



CITY COUNCIL WORK SESSION
City Hall—Shared Vision Room, 3989 Central Ave NE
Monday, August 07, 2023
6:00 PM (or Immediately Following EDA Commission)

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

AGENDA

ATTENDANCE INFORMATION FOR THE PUBLIC

*Members of the public who wish to attend may do so in-person, or via Microsoft Teams by **entering meeting ID 278 254 427 462 and passcode pfepBS**. For questions please call the Administration Department at 763-706-3610.*

CALL TO ORDER/ROLL CALL

WORK SESSION ITEMS

- 1. Top Valu Liquor Store III: Preliminary Design Options. (20 Minutes)**
- 2. City Budget Orientation. (20 Minutes)**
- 3. Rental Licensing Update. (30 Minutes)**
- 4. Discussion on the Public Use of Cannabinoids. (30 Minutes)**
- 5. City Hall Art Policy. (20 Minutes)**
- 6. City Hall Meeting Room Policy: Central Place. (20 Minutes)**
- 7. Additional State Bonding Request: City Parks (15 Minutes)**
- 8. City Council. (30 Minutes)**
*** City Manager Hiring Process.**

ADJOURNMENT

Auxiliary aids or other accommodations for individuals with disabilities are available upon request when the request is made at least 72 hours in advance. Please contact Administration at 763-706-3610 to make arrangements.



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	AUGUST 7, 2023

ITEM:	Top Valu Liquor Store III: Preliminary Design Options (estimated time 15 minutes)							
DEPARTMENT:	Liquor	BY/DATE: Joseph Kloiber, Finance Director / August 1, 2023						
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input checked="" type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community							
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services							
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND:

In 2022, the city council authorized purchase of the former Heartland Tire property at 5229 University Ave NE, which shares a common wall/roof connection with the City’s existing Top Valu Liquor Store III. The primary purposes for this 2022 purchase were to:

- Increase parking in general, removing the previous condition by which delivery trucks prevented customers from entering the parking lot, and to provide for snow storage.
- Avoid having a business with an incompatible use possibly occupy the adjoining space.
- Relocate the storage of liquor inventory from the current basement location to the main level.
- Plan for the impending replacement of the current walk-in cooler.

When planning for the conversion of the former Heartland property for store use, liquor management has also considered the opportunity this offers for incrementally improving the existing retail floor layout and the store’s visual presence on University Ave NE while achieving the initial goals above.

SUMMARY OF CURRENT STATUS:

Staff has contracted with Wold Architects to prepare preliminary design options for consideration. They have completed that phase of the project. At the work session, a Wold representative will present a brief presentation on these options and be available for questions, as will liquor management.

STAFF RECOMMENDATION:

Staff views Wold’s preliminary design options as meeting the intended goals of the project and recommends including this project within a proposed schedule (to be developed) that appropriately times major capital investments across all City divisions over the next two to three years. At the work session, staff will elaborate on this concept.

ATTACHMENT(S):

None



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	AUGUST 7, 2023

ITEM:	City Budget Orientation (Estimated time 20 minutes)							
DEPARTMENT:	Finance	BY/DATE: Joseph Kloiber, Finance Director / August 1, 2023						
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input checked="" type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input checked="" type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services	<input checked="" type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community							
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services							
<input checked="" type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND:

In preparation for the 2024 budget process, the Finance Director will provide a general orientation on the budget process. This will cover the:

- Meeting schedule
- Documents produced
- Mandated process steps
- Historical trends and references

SUMMARY OF CURRENT STATUS:

A copy of the speaking outline for this work session item will be available at the work session to aid those that want to retain notes. Note that this presentation will not cover any of the actual budget requests for 2024, as those are still under development.

STAFF RECOMMENDATION:

Not applicable

ATTACHMENT(S):

None



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	MARCH 7, 2022

ITEM:	Rental Licensing Update									
DEPARTMENT:	Fire	BY/DATE: Dan O'Brien, 8/7/2023								
<p>CITY STRATEGY: <i>(please indicate areas that apply by adding a bold "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Safe Community</td> <td><input type="checkbox"/> Diverse, Welcoming "Small-Town" Feel</td> </tr> <tr> <td><input type="checkbox"/> Economic Strength</td> <td><input checked="" type="checkbox"/> Excellent Housing/Neighborhoods</td> </tr> <tr> <td><input type="checkbox"/> Equity and Affordability</td> <td><input type="checkbox"/> Strong Infrastructure/Public Services</td> </tr> <tr> <td><input type="checkbox"/> Opportunities for Play and Learning</td> <td><input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>			<input type="checkbox"/> Safe Community	<input type="checkbox"/> Diverse, Welcoming "Small-Town" Feel	<input type="checkbox"/> Economic Strength	<input checked="" type="checkbox"/> Excellent Housing/Neighborhoods	<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services	<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population
<input type="checkbox"/> Safe Community	<input type="checkbox"/> Diverse, Welcoming "Small-Town" Feel									
<input type="checkbox"/> Economic Strength	<input checked="" type="checkbox"/> Excellent Housing/Neighborhoods									
<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services									
<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population									

BACKGROUND:

Incentive-Based Licensing

Assistant Fire Chief Dan O'Brien will give an update on Rental Licensing and an Incentive-Based Licensing Fee structure.

The Incentive-Based Licensing Fee system is based on the concept of rewarding well-managed and maintained properties with less frequent inspections and cheaper license fees because, overall, they consume fewer city services. The city would use criteria gathered from several sources to evaluate the condition and management of the property. Using a calculation of property conditions and management points, the properties are placed into tiers, which then determine the frequency of their inspections and the licensing fee.

Analysis of the implementation of an Incentive-based system like the one used by Minneapolis created questions and revealed a few barriers to a quick implementation.

The first barrier is that the fire department is changing to a new records management system (RMS). A "best guess" for the department to begin the implementation and transition to the new system is the beginning of 2024 and could take up to a year to fully implement. We do not believe that it is a good use of staff time and resources to implement the tier-based system in the current RMS only to do it again within a year. Additionally, we do not have enough information on the new RMS to determine if it can accommodate the "logic/programming" behind the tiered system without program customization and added expense. This information will become available as we approach implementation.

Questions raised by the analysis include.

- Is the current system broken or ineffective or are we making changes based on a perceived problem?
- What are the recurring issues and problems with Licensing?
- How do we define and identify well-managed and maintained properties?

Fees

Postponement of the tiered system implementation for further analysis does not preclude the city from adopting and implementing portions of it such as conversion fees to convert a property to rental property and increasing change of ownership (transfer) fees. A conversion fee is understandable because there is a lot of multiple department staff time involved in analyzing the zoning, building code, and eligibility of licensees for a new rental property. An increase in change of ownership fees is also logical as the amount of staff time spent vetting license applications has increased due to the complexities of corporate ownership.

Illegal Rentals

The adoption of a Rental Density Cap into city code will likely increase the number of illegal rental properties. Since the adoption of the single-family rental license moratorium our office has seen an increase in the number of illegal rental properties in the city. Considerable staff time is spent dealing with these properties. I would like to discuss with the Council and get feedback on changing language in the code and process to address the revocation of the “ability” to hold a license within the city. A property that is illegally rented would go to council for the revocation of the ability to hold a rental license. If the ability is revoked, any license application would be subject to the reinstatement requirements and restrictions of a property that had a valid license revoked (5x the license fee and one strike for the next five years – a sort of “probation”).

STAFF RECOMMENDATION:

The transition to a new records management system will delay the implementation of an incentive-based licensing program. Staff will use the time to do a deeper analysis of the issues and problems we currently face with licensing to help define and identify well-managed and maintained properties, recurring issues, problems, and shortfalls. With this data we can compare the current licensing structure with the tiered system to determine which is more beneficial. Staff is seeking direction from the Council on pursuing implementation of a conversion fee, their thoughts on change of ownership (transfer) fees, addressing illegal rental properties with code changes.

ATTACHMENT(S):

None



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	08/07/2023

ITEM:	Discussion on the Public Use of Cannabinoids	
DEPARTMENT:	Community Development	BY/DATE: Mitchell Forney, 8/3/23
CORE CITY STRATEGIES:		
<input type="checkbox"/> Healthy and Safe Community <input checked="" type="checkbox"/> Thriving and Vibrant Destination Community		
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly <input type="checkbox"/> Strong Infrastructure and Public Services		
<input type="checkbox"/> Trusted and Engaged Leadership <input type="checkbox"/> Sustainable		

BACKGROUND

Staff are looking to have a brief discussion regarding the use of cannabinoids in public places. As the use of cannabinoids became legal on August 1st and a lot of news organizations and cities have been discussing if cannabinoids should be allowed to be used in public areas. For this discussion the definition of Public Place is as follows:

PUBLIC PLACE: Property owned, leased, or controlled by a governmental unit and private property that is regularly and frequently open to or made available for use by the public in sufficient numbers to give clear notice of the property's current dedication to public use but does not include the following:

- (1) a private residence including the person's curtilage or yard;*
- (2) private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or*
- (3) the premises of an establishment or event licensed to permit on-site consumption.*

This definition is widely used amongst other cities going through the ordinance adoption process. The City's current definition of Public Place is:

PUBLIC PLACE. *Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.*

As part of this process staff would like to amend the current definition.

The Key guidance staff are looking for is to what extent the city council would like to limit cannabinoids in public places:

Specifically, does the council want to limit certain cannabinoid uses in all public places or only parks? Which product or consumption types would the council like to limit and where?

- For example, are edible cannabinoids allowed in certain areas in which smoked or vaped cannabinoids are not.

As part of addressing the use of cannabinoids does the council want to address smoking in public places or parks?

Does the council want to address intoxication in parks or alcohol alongside cannabinoids?

- Current City code regarding alcohol can be found below. Is this something that the council would like altered?

Staff also wanted to add a few questions to assist in the ongoing zoning and licensing of cannabinoids:

- How Many licenses would the council like to make available?
- Is the council interested in a municipal dispensary?

Current city code only addresses the consumption of alcohol in parks and in public places. While some cities have ordinances regarding smoking in public, Columbia Heights does not. Listed below are the current code sections regarding drinking in a public place.

§ 10.117 CONSUMING IN PUBLIC.

(A) No person shall consume intoxicating liquor as defined by M.S. § 340A.101, subd. 14, or nonintoxicating malt liquor as defined by M.S. § 340A.101, subd. 19, as they may be amended from time to time, while:

- (1) On a public street, highway, alley, sidewalk, boulevard, or any place frequented by the public;*
- (2) On any private property without the consent of the owner of such property; or*
- (3) While in a vehicle upon a public highway.*

(B) This section shall not prohibit the consumption of such beverages at duly licensed on-sale premises, or if otherwise authorized by law.

§ 10.201 PROHIBITED CONDUCT ON PARK PROPERTY.

(P) No person shall have in his possession or consume any intoxicating liquor or non-intoxicating malt liquor in or upon any city park, parkway, or bathing beach within the city.

(1) Provided, however, the City Council may by affirmative vote grant permission to persons attending family gatherings, employees and their families attending gatherings in conjunction with their employment, and persons attending gatherings of or gatherings sponsored by non-profit public service, charitable, educational, or religious organizations within the community to possess and consume 3.2 malt liquor in city parks, except before 8:00 a.m. and after 9:30 p.m. No such permission may be granted for such possession or consumption in or upon any public bathing beach or anywhere in Silver Lake Beach Park.

(2) The prohibitions of this division shall not apply on Fridays, Saturdays, Sundays, or legal holidays to Huset Park between the hours of 8:00 a.m. and 11:00 p.m. and shall not apply to John Murzyn Hall (Columbia Heights Fieldhouse) at any time.

Six cities have already started the process of altering city code with respect to public use of cannabinoids. Listed below are the cities and what their proposed ordinances would alter. All the cities listed other than Duluth have put prohibitions on the use of any cannabinoid in a public place.

Lakeville: No use of any cannabinoid in any public place, addition of no smoking in city parks.
Duluth: No smoking or vaping cannabinoids in public parks. tobacco and cannabinoid smoking prohibited in specified locations.
Apple Valley: No use of any cannabinoid in a public place.
Detroit lakes: No use of any cannabinoid in a public place
Inver Grove Heights: No use of any cannabinoid in a public place
Prio Lake: No use of any cannabinoid in a public place

ATTACHMENT(S):

1. List of Other Cities Ordinances



4646 Dakota Street SE
Prior Lake, MN 55372

**CITY OF PRIOR LAKE
ORDINANCE NO. 123-XXX**

**AN ORDINANCE AMENDING SECTION 803 OF THE PRIOR LAKE CITY CODE CONCERNING THE USE OF
CANNABIS PRODUCTS IN PUBLIC**

THE CITY COUNCIL OF PRIOR LAKE ORDAINS:

Section 1: Part 8: Police Regulations, of the Prior Lake City Code is amended to include the following;

SECTION 803 - 3000

Subsection 803.3001 - Definitions

The definitions in Minn. Stat. § 342.01 apply to this section. In this section:

CANNABIS FLOWER: The harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

CANNABIS PRODUCT: Any of the following: (1) cannabis concentrate; (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or (3) any other product that contains cannabis concentrate. Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products.

CERTAIN CANNABINOID PRODUCTS: Any product legalized under Minn. Stat. §151.72.

LOWER-POTENCY HEMP EDIBLE: Any product that (1) is intended to be eaten or consumed as a beverage by humans; (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; (3) is not a drug; (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts; (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol; (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and (8) is a type of product approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that Office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

HEMP-DERIVED CONSUMER PRODUCT: A product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and (1) contains or consists of hemp plant parts; or (2) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

PUBLIC PLACE: Property owned, leased, or controlled by a governmental unit and private property that is regularly and frequently open to or made available for use by the public in sufficient numbers to give clear notice of the property's current dedication to public use but does not include: a person's dwelling house or premises, including the person's curtilage or yard; private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or the premises of an establishment or event licensed to permit on-site consumption.

Subsection 803.3002. Prohibited Activity

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or certain cannabinoid products in a public place.

Subsection 803.3003. Penalty

Violation of this section shall be a petty misdemeanor punishable to the maximum extent authorized in Minn. Stat. § 412.231 and Minn. Stat. § 609.0332.

SECTION 2. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this 17th day of July, 2023 by the City Council for the City of Prior Lake.

CITY OF PRIOR LAKE

BY: _____
Kirt Briggs, Mayor

ATTEST:

Jason Wedel, City Manager

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED “GENERAL OFFENSES” BY ADDING SECTION 130.09 REGARDING CANNABIS USE WITHIN PUBLIC PROPERTY AND PUBLIC PLACES

The City Council of Apple Valley ordains:

Section 1. Chapter 130 of the Apple Valley City Code is hereby amended by adding Section 130.09 to read as follows:

§ 130.09 CANNABIS USE PROHIBITED.

(A) *Definitions.* For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC PLACE. Property that is generally open to or accessible by the public, except on those premises licensed by the State of Minnesota to permit on-site consumption.

PUBLIC PROPERTY. Property, real and personal, that is owned, managed ,or controlled by the City, including, but not limited to: City buildings and all the land thereon, parking lots, parks, golf course, pathways and trails, and city rights-of-way consisting of both the traveled portion and the abutting boulevard, sidewalks and trails, and any City personal property, such as motor vehicles, city equipment, and the like.

CANNABIS FLOWER, CANNABIS PRODUCTS, LOWER-POTENCY HEMP EDIBLES, and **HEMP-DERIVED CONSUMER PRODUCTS** shall have the meanings as defined in Minn. Stat. §342.01 (enacted under Minnesota Laws 2023).

(B) *Prohibition.* No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within public property or in a public place.

(C) *Penalty.* A violation of this Section is a petty misdemeanor.

Section 2. Effective Date. This ordinance shall take effect upon its passage and the publication.

Section 3. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any person during regular office hours.

PASSED by the City Council this ___ day of _____, 2023.

Clint Hooppaw, Mayor

ATTEST:

Pamela J. Gackstetter, City Clerk

Date Ordinance Adopted: _____

Date Ordinance Published in the Legal Newspaper: _____



Legislation Text

File #: 23-020-O, Version: 1

AN ORDINANCE AMENDING CHAPTER 28, ARTICLE VII, SECTIONS 28-62, 28-63, 28-64, 28-69 and 28-72, OF THE DULUTH CITY CODE TO CLARIFY THAT SMOKING CANNABINOID IS PROHIBITED TO THE SAME EXTENT AS TOBACCO IN CERTAIN CITY LOCATIONS, UPDATE THE DEFINITION OF ELECTRONIC CIGARETTES, AND DELETE REDUNDANT LANGUAGE.

BY COUNCILORS FORSMAN, TOMANEK, AND RANDORF:

The city of Duluth does ordain:

Section 1. That Chapter 28, Article VII, Section 28-62, of the Duluth City Code be amended as follows:

Sec. 28-62. Findings of fact and statement of purpose.

(a) The Duluth City Council finds the following facts to exist:

(1) Tobacco and cannabinoid smoke is a major contributor to indoor air pollution, and breathing second hand smoke, whether indoors or outdoors, is a cause of disease, including lung cancer, in nonsmokers. At special risk are children, elderly people, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease. Many of these individuals cannot go into public places with second hand smoke due to their respiratory or allergic handicap; and

(2) Health hazards induced by breathing second hand smoke include, but are not limited to, lung cancer, heart disease, respiratory infection and decreased respiratory function; and

(3) The simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to environmental tobacco and cannabis smoke for which there is no known safe level of exposure.

Section 2. That Chapter 28, Article VII, Section 28-63, of the Duluth City Code be amended as follows:

Sec. 28-63. Definitions.

For the purposes of this Article, the following words and phrases shall have the meaning hereinafter ascribed to them:

(a) Central Hillside Park shall mean that property bounded by Lake Avenue, Third Street, First Avenue East and Fourth Street, commonly referred to as "Central Hillside Park";

(b) Clayton Jackson McGhie Memorial shall mean that parcel of property containing the memorial walls, bronze figures, plaques and gardens located at the corner of 1st Street and 2nd Avenue East and legally described as the N 54 FT of E 20 FT of Lot 30 and N 54 FT of Lot 32.

(c) Cannabinoid shall mean any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

(ed) Electronic cigarette shall mean any electronic-smoking device that can be used to deliver nicotine or any other substances to the person inhaling from the device. The term shall include such devices whether they are manufactured as electronic cigarettes, electronic cigars, electronic pipes or any other product name, including but not limited to "mods", "vape pens", "vapes", "tank systems", and "electronic nicotine delivery systems (ENDS);

(de) Kitchi Gammi Park, for the purposes of this Article only, shall mean that park located on land located between Congdon Boulevard and Lake Superior and between the Lester River and 69th Avenue East;

(ef) Gichi-Ode' Akiing (Lake Place) shall mean that structure elevated over the right-of-way of Interstate Highway 35 between Lake Avenue and Fourth Avenue East containing park-like amenities;

(fg) Lakewalk shall mean the constructed trail surface of that recreational trail running in close

proximity to Lake Superior from the Duluth Aerial Lift Bridge to 26th Avenue East and from there following the platted railroad right-of-way of the Duluth, Missabe and Iron Range Railroad to east side of the Lester River and thereafter connecting to and located in Kitchi Gammi Park;

(gh) Leif Eriksen Park shall mean that property used for park purposes located between the platted railroad right-of-way of the Duluth, Missabe and Iron Range Railroad and the shoreline of Lake Superior and between Eighth Avenue East and 13th Avenue East;

(hi) Medical facility shall mean any medical hospital, medical or dental clinic;

(ij) Prohibited substances shall mean any tobacco or cannabinoid related product, electronic cigarette and any other substance labeled as not safe for or intended for human consumption;

(jk) Public place shall mean any public street, public sidewalk, public easement, publicly owned property, public park, publicly owned or operated parking lot or parking facility;

(kl) Smoke shall mean the gases, particles or vapors released into the atmosphere as a result of combustion, electrical ignition or vaporization of or by any prohibited substance;

(lm) Smoking shall mean inhaling or exhaling smoke or vapor from any instrumentality, including but not limited to any cigar, cigarette, pipe, hookah pipe or an operating electronic cigarette, or having in possession any such instrumentality producing smoke or engaging in any act that generates smoke or vapor;

(mn) Tobacco related products shall mean any product containing, made or derived from tobacco that is intended for human consumption, or any component, part, or accessory of a tobacco product, including but not limited to tobacco found in cigars and cigarettes, tobacco intended to be used in pipes or cigarettes, chewing tobacco, moist or dry snuff, dissolvable tobacco products and electronic cigarettes and any other product containing, made or derived from tobacco that is intended or expected to be consumed with or without being combusted but does not include any tobacco product that has been approved by the United States food and drug administration for sale as a tobacco cessation product, tobacco dependent product or for other medical purposes and is marketed and sold only for those purposes

(o) Vaping shall mean using an electronic cigarette.

Section 3. That Chapter 28, Article VII, Section 28-64, of the Duluth City Code be amended as follows:

Sec. 28-64. Ingesting a prohibited substance--prohibited in certain places.

(a) No person shall ingest by smoking or chewing any prohibited substance at or in any of the following locations:

(1) Anywhere smoking is prohibited by the Minnesota Clean Indoor Air Act;

(2) Inside any Duluth Transit Authority transit shelter;

(3) Within 15 feet from the nearest point of any Duluth Transit Authority transit shelter which displays at least two signs visible from the exterior of the shelter providing notice of this prohibition, said 15 feet measured in a straight line of constant elevation;

(4) Anywhere in Wade Stadium that is open to the public except in areas designated for such consumption;

(5) Within 100 feet of the nearest property line of a medical facility, said 100 feet measured in a straight line of constant elevation; provided that this prohibition does not apply to a person inside an enclosed motor vehicle in motion on a public street or alley;

(6) On the Lakewalk, on Gichi-Ode' Akiing (Lake Place) or in Leif Eriksen Park;

(7) Within the Clayton Jackson McGhie Memorial except as permitted by Minnesota Statutes §144.4167, Subdivision 2;

(8) Within the indoor area of any establishment with a retail tobacco license, including smoking for the purpose of sampling prohibited substances;

(9) In Central Hillside Park;

(b) Any person violating this Section is guilty of a petty misdemeanor or may be penalized under Chapter 12 of the Duluth City Code, 1959, as amended;

(c) Signage to enforce the provisions of this ordinance shall be approved by the city of Duluth

Section 4. That Chapter 28, Article VII, Section 28-69, of the Duluth City Code be amended as follows:

Sec. 28-69. Other applicable laws.

This ordinance ~~[Article]~~ is intended to complement the Minnesota Clean Indoor Air Act, Minnesota Statute Sec. 144.411 to 144.417, as amended from time to time. Nothing in this ordinance authorizes smoking in any location where smoking is restricted by other applicable laws.

Section 5. That Chapter 28, Article VII, Section 28-72, of the Duluth City Code be deleted in its entirety:

~~Sec. 28-72. Smoking outdoors--near medical facilities.~~

- ~~(a) Medical facility means any medical hospital, medical or dental clinic;~~
- ~~(b) Public place means any public street, public sidewalk, public easement, publicly owned property, public park, publicly owned or operated parking lot or parking facility;~~
- ~~(c) Smoke or smoking means the use or possession of a lighted cigar, cigarette, electronic cigarette, pipe, tobacco smoking device or any other lighted smoking equipment;~~
- ~~(d) No person shall smoke in any public place within 100 feet of the nearest property line of a medical facility, said 100 feet measured in a straight line of constant elevation;~~
- ~~(e) The prohibition of (d), above, does not apply to a person inside an enclosed motor vehicle in motion on a public street or alley.~~

Section 6. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance updates the city's smoking in public places ordinance to prohibit cannabinoid smoke to the same extent as tobacco smoke. The ordinance also clarifies the definition of electronic cigarettes to include "mods", "vape pens", "vapes", "tank systems", and "electronic nicotine delivery systems (ENDS)". Finally, Section 28-72 is deleted because it redundant.



Legislation Text

File #: 23-021-O, Version: 1

AN ORDINANCE AMENDING CHAPTER 35, ARTICLE I, SECTIONS 35-8, OF THE DULUTH CITY CODE TO PROHIBIT SMOKING OR VAPING OF ANY CANNABINOID IN A PUBLIC PARK.

BY COUNCILORS FORSMAN, TOMANEK, AND RANDORF:

The city of Duluth does ordain:

Section 1. That Chapter 35, Article I, Section 35-8, of the Duluth City Code be amended as follows:

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests;
 - (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
 - (c) Urinate or defecate anywhere but in a proper toilet facility;
 - (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
 - (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
 - (f) Carry any garbage or solid waste into any park for the purpose of disposing of the same in trash containers in the park;
 - (g) Place any garbage or solid waste in trash containers in the park if such garbage or solid waste was generated by activities occurring outside the park;
 - (h) Dump any garbage, solid waste or earth in any stream, lake or pond in or adjacent to any park;
 - (i) Possess any glass beverage container while outside of a motor vehicle;
 - (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages unless:
 - (1) An alcohol consumption permit has been issued for the area pursuant to Section 35-9(a)(4); or
 - (2) An on sale license has been issued for the area pursuant to Chapter 8 of this Code; or
 - (3) An unopened container of alcoholic beverages is being transported through the park on a thoroughfare that runs through the park; or
 - (4) An unopened container of alcoholic beverages is being transported through the park to a boat launch in the park on a road that leads directly to the boat launch;
 - (k) Ingest by smoking or vaping any cannabinoid as defined in Section 28-63 (c).
- Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance updates the city's park regulations to prohibit smoking or vaping cannabinoids in public parks.

CITY OF INVER GROVE HEIGHTS, DAKOTA COUNTY, MINNESOTA
ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE, TITLE 5, CHAPTER 5, ADDING
SECTION 5-5-13 PROHIBITING CANNABIS USE WITHIN PUBLIC PLACES

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS HEREBY
ORDAINS AS FOLLOWS:

Section One. Amendment. Title 5, Chapter 5, Section 5 of the Inver Grove Heights City Code is hereby amended by adding Section 5-5-13 as follows:

5-5-13 CANNABIS USE PROHIBITED.

A. Definitions: For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC PLACE. Property owned, leased, or controlled by a governmental unit including the City but does not include: (1) a private residence, including the person’s curtilage or yard; (2) private property not generally accessible to the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or (3) the premises of an establishment or event licensed to permit on-site consumption. Public places include but are not limited to: City buildings and all the land thereon, parking lots, golf course, parks, pathways and trails, and city rights-of-way consisting of both the traveled portion and the abutting boulevard, sidewalks and trails, and any City personal property, such as motor vehicles, city equipment, and the like.

CANNABIS FLOWER, CANNABIS PRODUCT, LOWER-POTENCY HEMP EDIBLES, and HEMP-DERIVED CONSUMER PRODUCTS shall have the meanings as defined in Minn. Stat. §342.01 (enacted under Minnesota Laws 2023).

B. Prohibition: No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within a public place.

C. Penalty: A violation of this section is a petty misdemeanor.

Section 2. Effective Date. This ordinance shall take effect upon its passage and the publication as provided by law.

Passed in regular session of the City Council of the City of Inver Grove Heights on the _____ day of _____, 2023.

CITY OF INVER GROVE HEIGHTS

By _____
Brenda Dietrich
Its: Mayor

Attest:

By: Rebecca Kiernan
Its: City Clerk

(Published in the *Pioneer Press* on _____)

ORDINANCE NO. ____

**CITY OF LAKEVILLE
COUNTY OF DAKOTA, MINNESOTA**

**AN ORDINANCE AMENDING TITLE 5, CHAPTER 2 OF THE LAKEVILLE
CITY CODE CONCERNING THE PUBLIC USE OF HEMP AND CANNABIS
PRODUCTS**

THE CITY COUNCIL OF THE CITY OF LAKEVILLE, MINNESOTA ORDAINS:

SECTION 1. Title 5, Chapter 4 of the Lakeville City Code is amended to add a new Section 5-2-4 “Public Use of Hemp and Cannabis Products” to read as follows:

Section 5-2-4 Public Use of Hemp and Cannabis Products

5-2-4-1 Definitions

The definitions in Minn. Stat. § 342.01 apply to this section. In this section:

CANNABIS FLOWER: The harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

CANNABIS PRODUCT: Any of the following: (1) cannabis concentrate; (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or (3) any other product that contains cannabis concentrate. Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products.

LOWER-POTENCY HEMP EDIBLE: Any product that (1) is intended to be eaten or consumed as a beverage by humans; (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; (3) is not a drug; (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts; (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol; (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and (8) is a type of product approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that Office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

HEMP-DERIVED CONSUMER PRODUCT: A product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and (1) contains or

consists of hemp plant parts; or (2) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

PUBLIC PLACE: Property owned, leased, or controlled by a governmental unit and private property that is regularly and frequently open to or made available for use by the public in sufficient numbers to give clear notice of the property's current dedication to public use but does not include the following:

- (1) a private residence including the person’s curtilage or yard;
- (2) private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
- (3) the premises of an establishment or event licensed to permit on-site consumption.

5-2-4-2 Prohibited Activity

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.

5-2-4-3 Penalty

Violation of this section shall be a petty misdemeanor.

SECTION 2. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED by the City Council of the City of Lakeville, Minnesota this _____ day of _____, 2023.

CITY OF LAKEVILLE

BY: _____
Luke Hellier, Mayor

ATTEST:

Ann Orlofsky, City Clerk

ORDINANCE NO. ____

**CITY OF LAKEVILLE
COUNTY OF DAKOTA, MINNESOTA**

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 1 OF THE LAKEVILLE
CITY CODE CONCERNING SMOKING IN CITY PARKS**

THE CITY COUNCIL OF THE CITY OF LAKEVILLE, MINNESOTA ORDAINS:

SECTION 1. Section 7-1-1 of the Lakeville City Code is amended by adding the following definitions, with the following original text, new text, and ~~deleted text~~:

ELECTRONIC DELIVERY DEVICE: Any product containing or delivering nicotine, lobelia or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor.

SMOKING: Inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated product containing, made or derived from nicotine, cannabis, hemp, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking will also include using an electronic delivery device.

SECTION 2. Section 7-1-7 of the Lakeville City Code is hereby enacted to read as follows:

Section 7-1-7: Smoking in Parks Prohibited

A. Smoking is prohibited in all City Parks, in all public parking lots that are adjacent to City Parks, and inside all motor vehicles located in any City Park or adjacent public parking lot.

B. A violation of this section is a petty misdemeanor.

SECTION 2. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED by the City Council of the City of Lakeville, Minnesota this _____ day of _____, 2023.

CITY OF LAKEVILLE

BY: _____
Luke Hellier, Mayor

ATTEST:

Ann Orlofsky, City Clerk

ORDINANCE 515

AN ORDINANCE CREATING CHAPTER 1100 CANNABIS AND SECTION 1101 USE OF CANNABIS IN PUBLIC IN THE CITY CODE

The City Council of the City of Detroit Lakes does hereby ordain:

Chapter 1100 Cannabis

Section 1101 Use of Cannabis in Public.

Subd. 1 It is unlawful to use cannabis flower, cannabis products, lower-potency hemp edibles and hemp-derived consumer products, as defined in Minn. Stat. Section 342.01, in public places anywhere in the City.

Subd. 2 As used in this Section, public places include all areas contained within the City boundaries, except the following:

- A. Private residences, including the curtilage and yard; and
- B. Private property not generally accessible by the public, unless a person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products on the property by the owner of the property; and
- C. The premises of an establishment or event licensed to permit on-site consumption of cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products.

Subd. 3 Violation of this Section is a petty misdemeanor as defined by Minnesota law. This Section may be enforced by the City of Detroit Lakes Administrative Penalty Procedure, City Code Section 214.

This ordinance shall take effect upon passage and publication as provided in by law.

Passed and adopted this 8th day of August 2023.

Approved this 8th day of August 2023.

Glori French, City Clerk

Matt Brenk, Mayor

First Reading: July 11, 2023
Second Reading: August 8, 2023



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	AUGUST 7, 2023

ITEM:	City Hall Art Policy.		
DEPARTMENT:	Administration	BY/DATE:	Kevin Hansen, August 3, 2023
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <p> <input type="checkbox"/> Healthy and Safe Community <input type="checkbox"/> Thriving and Vibrant Destination Community <input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly <input type="checkbox"/> Strong Infrastructure and Public Services <input type="checkbox"/> Trusted and Engaged Leadership <input type="checkbox"/> Sustainable </p>			

BACKGROUND:

Now that the new City Hall is open there have been questions regarding the commission of and placement of art in the community facing space.

SUMMARY OF CURRENT STATUS:

The City has previously had a Public Commission that set guidelines for the standards for public art, and the Library has an existing Public Art Policy.

§ 3.314 PUBLIC ARTS COMMISSION.

(A) *Establishment.* A Public Arts Commission is hereby established.

(B) *Definition.* For the purpose of this section the following definition shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC ART.

(a) Within commercial zoning districts, physical artwork which is viewable by the general public, whether on public or private land or buildings, whether owned by an individual or legal business entity of the city.

(b) Physical artwork which is viewable by the general public installed on land owned by the city.

(C) *Statement of purpose.* The purpose of this section is to encourage the display of public art in the city and to provide a mechanism for the inclusion of public art and memorial structures throughout the city primarily in parks and open spaces. Public art can play a vital role in transforming the community.

(1) Generating economic impact:

- (a) Attracting new audiences;
- (b) Supporting marketing efforts;
- (c) Attracting media attention;
- (d) Returning dollars to local economy for fabrication and installation; and
- (e) Enhancing cultural tourism in our area.

(2) Establishing unique identity:

- (a) Giving character to a setting;
- (b) Representing the history and importance of a place;

- (c) Creating an iconic image for future generations; and
- (d) Physically represent our values or aesthetic.
- (3) Building community, creating civic pride:
 - (a) Engaging local stakeholders in planning, design, and execution;
 - (b) Encouraging community to participate in creating their own public spaces;
 - (c) Demonstrating the strengths of a community; and
 - (d) Empowering the individuals who don't usually have a role in decision- making.
- (4) Supporting great art:
 - (a) Setting the bar for cultural developments;
 - (b) Demonstrating aesthetic sophistication; and
 - (c) Attracting artists/activity to our neighborhoods.

(D) *Purpose, values, and goals.* The mission of Columbia Height's Public Arts Commission (PAC) is to help enrich the lives of the citizens of, and visitors to, Columbia Heights by strategically integrating public art into city planning, services, design and infrastructure. The following values and goals shall guide the city in making decisions regarding public art. City departments, project committees, panels, the Public Arts Commission, and other interpreters of these goals and values should apply them as appropriate to each project, artists and affected neighborhoods. Review criteria for all policy areas of public art shall be based on these values and goals.

- (1) Encourage excellence in the city's visual design and public arts:
 - (a) Enhance the aesthetic environment of public places within the city through engaging, unique, and high quality public artworks;
 - (b) Insure consideration of aesthetic issues in local decision making; and
 - (c) Recruitment of qualified artists.
- (2) Strengthen community identity, place, and assets:
 - (a) Build awareness of community history, cultures, landscape and the "Minnesota hometown" image;
 - (b) Develop artworks that are integrated into city building and streetscape/development projects and are compatible with their settings;
 - (c) Encourage building architecture to be consistent with the character of the area and history of the city; and
 - (d) Build Columbia Heights to be recognized as a regional cultural center.
- (3) Contribute to Columbia Height's health and vitality:
 - (a) Promote Columbia Heights as a community that provides its citizens with a high quality of life;
 - (b) Invite visitors to Columbia Heights as a popular art destination;
 - (c) Develop mechanisms for encouraging partnerships with and among the city's neighborhoods, commercial areas, and city's cultural/heritage organizations;
 - (d) Provide places for art (lakes, parks, gardens, architecture, facilities, streetscapes, trails, roadways, and art-related enterprises);
 - (e) Promote working space for artists; and
 - (f) Develop and maintain safe artworks.
- (4) Involve a broad range of people and communities:
 - (a) Enable opportunities for all citizens, neighborhoods, and organizations to participate in the planning, creation, and equal access to the cultural experiences and artworks;
 - (b) Preserve and celebrate the city's diversities of neighborhoods, ethnicity, race, age, religion, and gender; and
 - (c) Provide pedestrian-friendly neighborhoods.
- (5) Value artists and artistic processes:
 - (a) Provide a range of creative opportunities for artists with varying degrees of experience;

- (b) Ensure the ongoing integrity of artworks and respect the creative rights of artists; and
- (c) Involve artists directly in the concept, design, and creation of artworks.
- (6) Use resources wisely:
 - (a) Develop and manage projects in a cost-effective manner;
 - (b) Use city funds to leverage private investment in public art and use public art to leverage private investment in other city ventures; and
 - (c) Secure and utilize the various funding sources available for public art programs.
- (E) *Responsibility and authority.* The Commission serves as an advisory to the City Council.

STAFF RECOMMENDATION:

Discussion regarding City Hall Art Policy:

1. Length
 - a. Yearly basis?
2. Payment / Stipend
 - a. If no stipend, is it a place for artists to sell their work instead?
3. Committee
 - a. Is there a committee just for City Hall or Public Art in general?
4. Location
 - a. Central Place?
 - i. Art only on walls, pieces on stands
 - b. Main Lobby?
5. Themes
 - a. Is there a theme for each session?
6. Sales of the art
 - a. Artists will be responsible for connecting with potential buyers?

ATTACHMENT(S):

- Columbia Heights Library Policy Manual Pg 16-18
- City of Delano Public Art Policy
- City of Golden Valley Public Art Policy
- City of Northfield City Hall Art Policy

2. A maximum of 100 items may be checked out for 45 days. Materials are not renewable.

Deposit Collections: Make library materials available off-site to persons who either have limited or no access to the library building (e.g. senior citizen housing).

1. No overdue fines will be assessed; agencies will be responsible for damage and replacement fees.
2. Materials are selected by a librarian after arrangements with the agency have been made for pickup and delivery of the collection. The size of the collection will also be determined at this time.
3. Agencies must provide space for materials, and one staff member will serve to oversee the collection and communicate with library staff.
4. The borrowing agency will provide a format for recording the use of the collection within the off-site facility. The library requires these statistics for annual reports.

Adopted: 10/5/1999

Revised: 6/3/2003; 5/31/2007; 9/4/2007; 3/3/2021

PHOTOGRAPHY AND VIDEOGRAPHY

Adopted: 7/10/2007

Revised: 9/4/2007

Rescinded: 6/2/2021

PUBLIC ART IN THE COLUMBIA HEIGHTS LIBRARY

INTRODUCTION: The new library presents an opportunity to install and exhibit art from area artists, or national ones, to enrich patrons' library experience and create a place of beauty, contemplation and curiosity. The building was designed with this in mind offering various spaces, inside and out, where art can be installed.

Public art in libraries contributes to the library mission to nourish minds, transform lives and build community. At this time (2020) Columbia Heights has five pieces of public art, the Clock on Central Avenue, the statue in front of the Public Safety Building, the Heritage Tower at Jefferson Street and Huset Parkway, and two works at the Columbia Heights High School.

The establishment of a Library Art Committee strengthens the art selection process and build community excitement and support.

PURPOSE: The new library may exhibit art; acquire and maintain works of art; or commission works of art for both inside and outside the building. This policy defines the criteria by which the Library acquires artwork for its Public Art Collection and select artwork to be exhibited.

GUIDELINES:

1. Artwork for display in the Columbia Heights Public Library will be acquired and exhibited through purchase, donation, commission, loan or short-term exhibition, in accordance with the mission, goals and objectives of the Library, and available funding.
2. The Collection and Exhibition Program will represent a broad spectrum of artistic expression, with a focus on local and Minnesota artists.
3. Artwork must have merit, be high quality, meet acceptable artistic standards, and be appropriate for a library setting.
4. Artwork must be original, hand-signed or authenticated by the artist.
5. The Library Art Committee will select/approve the work and supervise its location. This Committee shall include representatives from the Board, Library Staff, Friends of the Library, Library Foundation, and the community. The final decision on purchases is made by the Chair of the Art Committee, the Chair of the Library Board, and the Library Director.
6. The Art Committee and the Library Board have the responsibility for monitoring the policy, establishing procedures for the implementation of the policy, and for reviewing and recommending changes to the policy.
7. Artwork that no longer has a relevant place will be deaccessioned in accordance with Art program procedures.
8. Selection Considerations:
 - a. Celebrates/explores the unique history, culture and environment of Columbia Heights
 - b. Has broad and timeless appeal
 - c. Is excellent and innovative
 - d. Is designed for a publically visible and accessible area
 - e. Safe, durable, and able to resist theft, vandalism, and exposure to the elements (if outdoors)
 - f. The art requires low maintenance, and reasonable installation costs

Adopted: 4/6/2016

Revised: 2/5/2020

PUBLIC SERVICE POLICY

PURPOSE: To define who may use the Library

GUIDELINES: Columbia Heights Public Library and Anoka County Library cards shall be issued without charge to all persons who live in or own property in the City of Columbia Heights or Anoka County. The library will require persons to present identification to verify identity and address at the time of registration and thereafter on a periodic basis. Individuals who are unable to provide current verification of address will be issued a library card which restricts borrowing privileges. Once verification of name and current address are provided, a regular library card will be issued. Any of the following may be used as the basis for initial card application or as ID to confirm/update/extend privilege:

1. Minnesota driver's license or identification card with current address, expired Minnesota driver's license or ID accompanied by application for replacement, photo ID with current address issued by a government or tribal agency.
2. Check blanks imprinted with name and mailing address, rental agreement listing the address, or a utility bill dated within 60 days of the current date will be accepted as proof of current residency. Utility bills accepted for proof of residency are electric, gas, water/sewer, solid waste, telephone,



DELANO PUBLIC VISUAL ART POLICY AND PROCEDURES

1.0 Mission

The City of Delano desires policies and procedures to encourage the display of public visual art within the City and to provide a mechanism for the inclusion of public art through the city in specific parks and outdoor public open spaces.

2.0 Goals

Public Visual art within the community shall further one or more of the goals outlined below:

1. Provide a forum for public art and artistic expression within the community
2. Allow public art as a vehicle to express the City's history and cultural heritage
3. Strengthen the community's sense of spirit, pride and community values
4. Generate cultural tourism and create economic impact
5. Utilize resources efficiently and provide for sustainability

3.0 Sites

3.1 Sculpture Park (Highway 12 Riverfront and/or County Road 30 Triangle)

This location functions as a passive park-like public open space. It is adjacent to both the bustling highway corridor and the serene riverway, providing an interesting opportunity for artistic impression. The site provides opportunities for traditional and abstract art, focusing on organic and natural traits of the area. Sculptures in this location should harmonize with the age, geography, historical, and/or physical features of the Delano community.

3.2 Downtown Sites

Downtown Delano contains several public open spaces that would be accommodating to public art. As the historic home of Delano's earliest days, the downtown also celebrates the geographic features of the Crow River. Like the Highway 12 Sculpture Park, downtown provides opportunities for traditional and abstract art, focusing on organic and natural traits of the area. Sculptures in this location should harmonize with the age, geography, historical, and/or physical features of the Delano community.

3.3 Other parks and public open spaces

There are a number of other parks and open spaces within the community that could be accommodating and appropriate to a variety of art elements. The City, through the processes outlined herein, will review any and all proposals for art in parks and open spaces on a case-by-case basis.

4.0 Types of Projects

4.1 Public Art Commissioned by the City

From time-to-time, the City may desire to commission public art projects. Any art projects initiated by the City shall follow the process for review as outlined in these policies and procedures.

4.2 Donations or Loans of Artwork

The City provides an opportunity for donation or loans of artwork for display on public property. Any individual, group, or corporation interested in donating or loaning artwork for display shall follow the policies and procedures outlined in this document. Any donations or loans must occur under the following terms:

- a. All donations and loans shall be reviewed by the City of Delano and approved
- b. As part of the approval process, the owner or owner's representative of the project will be required to enter into an Art Display Agreement. This agreement shall outline the length of the loan or statement of donation, location, maintenance requirements, cost responsibility, insurance, value of art work, installation and removal responsibility, and other items not specifically mentioned. If ongoing maintenance requirements, cost responsibility, or other obligations are the burden of the owner or owner's representative, then the sustainability of the owner or owner's representative shall be added to Section 5.3 as a condition of review.
- c. All siting decisions shall be made by the City Council, with input from advisory groups and/or community members
- d. All donated works become part of the City's art collection and, as such, may be relocated or removed from display at any time following the procedures outlined in Section 7.0 of this document.

5.0 Process for Review

5.1 Review/Approval Process

Applications for public review must meet the submission requirements outlined below. Once an application is received by the City, it will be scheduled for an upcoming City Council meeting when agenda time is available. It is anticipated that this process should take between 31-60 days. The review process shall be as follows:

- a. Acceptance of the application by the City Council. The Council shall review the application and direct staff to proceed with the review procedures
- b. The application and its contents shall be forwarded to three entities:
 - City Park and Recreation Commission
 - Delano Area Council for Arts and Culture
 - Delano Historical Society

These two entities will provide a review of the application and comments on the application's merits.

- c. A 30-day public review period shall also begin with the City Council's direction for application review. Three mechanisms are outlined for public review:
 - The application shall be available at City Hall for public comment
 - The application shall be posted on the City website with an opportunity for community members to post a comment
 - Property owners (business and residential) within 350 feet shall be provided written notice of the application and given the opportunity to submit a written comment. Such notice shall be mailed within 15 days prior to the end of the 30-day public review period, or the public review

period shall be extended accordingly to accommodate 15 days following the mailing of property owners notice.

- d. Following the 30-day public review period, the City’s Art Review Committee shall convene a meeting and provide a recommendation regarding the application to the City Council. The recommendation shall include all of the comments received during the review period and a summary of the recommendations from the three committees. The Art Review Committee shall be comprised of a representative from each of the application review committees – Park and Recreation Commission, Delano Historical Society and the Delano Council for Arts and Culture.
- e. The City Council shall review the application, recommendation from the Art Review Committee and public comments received prior to making a final decision on the application. The City Council’s final review may take place within 30 days following the 30-day review period.
- f. Conflict of interest Statement: In no event shall the application or representative of the applicant be part of the Art Review committee

5.2 Submission Requirements

Applications will not be deemed acceptable unless accompanied with the following information:

- a. A photo, drawing or sketch of the art piece
- b. Estimated cost of construction and design and proposed funding sources
- c. Description of the materials used to create structure including materials needed to display/secure the structure
- d. Dimension of the structure including appropriate base materials needed
- e. Description, including materials, dimensions, working and location, of interpretive signage for the structure
- f. Statement of regarding relationship to proposed site including aesthetic, cultural or historic ties
- g. An estimate of design lifespan of the structure and potential annual maintenance needed to maintain structural integrity
- h. Statement as to whether the work is unique or duplicates other work
- i. Proposed construction methods

5.3 Guidelines for Review

The review committees, the Art Review Committee, and City Council will consider the following criteria in its review of all art on public parks and open spaces:

- a. The City’s overall collection shall strive for diversity in style, scale, media and artists.
- b. If the structure is to be erected outdoors, the physical condition of the structure should be considered in terms of durability in an outdoor setting. Any requirements for immediate or future conservation should be noted.
- c. The structure must add interest and meaning to the environment in which it is placed. It must be compatible in scale, material, form and content with its surrounding and for an overall relationship with the site. Structure must conform to any existing Master Plan for the site.
- d. The structure must have social, cultural, historical or physical context to the site and/or community, either existing or planned.
- e. Structures whose messages are exclusively religious in nature will not be accepted.
- f. Structures whose messages are exclusively political in nature will only be considered if the political message is of historical context.

- g. Structures that will provide burdensome maintenance costs on the City, according to its discretion, will not be accepted.
- h. Structure shall provide overall artistic merit, creativity, and vision (originality, ambition, connection with people and region, technical competence and craftsmanship).
- i. Message and content shall be judged by generally accepted community standards.
- j. Preference given to work created by local and regional artists.
- k. Artist's background and ability.
- l. Pertinence to local people, history, events and cultural and ethnic heritage or related to location.
- m. Support and collaboration for the project.
- n. No conflict of interest with funding sources.
- o. Clear title of ownership.
- p. Must meet City Codes and Ordinances.
- q. Avoid over-representation by any one artist.
- r. Prioritized list of sites and localities.
- s. Public Safety.
- t. Artworks should not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building, on a sidewalk or path.
- u. Art should not be placed in a given site if the landscaping and maintenance requirements of that site cannot be met on a long-term basis.

6.0 Maintenance

Costs of on-going maintenance and repair anticipated through the lifespan of any artwork will be important considerations during the acceptance process. Costs for such activities must fall within the City's budgeted funding sources and the City must have labor availability to meet the maintenance needs. In the event any proposed artwork exceeds the City's capacity for maintenance or repair, the donating person or entity will be responsible to include resources for maintenance and repair in the Art Display Agreement.

7.0 Removal of Public Art

The City shall remove and dispose of works of art when it finds such action to be in the public interest based on the following:

- a. The artwork has no relevance to the collection or serves no exhibition function.
- b. The artwork has been vandalized and is unable to be repaired for any reason, including physical, structural or financial reasons.
- c. The artwork no longer meets the current standards for public art.
- d. The artwork is no longer repairable or is in a seriously deteriorated condition.
- e. Due to the concerns for public safety if an artwork becomes a hazard or a public liability.
- f. Removal should not be based on current fashion or taste.

Recommendations for removal of public art shall be directed to the City Council. If the City Council determines a review is appropriate, it shall follow the same procedures as outlined for the application for new artwork in Section 5.1 of this document.

Once approval for removal is granted, the structure shall be disposed of in accordance with Minnesota Statutes Chapter 471.

CITY OF GOLDEN VALLEY PUBLIC ART POLICY

A. Purpose and Intent

The purpose of this Public Art Policy (“Policy”) is to enhance the City of Golden Valley (the “City”) through the development of a Public Art Program. The intent of this Policy is to develop processes, policies and procedures that will:

1. Provide a process by which the City and the Golden Valley Arts League (the “Arts League”) can work collaboratively to advance more Public Art in the community;
2. Guide the City’s approach to Public Art and provide a mechanism for the inclusion of Public Art throughout the City;
3. Enrich the City’s public environment for its residents, business community, and visitors by encouraging public participation and interaction with public spaces;
4. Ensure that stakeholders in the community are given a forum to share their perspectives, input, experience, and knowledge;
5. Enhance community identity and pride; and
6. Provide high quality Public Art that promotes excellence and demonstrates diversity and a variety of media.

B. Public Art

“Public Art” means works of craft or art, whether owned by the City or not, in any medium that have been reviewed against adopted and standardized criteria, approved, and formally accepted by the City for installation in public locations, in or on publicly owned buildings, on publicly owned land, or in or on other locations leased or provided to the City through donation, easement or other means. Public Art includes sculpture, murals, fountains, statues and any other form of two or three dimensional work in any physical medium appropriate for the location and otherwise meeting the approval criteria.

All proposed Public Art must meet the following guidelines:

1. Public Art not owned by the City shall be subject to a License and Maintenance Agreement between the owner of the Public Art and the City. The owner or provider of the Public Art shall be responsible for all maintenance, insurance and repair costs associated with the Public Art, unless otherwise agreed by the City and approved by the City Council.
2. Public Art shall be accessible to public viewing.

3. The City shall retain the right to transfer Public Art from one City-owned site to another, as it deems necessary, or to remove or deaccession the Public Art if it no longer desires to retain it as a component of the public art program.
4. Public Art shall not be approved where a condition of the approval requires permanent exhibition.
5. In the judgment of the majority of the Public Art Panel and the City Council, the Public Art must be appropriate for display to the general public.
6. If a proposal accepted by the City is a concept design for Public Art, then the final product must match the approved concept design.

C. Process for Selection

Public Art selection shall be managed in cooperation with the Arts League. The Arts League shall have the initial responsibility to solicit and develop proposals for Public Art and to secure and develop funding for Public Art. All proposals shall subsequently be reviewed by the Public Art Panel and approved by the City Council. The process for submitting proposals for approval by the City is as follows:

1. Proposals for placement of Public Art shall be made by applicants in writing to the Arts League.
2. The Public Art Panel shall evaluate the proposed Public Art.
3. The Public Art Panel shall make an advisory recommendation regarding the proposed Public Art to the City Council based upon the Public Art Panel's perspectives, input, experience and knowledge.
4. The City Council shall approve or reject the proposed Public Art, along with the proposed License and Maintenance Agreement.

D. Public Review and Comment Period

Each Public Art proposal will be announced to the public at a regular City Council meeting and then made available for public review and comment for a minimum of thirty days after the Public Art Panel's recommendation has been submitted to the City Council.

E. Required Information for Public Art Proposal

All written Public Art proposals submitted to the City must include the following:

1. A photo or drawing of the Public Art.
2. The appraised value of the Public Art.

3. A description of materials used to create Public Art, including materials needed to display/secure the Public Art.
4. The dimensions of the proposed Public Art, including appropriate base materials needed at the public site.
5. A description, including materials, dimensions, wording and location, of interpretive signage for the Public Art.
6. A statement regarding the relationship of the proposed Public Art to the proposed site including aesthetic, cultural, or historic ties.
7. Statement of probable lifespan of the Public Art and annual maintenance needed to maintain Public Art integrity.
8. A statement as to whether the Public Art is unique or duplicates other work by the same artist.

F. Composition of the Public Art Panel

The Public Art Panel shall be made up of and by the Arts League and must include at least one at large City resident, chosen by the Arts League, and at least one City employee, chosen by the City Manager.

G. Duties and Responsibilities of the Public Art Panel

In all cases, the Public Art Panel's decisions are advisory recommendations and final authority remains with the City Council. The Public Art Panel shall work within parameters established by the City Council including overall budget, site constraints and program goals. The Public Art Panel's duties shall include the following:

1. Make recommendations to the City Council and City staff on matters pertaining to the selection, acquisition, location, restoration and maintenance of Public Art.
2. Make recommendations to the City Council regarding the engagement of the Arts League, an Arts Facilitator or other consultants.
3. Make recommendations to the City Council and City staff regarding the terms of proposed License and Maintenance Agreements related to Public Art.
4. Review, evaluate, and discuss credentials, proposals and/or materials submitted to the City or Public Art Panel for review.
5. Via majority vote, recommend the award of Public Art projects or proposals or decide to further investigate any chosen finalists. If further investigation of finalists is required, draft a list of information and/or additional materials required. Conclude the investigation as rapidly as possible, convene for further discussion and, via majority vote, recommend the award of projects.

6. Inform the City Council in writing of the Public Art Panel's advisory recommendation and cite reasons for the decision. If the Public Art Panel cannot reach an agreement on an advisory recommendation, the matter shall be referred to the City Council. The Public Art Panel may chose not to make an advisory recommendation if, in its opinion, there is insufficient merit among the submissions. If this occurs, the City Council shall determine whether to recommend that the Public Art project should be abandoned or whether some other action is required.
7. Coordinate physical and logistical components of Public Art installation with City staff, including matters related to transportation and signage.
8. Serve as an information conduit for the Arts League, City staff, artists, property owners and others for matters relating to Public Art.
9. Other duties as determined by the City Council.

H. Criteria for Review

The Public Art Panel shall make recommendations based upon the following criteria:

1. All visual art forms and materials will be considered. Artwork reflecting any school, movement, method or style will be considered. Artwork may be functional or non-functional, conceptual or tangible, portable or site-specific.
2. The proposed Public Art should be compared with the artists' best work and the best works of Public Art then displayed in the City.
3. Public Art should be enduring and diverse and the City should strive for diversity in style, scale, media and artists. It should reflect the social, ethnic and cultural fabric of the community as well as the values of the City and the community.
4. If the proposed Public Art is to be erected or displayed outdoors, the physical condition of the Public Art should be considered in terms of durability in an outdoor setting. Any requirements for immediate or future conservation should be noted.
5. Consideration should be given to structural and surface integrity and the use of materials appropriate to the location so as to minimize or eliminate maintenance and repair costs.
6. Public Art must not create unsafe conditions or otherwise increase public liability.
7. Public Art must add interest and meaning to the public location in which it is placed.
8. Public Art must be compatible in scale, material, form and content with its surrounding and form an overall relationship with the public location. Public Art must conform to any existing Master Plan for the site. The applicant may request a specific site; however, each placement will be evaluated based upon suitability of the Public Art for

the site. The Public Art Panel will make a recommendation to the City Council concerning an appropriate site for the Public Art.

9. The Public Art must have social, cultural, historical or physical connection to the planned public location.
10. Public Art whose message is exclusively religious in nature will not be accepted.
11. Public Art whose message is exclusively political in nature will only be considered if the political message is of a historical context.
12. The City is discouraged from approving Public Art when funds for the on-going maintenance and repair of the Public Art are not secured and when, as a condition of the installation or exhibition, the City is required to pay for the maintenance, installation, framing, or restoration of the Public Art.
13. The Public Art Panel shall determine and consider the cost and burden on the City of on-going maintenance and repair anticipated throughout the lifespan of a project.

The City Council may adopt additional project-specific criteria to evaluate Public Art proposals.

I. Removal & Deaccessioning Public Art

Deaccession is a procedure for the removal and disposal of Public Art owned by the City. The City may remove or deaccession Public Art when it finds such action to be in the best interest of the public based upon the following:

1. As a means of improving the quality of the City's exhibited Public Art when:
 - a. The Public Art has no relevance or serves no exhibition function.
 - b. The Public Art is duplicative of other Public Art.
 - c. The Public Art no longer meets the current standards for Public Art.
2. Due to concerns for public safety when Public Art becomes a hazard or a public liability.
3. The Public Art is in a seriously deteriorated condition.
4. Removal should not be based on current fashion or taste.
5. As a result of external acquisition of the Public Art.

Recommendations for removal shall be made to the Public Art Panel, which will then make a recommendation based upon the public benefit of the action to the City Council for approval.

Each request for removal shall be announced to the public at a regular City Council meeting and then made available for public review and comment for a minimum of thirty days before action is taken by the City Council.

J. Exemptions

This Public Art Policy shall not apply to art procured for or located at any City owned buildings, including specifically Brookview and the Golden Valley City Hall. Decisions related to placement of art at Brookview and the Golden Valley City Hall shall be governed by the Brookview & City Hall Public Art Rotation Guidelines as described in the attached **Exhibit B**.

EXHIBIT A
PUBLIC ART LICENSE AND MAINTENANCE AGREEMENT

THIS PUBLIC ART LICENSE AND MAINTENANCE AGREEMENT (this “Agreement”) is made as of the ____ day of _____, 20____, by [_____], a Minnesota _____ (“Owner”), and the CITY OF GOLDEN VALLEY, a municipal corporation under the laws of the state of Minnesota (hereafter referred to as the “City”).

RECITALS

- A. Owner is the owner of the work of art described and/or depicted on the attached Exhibit A (the “Art”).
- B. City is the owner of the real property in Hennepin County, Minnesota, located at the address commonly known as _____ (the “City Property”).
- C. Owner desires to license the Art to City for placement and display on the City Property for the public benefit.
- D. City desires to license the Art from Owner for placement and display on the City Property for the public benefit in the location depicted on Exhibit B attached hereto (the “Site”).
- E. City and Owner desire to enter into an agreement with respect to the terms and conditions relating to the placement, display and maintenance of the Art.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, and for other valuable consideration, the receipt of which is hereby acknowledged, City and Owner agree as follows:

- 1. **Grant of License.** Owner grants to City, under the terms and conditions of this Agreement, the exclusive right and royalty-free license to display the Art for the benefit of the public, and to create and use images of the Art.
- 2. **Term; Termination.** This Agreement shall remain in effect for a period of one (1) year (the “Term”) and be automatically renewed for successive one (1) year terms. Either party may terminate this Agreement by delivering at least six (6) months’ written notice to the other party. City may terminate this Agreement immediately upon the occurrence of an Event of Default.
- 3. **Owner Obligations.** Owner, at its sole expense, shall have exclusive responsibility for the following work (the “Owner’s Work”):
 - (a) Safely transporting the Art to the Site;
 - (b) Preparing the Site for installation of the Art, including but not limited to constructing any necessary fixtures, footings or other structural features necessary to place, mount

or affix the Art to the Site in accordance with the plans and specifications set forth on Exhibit C attached hereto;

- (c) Delivering and installing the Art at the Site;
- (d) Creating, placing or installing any signage or informational materials to be displayed near the Art, which signage or informational materials shall be subject to City approval;
- (e) Properly maintaining and preserving the quality and condition of the Art or restoring it to its original quality or condition as necessary, including the removal of graffiti;
- (f) Removal of the Art upon termination of the Agreement; and
- (g) Restoration of the Site and surrounding City Property to City's satisfaction upon removal of the Art.

4. City Obligations. City, at its sole expense, shall have exclusive responsibility for the following work (the "City's Work"):

- (a) Supervising Owner's installation or placement of the Art at the Site; and
- (b) Maintaining the areas immediately surrounding the Art, as depicted on Exhibit B (the "City Maintenance Area"), including but not limited to regular removal of waste and debris, landscaping, lawn mowing and vegetation trimming, sweeping, dusting, and snow removal and ice control consistent with City's regular winter maintenance policy. City may engage third parties to perform or otherwise assist in the performance of the City's Work. City will not be responsible for the maintenance, preservation or protection of the Art itself.

5. Easements Granted for Outdoor Art Displays. City grants Owner non-exclusive easements for ingress, egress, access, construction, and maintenance to perform the Owner's Work in the event the Site is located outdoors. Owner may not exercise the easement rights granted in the immediately preceding sentence with respect to the City Property in a manner that materially interferes or obstructs, temporarily or otherwise, with City's or the public's use of City Property, except with the prior written consent of City or as otherwise provided under applicable law.

6. Access to Indoor Art Displays. City shall provide Owner with access to any building on the City Property in the Site is located during regular business hours or at such reasonable times as the parties may otherwise agree. Owner's access to any building on the City Property shall at all times be supervised by an authorized City representative.

7. Cost Allocation. Except as provided otherwise in this Agreement and by applicable law, each party shall pay the cost of its own work described in Section 3 above.

8. Insurance Requirements. Owner and its contractor(s) shall, at their sole cost and expense, procure and maintain during the Term of this Agreement, insurance to protect against claims of workers' compensation; claims for damages due to bodily injury including personal injury, sickness or disease, or death of any of their employees or of any other person other than their

employees; and from claims for damages because of injury to or destruction of tangible property, including loss of use resulting therefrom; from claims for damage to the Art itself; and from claims arising out of Owner's performance of professional services caused by errors, omissions, or negligent acts for which Owner is legally liable, including the warranties made hereunder. City shall be named as an "Additional Insured" on all applicable policies of insurance and evidence of coverage shall be provided to City prior to the commencement of the Owner's Work.

9. Limitations on the Rights and Responsibilities. Owner shall have no right to use, maintain, disturb or construct improvements on the Easement Area, except to the extent (i) such right is expressly provided for herein; (ii) such right is granted by applicable law (including without limitation any permits granted under applicable law); or (iii) such right is the same as the right of the general public to use the Site in accordance with applicable law.

10. Removal. City reserves the right to remove the Art at any time for the purpose of protecting the health, safety or welfare of the public or for any other reason.

11. Communication. The parties shall communicate regarding the scheduling and performance of their respective work obligations under this Agreement to minimize the impact of such work on the public enjoyment of the Art and the City Property. Communication may include items such as written summaries of work to be performed and site tours.

12. Failure to Perform.

(a) **Event of Default.** The failure by Owner to observe and perform any covenant, condition or obligation on its part to be observed or performed under this Agreement which continues for a period of sixty (60) days following written notice from City to Owner shall be deemed an "Event of Default."

(b) **Remedies.** Upon an Event of Default, City shall be entitled to all the remedies permitted by law or equity. Without limiting the foregoing, with respect to an Event of Default by Owner to perform any of the Owner's Work, City may, at its sole option, perform the work and Owner shall promptly reimburse City for any expense incurred by City. Owner grants City full authority and a license to act as set forth in the previous sentence following an Event of Default. When City does any such work, City may, in addition to its other remedies, assess costs incurred in performing the work in accordance with Minnesota Statutes, Chapter 429.

13. Indemnity. Owner shall defend, indemnify and hold City and its respective officers, employees, contractors and agents harmless from and against any property or intellectual property claims arising from or relating to the Art and any claims made by Owner and/or third parties for damages sustained, costs incurred, or injuries on or relating to the Art, the City Maintenance Area or the City Property, resulting from any act or omission of Owner, its employees, contractors or agents. Owner shall indemnify City and its officers, employees, contractors and agents for all costs, damages or expenses, including reasonable attorneys' fees, which City may pay or incur in consequence of such claims. The indemnity obligations set forth in this Section shall survive any termination of this Agreement. City does not and will not guarantee the safety of individuals viewing or coming into contact with the Art on the City Property.

14. Representations and Warranties. Owner represents and warrants, for the benefit of City, that: (i) Owner is the owner of the Art and all rights associated therewith necessary for its installation and public display at the Site as contemplated by this Agreement; (ii) Owner has all requisite power and authority to execute and deliver this Agreement, and to perform all of the obligations required hereunder; (iii) the Art, and the installation thereof, does not infringe upon the rights of any third party; (iv) the installation of the Art will be performed in a high-quality workmanlike manner; (v) Owner is not required to obtain any consent or approval of any person or entity as a condition of entering into this Agreement, or if any such required consent or approval is required, it has been obtained; and (vi) Owner shall at all times comply with all federal, state and City laws and ordinances, as well as any City policies and regulations applicable to the performance of the Owner’s Work under this Agreement.

15. Waiver. The action or inaction of any party shall not constitute a waiver or amendment to the provisions of this Agreement or a waiver of any rights granted hereunder. Any party’s failure to promptly take legal action to enforce this Agreement shall not be a waiver, revocation or release.

16. Notices. Any notice, statement, document, demand or request to be given, delivered or made hereunder shall be in writing and shall be personally delivered (including messenger delivery) or sent by registered or certified mail, or by a nationally recognized overnight courier which issues a receipt, in each case postage prepaid, and shall be deemed given upon personal delivery, three (3) days after the date postmarked or one (1) business day after delivery to such overnight courier.

If to Owner: _____

If to City: City of Golden Valley
7800 Golden Valley Road
Golden Valley, Minnesota 55427

Such addresses may be changed by notice to the other parties given in the same manner as provided above.

17. Miscellaneous.

(a) Government Data; Privacy. Owner agrees to abide by the applicable provisions of the Minnesota Government Data Practice Act, Minnesota Statutes, Chapter 13, and all other applicable state or federal rules, regulations, or orders pertaining to privacy or confidentiality. Owner understands that all of the data created, collected, received, stored, used, maintained, or disseminated by Owner in performing those functions that the City would perform is subject to the requirements of Chapter 13, and Owner must comply with those requirements as if it were a government entity. This does not create a duty on the part of Owner to provide the public with access to public data if the public data is available from the City, except as required by the terms of this Agreement.

(b) Amendment. This Agreement may not be terminated, amended, revoked or modified without the written consent of City.

(c) Exhibits. All exhibits and attachments referred to herein and attached hereto shall be deemed part of the Agreement.

(d) Governing Law. This Agreement shall be governed by and construed under the laws of Minnesota. Notwithstanding anything to the contrary herein, this Agreement shall not limit City's rights and powers under applicable law, including without limitation any rights to maintain public or City-owned property.

(e) Section Headings. The section headings in this Agreement are inserted for convenience of reference only and shall not in any way affect the meaning or construction of the Agreement.

(f) Severability. If any term of this Agreement or any application thereof is invalid or unenforceable, the remainder of the Agreement and any other application of such term shall not be affected thereby.

(g) Singular and Plural. Whenever required by the context of this Agreement, the singular shall include the plural, and vice versa.

(h) Status of City and Owner. City and Owner are not intended to become partners or joint venturers and nothing herein shall be construed or applied to constitute City and Owner as partners or joint venturers.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first above written.

CITY OF GOLDEN VALLEY

By: _____
Shepard M. Harris, Mayor

By: _____
Timothy J. Cruikshank, City Manager

[_____]

By: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by Shepard M. Harris, Mayor, and Timothy J. Cruikshank, City Manager, of the City of Golden Valley, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, _____ of _____, a Minnesota _____, on behalf of the _____.

Notary Public

THIS DOCUMENT WAS DRAFTED BY:

Best & Flanagan LLP
60 South Sixth Street, Suite 2700
Minneapolis, MN 55402-4331
Ph: (612) 339-7121

EXHIBIT A
DESCRIPTION / DEPICTION OF ART

EXHIBIT B
SITE; CITY MAINTENANCE AREA

EXHIBIT C
INSTALLATION PLANS AND SPECIFICATIONS

EXHIBIT D

BROOKVIEW & CITY HALL ROTATIONAL ART DISPLAY GUIDELINES

The City of Golden Valley and the Parks & Recreation Department are committed to promoting and integrating arts, culture and community aesthetics at Brookview and the Golden Valley City Hall. The purpose of having public art in Brookview and City Hall is to give local and regional artists the opportunity to display, and by the artist's choice, sell, their artwork at locations that are visible to the community and visitors.

Display Duration

Artwork will be displayed on the lower and upper floors at both facilities in "terms" generally three months per rotation. The artist is responsible for coordinating a time with city staff for installing and removing the artwork at the beginning and end of the term for which their artwork is selected. Below are the dates for the upcoming terms. Art is selected in advance for each term of the next year.

2017-2018 Example of Terms:

- November 1, 2017–March 20, 2018
- March 21–June 12, 2018
- *June 13-July 10, 2018 – Reserved for Views of the Valley*
- July 11–September 25, 2018
- September 26–December 18, 2018

Artwork Criteria

- Must be a local or regional artist.
- Artwork must not be offensive or condescending towards any race, religion, sex or sexual orientation.
- Artwork must not be used to promote or oppose political views.
- For Brookview 2-D art may be either a single piece or multiple pieces, framed or textile, provided the art may be displayed on up to three wall spaces (20' x 7'6", 44' x 8' and 20' 7'6") a total wall space of 84 ft. wide x approximately 8 ft. tall and supported on a permanent aluminum wall hanging system. For City Hall 2-D art may be either a single piece or multiple pieces, framed or textile, provided the art may be displayed on up to TBD.
- 3-D art will also be displayed at Brookview in up to 14 vitrine pedestals (enclosed and secured) on both the lower and upper levels of Brookview that are 24" x 24"x 24".
- Artist(s) selection will be implemented through an RFA and a selection committee.
- Artwork must not be exclusively religious in nature.

Artist Responsibilities

- Artists are responsible for displaying art on the specified set up and removal dates and times to be coordinated with Brookview and City Hall staff.
- Artists understand there is no fee for displaying art. There will be a 10% commission charge for art sold. Sold artwork should remain in the exhibit until the exhibition ends, or artists must replace sold work with a new similar original piece. Artists are responsible

for pricing artwork. Artists are also encouraged to have contact information available for patrons.

- Artists are responsible for all sales transactions.
- Artists will be responsible for understanding criteria for displaying artwork outlined in the Request for Artwork (RFA).

Selection Committee

- The Selection Committee will be comprised of a Golden Valley staff liaison, a representative appointed by the Open Space & Recreation Commission, a representative appointed by the Golden Valley Arts League, a representative appointed by the Golden Valley Seniors Program, and a representative appointed by the Brookview Women's/Men's Golf Association.
- All appointed committee members will serve one year terms as elected by representative organizations.
- The Selection Committee will generally meet twice annually.

Brookview & City Hall Responsibilities

- Staff will develop an RFA to be sent out to the art community and art facilitator groups including Minnetonka Center for the Arts, Forecast, etc. The RFA will be sent out twice a year.
- Staff will handle waivers, agreements, and scheduling.
- The City of Golden Valley will not be responsible for lost, stolen, or damaged artwork.
- The City of Golden Valley will have the right to advertise the name and work of the artist and photograph the art for advertising and promotional purposes.
- The City of Golden Valley may work in association with a community service organization to archive photos of all artwork displayed at City hall and Brookview.

Submittal Process

In order to be considered for Golden Valley display opportunities:

1. Complete the Brookview & City Hall Rotational Art Application (RFA).
2. Provide photos or images of artwork.
3. Submit by appropriate date and email to Carrie Anderson, Recreation Supervisor, canderson@goldenvalleymn.gov.

Selection Process

The Art Selection Committee will make selections and artists will be notified by a staff liaison. Selection will be based on completed RFA and appropriate art content for Brookview & City Hall as determined by the selection committee and approved by the City.

When submitting art for consideration, artist must read, complete, and sign the Agreement included with the Public Art Application. The City reserves the right to accept or reject the Committee's selection, to refuse to display any selected art and to remove any displayed art prior to the expiration of the term.

Sample Key Dates

- RFA Announced: August 7, 2017

- Deadline for Submission: September 29, 2017
- Committee Review and selection: October 2-5, 2017
- Artist selection and notification: October 6, 2017
- Set up for November 1–March 20: October 30–November 1
- Removal for November 1–March 20: March 19–20
- Set up for March 21–June 12: March 21–22
- Removal for March 21–June 12: June 11–12

Contact Information

For more information about the City of Golden Valley or Brookview, please visit www.goldenvalleymn.gov. There you will find more information about the facilities. If you have specific questions, please email your questions to canderson@goldenvalleymn.gov.



**City of Golden Valley
Brookview & City Hall
Call for Artists
Request For Artists (RFA)**

The City of Golden Valley is pleased to invite artists to submit proposals to be considered as part of the rotational art display at Brookview & City Hall.

Background

The City of Golden Valley and the Parks & Recreation Department are committed to promoting and integrating arts, culture and community aesthetics at Brookview. The purpose of having public art in Brookview and City Hall is to give local and regional artists the opportunity to display, and by the artist's choice, sell, their artwork in a location that is visible to the community and visitors at Brookview and City Hall.

Display Duration

Artwork will be displayed on the lower and upper floors in "terms" generally (three months per rotation). The artist is responsible for coordinating a time with city staff for installing and removing the artwork at the beginning and end of the term for which their artwork is selected. Below are the dates for the upcoming terms. Art is selected in advance for each term of the next year.

2017–2018 Terms:

- November 1, 2017–March 20, 2018
- March 21–June 12, 2018
- *June 13–July 10, 2018 – Reserved for Views of the Valley*
- July 11–September 25, 2018
- September 26–December 18, 2018

Artwork Criteria

- Must be a local or regional artist.
- Must not be offensive or condescending towards any race, religion, sex, or sexual orientation.
- Must not be used to promote or oppose political views.
- 2-D art may be either a single piece or multiple pieces, framed or textile, provided the art may be displayed on up to three wall spaces (20' x 7'6", 44' x 8' and 20' 7'6") a total wall space of 84' wide by approximately 8' tall and supported on a permanent aluminum wall hanging system.

- 3-D art will also be displayed in up to 14 vitrine pedestals (enclosed and secured) on both the lower and upper levels of Brookview that are 24" x 24" x 24". 3-D art will be displayed at Brookview only.
- Artist(s) selection will be implemented through an RFA and a selection committee.
- Artwork must not be exclusively religious in nature.

Artist Responsibilities

- Artists are responsible for displaying art on the specified set up and removal dates and times to be coordinated with Brookview and City Hall staff.
- Artists understand there is no fee for displaying art. There will be a 10% commission charge for art sold. Sold artwork should remain in the exhibit until the exhibition ends, or artists must replace sold work with a new original piece. Artists are responsible for pricing artwork. Artists are also encouraged to have contact information available for patrons.
- Artists are responsible for all sales transactions.
- Artists will be responsible for understanding criteria for displaying artwork outlined in the Request for Artwork (RFA).

Brookview & City Hall Responsibilities

- Staff will develop an RFA to be sent out to the art community and art facilitator groups including Minnetonka Center for the Arts, Forecast, etc. The RFA will be sent out twice a year.
- Staff will handle waivers, agreements, and scheduling.
- The City of Golden Valley will not be responsible for lost, stolen, or damaged artwork.
- The City of Golden Valley will have the right to advertise the name and work of the artist and photograph the art for advertising, promotional and archival purposes.
- City staff will share all art proposals with the Golden Valley Art League (GVAL) for potential opportunities to display in additional locations. Sharing of art work with GVAL must be authorized by each artist on the application.

Submittal Process

In order to be considered for this proposal, please submit the following:

1. Completed Brookview & City Hall Rotational Art Application.
2. Photos or images of artwork.
3. Submit by Friday, September 29, 2017 by email only to Carrie Anderson, Recreation Supervisor, canderson@goldenvalleymn.gov.

Selection Process

The Art Selection Committee will make selections and notify selected artists by **Friday, October 6, 2017** for the next two display rotations. Selection will be based on completed RFA and appropriate art content for Brookview & City Hall as determined by the selection committee.

Deadline to Apply

The deadline to apply for the 2017–2018 November 1–March 20 and March 21–June 12 term is **Friday, September 29, 2017**.

When submitting art for consideration, artist must read, complete, and sign the Agreement included with the Public Art Application.

Key Dates

- RFA Announced: August 7, 2017
- Deadline for Submission: September 29, 2017
- Committee Review and selection: October 2–5, 2017
- Artist selection and notification: October 6, 2017
- Set up for November 1–March 20: October 30–November 1
- Removal for November 1–March 20: March 19–20
- Set up for March 21–June 12: March 21–22
- Removal for March 21–June 12: June 11–12

More Information

For more information about the City of Golden Valley or Brookview, please visit www.goldenvalleymn.gov. There you will find more information about the facility. If you have specific questions, please email your questions to canderson@goldenvalleymn.gov.



Parks & Recreation Department
 200 Brookview Parkway
 Golden Valley, MN 55426
 763-512-2345
 www.goldenvalleymn.gov

Brookview & City Hall Rotational Art Application

APPLICANT INFORMATION

Name:		
Address:		Organization:
City:	State:	Zip:
Email:		
Phone: Primary		Secondary

ART INFORMATION

<input type="checkbox"/> 3D Art (display in vestibules) <input type="checkbox"/> 2D Art (display on wall)	Description of your artwork:
Quantity of your artwork: (please refer to Art Criteria for dimensions of area): <input type="checkbox"/> Fill the full gallery <input type="checkbox"/> Partial gallery (size able to fill _____)	
Which term do you wish to have your art displayed? <input type="checkbox"/> November 1, 2017-March 20, 2018 <small>Set up Mon-Wed, Oct 30-Nov 1. Removal Mon-Tue, Mar 19-20.</small> <input type="checkbox"/> March 21, 2018-June 12, 2018 <small>Set up Wed-Thur, March 21-22. Removal Wed-Thur, June 11-12.</small>	
Will your artwork be available for sale? <input type="checkbox"/> Yes - Preferred method of contact for buyers (phone/email)? _____ <input type="checkbox"/> No	
As the artist applying to have my artwork displayed, I agree to the following: • Responsible for the installation and removal of my artwork on the provided dates • Agree to keep the artwork at Brookview until the end of its term _____ Initial	
<input type="checkbox"/> Artist authorizes City Staff to share submitted art with the Golden Valley Art League to be potentially displayed in additional community locations.	

Acknowledgement of Risks, Release of Claims, and Indemnification

As the artist applying to have my artwork displayed, I acknowledge and affirm the following: The artwork to which this application relates is owned only and entirely by me. No one else has any claim of interest or right to all or any part of the artwork or materials used to make it, either now or during the Term it will be displayed. I acknowledge and assume all risks, known and unknown, inherent or otherwise, associated with the display of my artwork. I acknowledge the risk of loss due to damage or theft. I understand in signing this document that I surrender my right to make a claim or file a lawsuit against the City, its past, present, or future appointed or elected officials, employees, representatives, agents, insurers, affiliated agencies, organizations, successors, and assigns (collectively "the City"), for personal injury or property damage. I hereby release and forever discharge the City of and from any and all claims, demands, damages, actions, causes of action, obligations, liabilities, expenses, costs, attorneys' fees, proceedings, and judgments, both known and unknown, fixed or contingent, liquidated or unliquidated, direct or derivative, and of whatsoever kind, nature, and description, under the Constitution of the United States or any state, or any state or federal law or laws or of the common law, concerning, arising from, or related to the display of my artwork. In the event that any claim or demand should be made or litigation instituted against any party or parties arising out of or with respect to the artwork to which this application relates, I must indemnify and hold the City harmless from and against such claims, demand or litigation, including all attorneys' fees and costs incurred with respect to such matters. By signing your name below, you agree to all statements in this application and acknowledge that the information provided in this application is accurate and complete.

Signature _____

Date _____

Please submit application materials to:
Carrie Anderson, Recreation Supervisor
 316 Brookview Parkway S, Golden Valley, MN 55426
 canderson@goldenvalleymn.gov

updated 4-25-17

Art in City Hall



Theme: REnewal

As we move through this space from the time of the pandemic to the world after, the City of Northfield Arts & Culture Commission would like to acknowledge this shared experience through an exhibition of collected works for Art in City Hall.

The art featured reflects this sense of movement through this time and lead us to a future time of REnewal in Northfield. The artists featured submitted work that broad reflects any aspect of renewal: reclamation, refilling, or repetition to showcase our life over the past few years. Artists, ages eighteen and older, who live or work within the Northfield School District, were asked to share works that relate to this theme, interpreted a variety of ways. In this exhibition, we celebrate the **spirit of REnewal** in Northfield.

REflection

Artists and their works can help guide us through our shared experiences and help shape our perceptions of world events in recent years. Artists featured in this exhibition were asked if their artwork evokes memories of the times we have lived through, or if their work is a record for the future to remember about our community during this time.

REgrowth

Some artists in this exhibition used the pandemic time as an opportunity for growth. Artists may have explored a new technique or medium, sought inspiration from nature, or experienced a shift in perspective.

REconnection

As we move through this time, many of us are eager to reconnect with people and places and experiences we missed during the pandemic. Several artists in this exhibit captured not only the places in our community that show connection, disconnection, and reconnection, but also the emotional impact of those experiences.

Exhibition dates

Selected works will be on display in Northfield City Hall from Tuesday, January 17, 2023 through the end of the year.

Sales

The City of Northfield will connect individuals interested in buying work with the artist.

Artists negotiate and handle their own sales directly with the buyer.

Artists

This exhibition features the following artists:

- Allison Albright
- Holly Canfield
- John Ehresmann
- Jill Ewald
- Mary Ellen Frame
- Joyce Francis
- Gail Gates
- Mack Glassing
- Cindy Starkey Robinson
- Dan Rogness
- Heriberto Rosas
- Mar Valdecantos

Arte en la alcaldía

Tema: Renovación

A medida que nos desplazamos por este espacio desde la época de la pandemia hasta el mundo posterior, la Comisión de Arte y Cultura de la Ciudad de *Northfield* desea reconocer esta experiencia compartida a través de una exposición de obras recopiladas para el Arte en el Municipio.

El arte presentado refleja este sentido de movimiento a través de este tiempo y nos lleva a un futuro tiempo de RENOVACIÓN en *Northfield*. Los artistas presentados presentaron obras que reflejan ampliamente cualquier aspecto de la renovación: reclamación, relleno o repetición para mostrar nuestra vida en los últimos años. Se pidió a los artistas, mayores de dieciocho años, que viven o trabajan en el distrito escolar de *Northfield*, que compartieran obras relacionadas con este tema, interpretadas de diversas maneras. En esta exposición, celebramos el **espíritu de RENOVACIÓN** en *Northfield*.

REFlexión

Los artistas y sus obras pueden guiarnos a través de nuestras experiencias compartidas y ayudar a conformar nuestra percepción de los acontecimientos mundiales de los últimos años. Se preguntó a los artistas que participan en esta exposición si sus obras evocan recuerdos de los tiempos que hemos vivido, o si su trabajo es un registro para que el futuro recuerde sobre nuestra comunidad durante este tiempo.

REcrecimiento

Algunos artistas de esta exposición aprovecharon el tiempo de la pandemia como una oportunidad para crecer. Es posible que hayan explorado una nueva técnica o medio, buscado inspiración en la naturaleza o experimentado un cambio de perspectiva.

REconexión

A medida que avanzamos en este tiempo, muchos de nosotros estamos deseosos de volver a conectar con personas, lugares y experiencias que nos perdimos durante la pandemia. Varios artistas de esta exposición no sólo han plasmado los lugares de nuestra comunidad que muestran conexión, desconexión y reconexión, sino también el impacto emocional de esas experiencias.

Fechas de la Exposición

Las obras seleccionadas se expondrán en la alcaldía de Northfield desde el 14 de enero de 2022 hasta finales de año.

Ventas

La ciudad de Northfield pondrá en contacto a las personas interesadas en comprar obras con el artista. Los artistas negocian y gestionan sus propias ventas directamente con el comprador.

Artistas

Esta exposición presenta a los siguientes artistas:

- Allison Albright
- Holly Canfield
- John Ehresmann
- Jill Ewald
- Mary Ellen Frame
- Joyce Francis
- Gail Gates
- Mack Glassing
- Cindy Starkey Robinson
- Dan Rogness
- Heriberto Rosas

- Mar Valdecantos

Item 5.

 **Government Websites by CivicPlus®**



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	AUGUST 7, 2023

ITEM:	City Hall Meeting Room Policy: Central Place.								
DEPARTMENT:	Administration	BY/DATE:	Kevin Hansen, August 3, 2023						
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input checked="" type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>				<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community								
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services								
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable								

BACKGROUND:

Now that the new City Hall is open for business there have been questions regarding the use of the Central Place room by community groups.

STAFF RECOMMENDATION:

Review attached policy and room use agreement form for implementation.

ATTACHMENT(S):

- Central Place Room Use Policy
- Central Place Room Use Agreement Form

COLUMBIA HEIGHTS CITY HALL MEETING ROOM USAGE POLICY

PURPOSE: Providing space for community meetings and to groups or individuals furthers the City of Columbia Heights role in the community as a resource accessible to all residents. This policy guides the reservations and use of Central Place (Room 120).

PRINCIPLES: As a community service, and a connector of ideas and people, the City makes available a variety of spaces to accommodate differing needs and groups. The City encourages use of its facilities within the policies established by the City Council.

DEFINITIONS:

Central Place: Central Place is located near the Central Avenue entrance to City Hall. Central Place is a flexible use space with couches, tables, chairs, and limited AV equipment, including a ceiling mounted projector, and screen. Presenters must bring their own laptops. City staff does not provide technical support for audio-visual equipment. Central Place has a capacity of 45 people and is available on a reservation basis at no cost. Central Place may be reserved between the hours of 8:30am and 5:00 pm Monday through Friday.

RESERVATIONS AND USE LIMITATIONS: Central Place can be reserved as follows.

1. City sponsored and co-sponsored programs and activities.
2. City of Columbia Heights departments.
3. Civic Groups.
4. General public.

Rooms may be reserved by any person or group that is open to the public and appropriate to the facility.

1. Appropriate use would not include activities that might damage the facilities, and those which may interfere with the regular use of City Hall.
2. Because of implied endorsement of institutional standing and potential liability to the City, health screening activities will not be a permitted use of meeting rooms except for outreach programs provided by Anoka County, by local hospitals, or by recognized non-profit health organizations.
3. The rooms may not be used for commercial or fundraising purposes or functions.
 - a. No fees or admission may be charged to individuals attending meetings or programs.
 - b. No commercial transactions may occur, including the provision of fee-based services.
 - c. No fundraising may occur as either primary or incidental use of the rooms.
 - d. Exceptions may be made for City-related activities.

4. Reservations will not be accepted more than sixty (60) days in advance of meetings. Central Place is available on a first-come, first-served basis. No provisions will be made to reserve rooms on a constant or recurring basis – rooms will be booked for each meeting as appropriate. The City may limit the number of confirmed reservations for any individual or group to no more than once per month.
5. The responsibility form is to be submitted at the time a reservation is made. Proof of identification is required to be provided at the time the reservation form is submitted.
6. No alcoholic beverages are allowed.
7. Covered beverages are allowed in all rooms. No cooking, refrigeration, or electrical appliances are available or may be used. The refrigerator in Central Place is not to be used by any persons or groups reserving the room without prior approval by the City Manager.
 - a. Persons or groups are required to provide all supplies and are responsible for cleaning up all waste.
 - b. Exceptions to this policy are possible for City sponsored events.
8. Storage of equipment or supplies for groups using the rooms is not permitted.
9. Nothing may be affixed to walls or windows (e.g. tape, tacks, putty, temporary hangers, etc.).
10. Furniture must remain in the space and put away when done.
11. Rooms must be picked up and cleaned before the person or group leave. Chairs and tables must be returned to their original places. The room must be vacant by the hour specified on the application.
12. Smoking, including the use of e-cigarettes and chewing tobacco, is not allowed.
13. No keys will be issued.
14. The City reserves the right to revoke a reservation to use Central Place if the room is needed for City purposes at the specified time. All attempts will be made to provide a minimum of two-week notice of the cancellation.

RESPONSIBILITIES:

1. Guests shall comply with all federal, state, and local laws. Entrance onto City Hall property and use of its facilities indicates acceptance of and willingness to abide by all applicable policies and procedures. Future reservations may be denied if an individual or group is out of compliance.
2. The City retains the right to monitor all meetings, programs, and events conducted on the premises to ensure policies are followed. Staff shall have free access to any meeting or event at all times.
3. The person or group reserving the room is responsible for leaving the room in good condition. If the room requires additional tear down or cleaning after a meeting, the contact person for the group will be charged a fee of \$100. In addition, the person or group may be denied future reservations of the rooms.

4. All clean-up must be completed within the time specified on the application and no later than 15 minutes prior to closing of the room.

CANCELLATIONS:

1. Persons or groups reserving the rooms should notify the City as soon as possible if it is necessary to cancel a reservation.
2. Repeated cancellations or failure to show may affect the ability to reserve meeting rooms in the future.
3. If meeting room users are 10 or more minutes late for their booked time, staff may allow another booking of the room.

INDEMNIFICATION: The person or group reserving the room shall indemnify, defend, and hold harmless the City of Columbia Heights, its officers, agents, and employees from and against any and all claims, suits, actions of any kind, arising and resulting and accruing from a negligent act, omission, or error of the person or group resulting in or relating to personal injuries or property damage arising from the person or groups' use of the library.

PARKING: In an effort to preserve City Hall parking stalls for guests conducting business at City Hall, persons or groups renting Central Place are asked to direct their attendees to park at the municipal parking ramp located at 4025 Van Buren Avenue NE or the municipal parking lot located on the south side of 40th Avenue between Central Avenue and Van Buren Avenue. If the City experiences issues with not having available parking during a large group reservation the City may deny future room reservations to that group.



Item 6.

MEETING ROOM USE RESPONSIBILITY FORM

Columbia Heights Central Place Room: 3989 Central Avenue NE, Columbia Heights, MN 55421

Meeting Room Use Responsibility: I, the undersigned, as a representative of the organization named below, understand that my group and I will leave the meeting room in good condition after our use. Any damage incurred as a result of our use of the room will be the responsibility of the representative and group. I have received and read a copy of the current Meeting Room Use Policy.

I understand that the City is not a sponsor of my program/meeting, and that it assumes no responsibility for the program or contents therein. Notices, promotions, and advertisements for the event may list the City only as the location, will clearly identify the program sponsor, and will not imply any City endorsement or sponsorship.

I further guarantee that the room will not be used for any commercial purpose by myself or the group. I will instruct guests to park in municipal lots/ramps on the west side of Central Ave, not in the City Hall parking lot.

REPRESENTATIVE	FIRST NAME	LAST NAME	YES: <input type="radio"/> NO: <input type="radio"/> COLUMBIA HEIGHTS RESIDENT?
	E-MAIL ADDRESS	PHONE (CELL)	PHONE (HOME OR WORK)
	MAILING ADDRESS		
	MAILING ADDRESS		

GROUP	GROUP NAME	YES: <input type="radio"/> NO: <input type="radio"/> BASED IN COLUMBIA HEIGHTS?
	MAILING ADDRESS	

AVAILABLE ROOM DETAILS				
NAME	CAPACITY	AMENITIES	AVAILABILITY	COST
CENTRAL PLACE	10-100	CHAIRS, TABLES, PROJECTION SCREEN*	8:30-5:00 M-F	\$0

*REQUIRES A PERSONAL DEVICE WITH AN HDMI A/V CONNECTION.

REPRESENTATIVE'S SIGNATURE
DATE

STAFF USE ONLY	
RECEIVED BY:	RECEIVED DATE:
NOTES:	



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	AUGUST 7, 2023

ITEM:	Additional State Bonding Request: City Parks (Estimated time 15 minutes)	
DEPARTMENT:	Administration	BY/DATE: Kevin Hansen, Interim City Manager / August 1, 2023
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>		
<input type="checkbox"/> Healthy and Safe Community <input type="checkbox"/> Thriving and Vibrant Destination Community		
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly <input checked="" type="checkbox"/> Strong Infrastructure and Public Services		
<input type="checkbox"/> Trusted and Engaged Leadership <input type="checkbox"/> Sustainable		

BACKGROUND:

The highest priority goals established in the 2023 Strategic Planning and Goal Setting report was the Public Works Building replacement and updating the Parks Master Plan and Parks financing plan. Staff completed and submitted a funding request for the MSC building replacement to the State for bonding earlier this year. The request has been received by the office of the MMB and the next step will be State Bonding Committee tour of the facility.

Traditional funding for parks improvements has been through the park redevelopment fund, general fund, and DNR or MWMO grants which have funded related development improvements such as storm water. The Park Development Fund is sourced through residential redevelopment activities. Grants funding large scale park redevelopment are limited. Staff will be engaging our Legislators to discuss funding through the State – but this funding, when available, is most often directed toward projects having regional significance or outside the Metro. Parks bonding (local) is the more common funding tool used by Cities when funding large scale or multiple park projects. Recent examples are the Cities of Fridley and Coon Rapids. Fridley issued \$20 million in bonds for a \$30,000,000 Parks redevelopment program.

SUMMARY OF CURRENT STATUS:

As part of the notification to the city of the bonding committee visit of the existing public works facility, our legislator asked if we have other requests to be considered. In the current state of planning, the project(s) that we could apply for a bonding request is our park CIP Improvements. The Council reviewed the CIP at the June and July work sessions. At that time, staff presented a phased approach due to the overall cost of the remaining park system. One approach was to look at parks that did not have athletic fields first to allow more time to review programming needs and community input for Master Planning. Another approach was to start with the City’s largest park, Huset which also carried the largest cost.

The State will take applications for bonding until October of this year, but they will not be part of the committee tour.

STAFF RECOMMENDATION:

Direct to submit a bonding request for park redevelopment for the 2024 Legislative session. Due to the size, significance and cost of Huset Park, staff recommends submitting the request for 50% of the CIP cost of \$8,000,000.

ATTACHMENT(S):

Park Funding Scenarios

Park Redevelopment
Phased Approach

2024:

Hilltop Park:	\$165,000
Labelle Park:	\$110,000
Prestemon Park:	\$825,000

2025:

Edgemoor Park:	\$165,000
Lomianki Park:	\$475,000
Keyes Park:	\$850,000
Wargo Court:	\$425,000

Total 2023 Bonding: \$3,025,000

Future Years:

Sullivan Lake Park:	\$600,000*
Ostrander Park:	\$550,000
McKenna Park:	\$1,350,000
Ramsdell Park:	\$800,000
Gauvitte Park:	\$1,675,000 (Storm water funding) \$250,000 (Parks)
Huset Park West	\$3,950,000
Huset Park East	\$3,750,000

Total Future Funding: \$12,925,000

* Medtronic Redevelopment (timing)



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	AUGUST 7, 2023

ITEM:	City Manager Recruitment.							
DEPARTMENT:	Administration	BY/DATE: Kelli Wick/August 4, 2023						
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input checked="" type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services	<input checked="" type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community							
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services							
<input checked="" type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND:

At a previous Work Session and Council Corner meeting , Councilmember James lead a discussion about City Manager recruitment and had shared information she received after contacting a recruitment firm.

SUMMARY OF CURRENT STATUS:

Discussion of the city manager job description.

STAFF RECOMMENDATION:

Division head staff were asked to provide their input as to the pros and cons of city manager recruitment.

ATTACHMENT(S):

Pros/Cons regarding city manager recruitment.

Hiring from within, which refers to promoting or offering job opportunities to existing employees, can bring several benefits to an organization. Here are five compelling reasons to consider hiring from within:

1. **Faster Onboarding and Adaptation**: Existing employees are already familiar with the company's culture, policies, and procedures. Hiring from within allows for a smoother transition into the new role, as the employee is already well-versed in the organization's work environment and expectations.
2. **Boost Employee Morale and Loyalty**: When employees see internal promotions and career growth opportunities, it creates a sense of motivation and loyalty. Knowing that their hard work and dedication can lead to advancement within the company encourages employees to stay committed and perform at their best.
3. **Preservation of Institutional Knowledge**: Internal candidates possess valuable institutional knowledge and understanding of the company's operations. By promoting from within, an organization can retain this expertise and prevent the loss of critical knowledge that external hires may lack.
4. **Cost-Effective Talent Acquisition**: Hiring and onboarding external candidates often involve higher costs, such as recruitment fees, training expenses, and potential relocation costs. Hiring from within can be more cost-effective, saving resources while still ensuring capable candidates fill vacant positions.
5. **Cultivate a Strong Company Culture**: Hiring from within reinforces the idea that hard work and dedication are rewarded, fostering a positive company culture that encourages growth and development. This practice creates a sense of camaraderie and support among employees, contributing to a more engaged and motivated workforce.

While hiring from within offers numerous advantages, it's essential to strike a balance and occasionally seek external talent to bring fresh perspectives and expertise to the organization. A combination of internal promotions and external hiring can lead to a well-rounded and dynamic workforce.

While hiring from within can be beneficial, there are also situations where it might not be the best option for an organization. Here are five reasons not to hire from within:

1. **Limited Diversity of Ideas and Perspectives**: Hiring from within might limit the introduction of new ideas and perspectives that external candidates could bring to the organization. New talent from different backgrounds and experiences can contribute to innovation and fresh approaches to problem-solving.
2. **Skill Set Mismatch**: The internal candidate may not possess all the skills and qualifications required for the specific role. Hiring from within, in such cases, could lead to suboptimal performance and a lack of expertise needed to tackle new challenges.
3. **Stagnation and Lack of Growth**: Restricting hiring to internal candidates could lead to a lack of opportunities for external talent seeking career growth. This may result in a stagnant work environment and discourage ambitious individuals from considering the company as a potential employer.
4. **Limited Talent Pool**: Relying solely on internal candidates can restrict the organization's access to a broader talent pool. Some roles may require specialized skills that are not available within the current workforce, necessitating external recruitment.

5. **Negative Impact on Morale**: If internal promotions are perceived as favoritism or lack of transparency in the selection process, it can lead to low morale among employees who were not chosen for the promotion. This, in turn, may affect productivity and team dynamics negatively.

While hiring from within has its advantages, it is crucial for organizations to consider their specific needs and goals for each position. A balanced approach that considers both internal and external candidates can ensure that the company benefits from a diverse range of talents and perspectives.

In these hypothetical scenarios, overlooking a qualified internal candidate in favor of an external hire could have significant negative implications for the organization. It may lead to a decline in employee morale, higher turnover rates, increased expenses, and challenges in maintaining a cohesive company culture. Therefore, carefully considering internal talent for promotions can be crucial in maintaining a positive and productive work environment.

1. **Loss of Employee Trust and Confidence**: When a qualified internal candidate is overlooked in favor of an external hire, it can erode trust and confidence among the current employees. They may feel undervalued and question their growth opportunities within the organization.

2. **Increased Turnover and Disengagement**: Employees who see a qualified colleague passed over for a promotion in favor of an external candidate may become disengaged and disillusioned. This could lead to increased turnover as employees seek better career prospects elsewhere.

3. **Cultural Misalignment**: External hires may take longer to adapt to the organization's culture, leading to potential conflicts or challenges in integrating them into the existing team. This cultural misalignment can disrupt team dynamics and reduce overall cohesiveness.

4. **Higher Onboarding and Training Costs**: Bringing in an external candidate often requires investing in their onboarding and training to familiarize them with the company's processes and procedures. This incurs higher costs compared to promoting an internal candidate who is already well-versed in the organization's operations.

5. **Missed Opportunity for Employee Development**: Passing over a qualified internal candidate can result in a missed opportunity to develop and nurture talent from within the organization. By promoting from within, the organization can foster a culture of growth and continuous development, motivating employees to perform at their best.

Hiring a city manager can be a complex and challenging process due to the critical role they play in managing and overseeing various aspects of municipal governance. Here are five of the biggest challenges in hiring a city manager:

1. **Competitive Market for City Managers**: City managers are in high demand, and the pool of qualified candidates may be limited. Many cities and municipalities compete to attract top talent, making it challenging to secure the ideal candidate.

2. **Balancing Experience and Vision**: Finding a city manager with the right balance of experience and a progressive vision for the city's future can be difficult. The ideal candidate should have a solid track record of effective management while also demonstrating innovative and forward-thinking approaches to address evolving urban challenges.

3. **Navigating Political Considerations**: City managers often work in a politically charged environment, and navigating political considerations can be challenging. The hiring process may need to

account for various stakeholders' interests while ensuring the selected candidate can effectively lead and maintain impartiality.

4. **Securing Long-Term Commitment**: City management requires stability and continuity to implement long-term plans and projects successfully. Securing a city manager who is committed to staying with the city for an extended period can be challenging, as some candidates may view the position as a steppingstone to other opportunities.

To overcome these challenges, it is crucial for cities to conduct a thorough and transparent hiring process, enlist the support of professional recruitment agencies if necessary, and involve key stakeholders in the decision-making. The hiring committee should focus on identifying candidates who possess the necessary leadership skills, managerial experience, and alignment with the city's unique needs and goals.

Analysis of the current political environment of Columbia Heights. City managers may be hesitant to consider being hired for a city with dysfunctional city council members due to the following reasons:

1. **Challenging Decision-Making Environment**: Dysfunctional city council members can create a challenging decision-making environment characterized by constant conflicts, disagreements, and lack of consensus. For a city manager, this can hinder their ability to implement policies and carry out initiatives effectively, as they may face resistance or obstruction from the council, leading to inefficient governance.
2. **Risk of Professional Reputation and Career**: *Joining a city with dysfunctional city council members may pose a risk to a city manager's professional reputation and career advancement. If the dysfunction leads to frequent turnover of city managers or unstable governance, it could reflect poorly on the manager's ability to lead effectively. As a result, city managers may be cautious about taking on a role where their potential for success is compromised by internal conflicts within the governing body.*

Disruption to the organization: The timeline for hiring a new city manager can vary widely depending on several factors, including the size of the city, the specific requirements of the position, the level of competition for city manager roles, and the complexity of the hiring process. On average, the process can take anywhere from a few months to over six months. Here's a rough breakdown of the typical hiring timeline:

1. **Selection of a Recruitment Firm (1-2 months)**: This process would start by requesting proposals from search firms with a reasonable submission date. Once proposals are received, they must be reviewed, and decisions will need to be made regarding the process and all the options/choices that are being offered. Also, review of the cost. Once a firm is selected, they will put together the process for final review by the council.
2. **Job Posting and Recruitment (1-2 months)**: The process usually starts with advertising the position and actively seeking candidates. This stage involves creating job descriptions, posting the job opening, and conducting outreach to attract potential applicants.
3. **Application Review and Screening (1-2 months)**: After the application deadline, the city may take some time to review applications, screen candidates, and shortlist those who meet the initial qualifications and requirements.

4. **Interview and Selection (1-2 months)**: The city will then conduct interviews with shortlisted candidates. This can involve multiple rounds of interviews, including interviews with city officials, community stakeholders, and various city departments. The selection committee may need additional time to deliberate and make a final decision.

5. **Contract Negotiation (1-2 months)**: Once a suitable candidate is chosen, contract negotiations can take some time, especially if there are specific terms and conditions to be discussed.

6. **Transition and Onboarding (1-2 months)**: After finalizing the hiring process, the new city manager may need time to wrap up their current commitments and transition to the new role. Onboarding and orientation in the new city will also be part of this stage.

In some cases, **the process may be expedited if there is an urgent need to fill the position, or if a strong candidate is readily available**. However, it's essential for cities to take the time needed to thoroughly assess candidates and make the best hiring decision for their specific needs and goals.

Links:

[Hiring a City Manager or Administrator Toolkit - League of Minnesota Cities \(lmc.org\)](#)

[Survival for city managers: Be an expert but don't raise political hackles - ii760703.html \(niu.edu\)](#)

[Microsoft Word - Connolly_SPSA_2017_DRAFT.docx \(fsu.edu\)](#)

[Guidelines-for-Recruiting-CM-TCMA--2022-Final \(tml.org\)](#)

[cal-icma_report_challenges_and_strategies.pdf \(ca-ilg.org\)](#)

Pros and cons for external process:

Pros:????

Cons:

This is a small city. Many city manager candidates may look at this only as an opportunity for themselves and use it as a steppingstone to a larger city. This means that an external candidate will only stay for a short period of time.

Regardless of the search firm, bringing in an external candidate, who is not familiar with city leadership, city plans, and city operations is a risk. A thorough background will only reveal so much and will not completely disclose how the candidate/applicant will be when it comes to their working relationship with staff, council, and citizenry, and their ability to manage. According to the NEOGOV 2023 report on public sector HR trends, poor management is one of the top three reasons for employee turnover over the last two years. No search company can guarantee that their screening process will completely reveal a candidate's management skill level.

A manager who is not familiar with the operations of the city will adversely impact the efficiency of its operations, and its plans for city development over the next several years.

Recruitment of quality candidates for every position, including executive level positions, is the biggest challenge impacting municipalities. Because of the low-quality applicant pool across all positions, there is a risk when it comes to finding quality candidates in an external process.

City culture: currently, the city organization has a very solid and positive culture. There is a risk that an outside candidate could upset that culture which could negatively impact employee retention.

PROS/CONS for internal process:

Pros:

Seamless transition from last city manager to current city manager.

Recruitment and retention of employees. The previous city manager worked with city staff on succession planning. This will aid in continuing the efficiency of city operations, to include the continued development plans of city projects.

Over the next three years, there will be significant turnover in the formal leadership positions of every department in Columbia Heights. An internal candidate who has the institutional knowledge and background of the city, to include city culture will be very helpful when it comes time to fill these positions.

Cons: ???

External Recruitment Process

Pros - potentially

Mayor/Council can say they did their “due diligence” and considered all options available for recruiting a City Manager.

Have a recruitment firm actively recruit qualified candidates and expand the search area. They may know of potentially qualified candidates from previous searches.

Cons

Sending a message to current staff (not just the Interim City Manager) of they are not valued, and something “better” may be out there. Potential message to staff there is no room for growth in Columbia Heights. This could encourage current staff to look elsewhere.

No guarantee on who applies and is ultimately hired.

Outside recruitment could be potentially tainted by the current council issues and ability to work cooperatively with one another which could eliminate strong candidates.

Many city manager applicants are not interested in working for a divided council (only accept offer if it is a 5-0 vote.) No guarantee that the council will be all in agreement. Could affect the quality of the candidate pool.

Cost of recruitment.

Internal Recruitment Process

Pros

Provides opportunity for internal candidates to further their career goals in a city that they are knowledgeable with and have a sense of ownership.

Provides stability in leadership which is critical with all the upcoming retirements next year.

City has made great progress in the last few years and the consistency of an internal candidate will allow that positive motion to continue.

Cons

Public may view as not be open and not doing due diligence potentially causing uncomfortableness for council.

Pros and Cons for external process:

Pros: None

Cons:

- Inconsistent with City policy of supporting internal promotion of candidates. When you have a viable internal candidate, that candidate should be a priority. You look outside when no internal prospect is present.
- Succession plan is disrupted. The goal of the plan as presented at Kelli's departure was to have Kevin finish his career with the City as the CM while training and mentoring the assistant CM to fill the role upon his retirement. An external candidate also disrupts the promotion of the Assistant City Engineer to City Engineer.
- The current state of the Council's internal relationships (recall disruption) will limit the pool of quality candidates. You have an internal candidate that is willing to take on this challenge and see the city through a tough time. A time when continuity is more important than ever.
- Disruption to City culture and negative impact on morale. The city is in a good place with a positive culture, why risk disrupting that with an outside candidate? I would understand if something was broken internally in this regard, but things are in a great place. A new candidate that has no intention of staying could over-burden the current staff by making promises to the Council that they have no intention of seeing through themselves.
- Loss of momentum. The city is on the cusp of moving major initiatives forward in several areas: parks, redevelopment, facilities, etc. This momentum will be disrupted at the very least and potentially lost with the onboarding of an external candidate. The internal candidate is poised to take the ball and run.
- Departure and replacement of key staff in next 5 years is disrupted. There are going to be many critical positions to fill in the next five years that would benefit from continuity of operations and the wisdom of someone that truly knows what the city needs. Police Chief, Fire Chief, Finance Director, HR Director, and Parks Rec Director.

Pros and Cons for Internal process:

Pros:

- Seamless transition, continuity of City operations, no loss of momentum.
- Promotion of Assistant City Engineer to City Engineer.
- Morale boost, shows commitment to promotion of internal candidates.
- Efficient, saves money.
- Ensures that top positions are filled in a way that is best for the city.

Cons: None

Pros and Cons for external process

Pros:

1. An external search creates a public perception of a transparent process open to all candidates. This is not an assurance of a transparent process open to all candidates, however. There is always the potential for decisionmakers to put their thumb on the scale in various ways.
2. Although Columbia Heights happens to have the political oddity of the police chief being supervised by the mayor; in general, the city manager is the only position hired by a city council. It is natural for a city council therefore to feel the need to carry out their one and only hiring duty in as robust a manner as they can. A wide external search is certainly robust. Logically, the goal is not however to perform the most robust search but instead to select the single candidate that will best succeed.

Cons:

3. A wide external search, such as nationwide, is often based on an overly generous self-perception of Minnesota as a desirable destination to which the best candidates in the nation are interested in relocating. One need look no further than the reason the city manager position is currently open to realize that national interest in Minnesota is a skewed population made up of either the few candidates that have special circumstances linking them here, or second-tier candidates that cannot compete at the prized destinations with favorable weather etc.
4. An external search appears to not give adequate weight to the degree which the interim city manager is uniquely prepared for both the significant management turnover beginning next year at the division/department level and the impending homelessness of the Public Works department. These two challenges also have other downstream effects. For example, the stated reason for Jim Hauth to resign as the interim public works director is to be the public works director "in the city in which he lives" (Vadnais Heights.) That no doubt has truth to it, but there is also no way that these impending challenges in Columbia Heights didn't impact his decision to not stay on to pursue being the permanent public works director in Columbia Heights. Especially given the good relationships I observed Jim had with subordinates.

5. An external search appears to not give adequate weight to the circumstance that the interim city manager is himself only few years ways from retirement. Regardless of whether the city needs fresh leadership from the outside or not, it will be getting that eventually. It is only a question of now or in a few years. If a new leader came into these upcoming challenges at this point, they would spend about half of Kevin Hansen’s remaining time here either getting up to speed or unwinding initial actions made without the necessary foresight.

6. If Kevin Hansen returns to the position of public works director and then retires from there, the city will miss the opportunity to have the next public works director led for a few years by a city manager that knows more about that division’s challenges than anyone could possibly grasp in the typical training period. There is a reason that “success” is the root word in the term “succession plan.”