnerships that the bodies hope to achieve. They would also like a team building activity.

As an additional item of discussion, Councilmember Jacobs asked that Work Session meetings begin at 5pm if there is no EDA Meeting. The council agreed.

ADJOURNMENT

Mayor Márquez Simula adjourned the meeting at 10:10pm.

Respectfully Submitted,



Sara Ion, City Clerk/Council Secretary

* Minutes were amended on 11/13/23. Commissioner Jacobs proposed a motion to add Councilmember Buesgens' written statement into the record, the motion was seconded by Councilmember Buesgens. All Ayes, Motion Carried 5-0.

** Minutes were amended on 11/13/23. Mayor Márquez Simula made a motion with proposed clarifications to her statements relating to Liquor Store Operations, the motion was seconded by Councilmember James. All Ayes, Motion Carried 5-0.

Councilmember Spriggs made a motion to accept the amended meeting minutes, Jacobs seconded. All Ayes, Motion Carried 5-0.

I believe that in making a decision about hiring a city manager we, the council, should think about what is good for our city and residents first, and second, what is good for our staff. Last year the presentation for the 2022 survey we took showed that 76% of our residents felt that they were receiving good city services for the taxes they pay. In other words, they are getting their money's worth.

The second criteria is the staff. People ask me why I am such a strong supporter of our staff. It is because they do all the hard work to bring those excellent services to our residents. The council does not dig up the road and fix a water main break, the council does not mow the park grass or check the health of our urban forest. The council does not decide on library programming, or woo a great developer to our city. The council does not prepare the budget for the next year. The council does not put out fires, nor stop a burglary. I can go on and on and on. Our staff is very crucial. Our staff is a well oiled machine, Walt, Kelli, Kevin Hansen, our human resource director and department heads did an excellent job of hiring good people who not only do a great job but work together as a team to bring these essential services to our residents. *- I talked to staff & Dept. Heads*

- Nothing worse than upper management making major challenges w/o talks to front line employees
Back in April, our current interim city manager picked up the ball and ran. He maintained this excellent service to our residents with great professionalism and integrity. The team continued with their winning streak and moved ahead with great momentum in improving the quality of life for our residents.

So when I realized that the majority of this council wanted to do an outside search for a new city manager, I was shocked and very dismayed. Over the last 4 months that our current interim city manager has worked, I have not seen any dip in city services. The city hall has been completed, work on 53rd and 37th our "thunder

road” began, the Rainbow building has been demolished, and so many other things have been accomplished over the past 4 months. A new city manager who is unfamiliar with the city, its residents, and staff could not accomplish all this in their 1st four months. In fact, things would slow down, it takes a new city manager anywhere from 6 months to two years to start running with the ball. Many of our goals that we created at our goal setting session would be put on hold as well as other projects while we wait for this new city manager to get up to speed. And there is a good chance the new city manager may not want to go in the same direction as our current interim manager and council wants to go. They could also be using our city, because of its size, as a stepping stone and leave us just as they are about to catch on. ~~Finally~~, ^{we need} one thing ^{is} to remember, if the council is not happy with a city manager they can fire them on the spot.

I like to use this analogy. Think of a professional football team. It took years to build a strong team. The team is now working really well together and are on a huge long winning streak. In the midst of that winning streak the owner of the team decides to look for another coach. How much sense does that make? How do you think it would affect the morale of the coach and the team and more importantly, the fans once they found out???? I am sure they would all be thinking “What?” “Why?”

We have a great coach, our interim city manager, Kevin Hansen, who has led our team for the past four months and has continued to lead the winning streak. Why would we want to disrupt this now? What do we have to gain by this disruption? Again the question I ask the majority on this council who want to do an external search, what has the interim city manager not done that would lead them to do an outside search? What are your reasons for causing a disruption to our

winning streak? Your job over the last four months was to observe his performance, what did you find that did not meet your expectations?

I have residents who are very angry that some on the council want to do an external search. They want to know why? Again, what specific expectations are not being met by our current interim city manager???

Our residents deserve an answer now at this current meeting.

I am asking the majority on this council to please reconsider your decision. Is it worth it to disrupt the momentum and our great winning streak? I myself would like to continue this winning streak, to keep our current interim city manager, to keep our team running strong so we can together continue to improve the quality of life for all our residents. Rich or poor, black, brown, or white, everyone in our city deserves to have a great place to live.