



CITY COUNCIL WORK SESSION
Public Safety Building—Training Room, 825 41st Ave
NE
Monday, February 01, 2021
7:00 PM

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

AGENDA

NOTICE THAT THIS MEETING MAY BE CONDUCTED BY A COMBINATION OF IN-PERSON AND ELECTRONIC MEANS

Following a determination by City Manager Kelli Bourgeois, and emergencies declared by the United States, The State of Minnesota, and the Columbia Heights Mayor & City Council, this meeting may, pursuant to Minn. Stat. § 13D.021, occur by a combination of in-person and electronic means. In all meeting formats, members of the public who wish to attend may do so by attending in-person, by calling 1-312-626-6799 and entering meeting ID 891 4134 4862, or by Zoom at <https://us02web.zoom.us/j/89141344862> at the scheduled meeting time. For questions regarding this notice, please contact the City Clerk at (763) 706-3611.

CALL TO ORDER

WORK SESSION ITEMS

- 1. Review and Comparison of Liquor License Ordinance and Seating/Square footage Requirements**
- 2. Water Main Clean & Line / Replacement and Sanitary Sewer 3-Year Programs**
- 3. Bola Wrap Restraint Device**
- 4. Board and Commission Ordinance Amendments, Application, and Recruitment Follow-Up**
- 5. Nonprofit List**
- 6. Mayor's Monarch Pledge and Land Acknowledgment**
- 7. Closed Session – Civil Disturbance Plan**
This item will be in a closed session under Minnesota Statute §13D.05 Subd. 3(d)

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.



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	FEBRUARY 1, 2021

ITEM:	Review and Comparison of Liquor License Ordinance and Seating/Square footage Requirements									
DEPARTMENT:	Community Development	BY/DATE: Mitchell Forney, 1/27/2021								
<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 checked="" type="checkbox"/> Economic Strength</td> <td><input 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 checked="" type="checkbox"/> Economic Strength	<input 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
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BACKGROUND:

Recently Community Development Staff were approached by two separate businesses with a desire to amend the current liquor licensing requirements of the City. Specifically, the seating and square footage requirements associated with liquor licensing. Community Development Staff have put together this report summarizing the requests along with an outline of the current regulations for Columbia Heights and surrounding communities.

The current liquor licensing ordinance for the City of Columbia Heights was established in 2000 by ordinance amendment 1419. Ordinance 1419 was a complete update of the City's entire liquor license section of code. As part of the 2000 amendment process, community development staff conducted a review of 11 other city codes and recommended the addition of square footage and seating capacity minimums.

Currently, the Columbia Heights intoxicating liquor licensing ordinance states that restaurant liquor license holders must provide "minimum seating for 150 guests at one time and a dining area with a minimum floor area of 3,000 square feet." To make a comparison to other cities, community development staff reviewed the ordinances of 11 different communities. The entire review sheet is attached below. In summary of the 11 cities reviewed, Columbia Heights is the most restrictive when it comes to obtaining a liquor license. Of the 11 cities, Fridley's ordinance is the closest to Columbia Heights. Fridley's Ordinance requires a total building area of 5,000 square ft., a minimum kitchen and dining area of 2,000 square ft., and a minimum seating capacity that is open to the public of 130. Of the 11 cities, only three establish minimum square footages for the dining area, and only two cities require a seating capacity of more than 40 seats. Like Columbia Heights all 11 cities follow state law and require businesses classified as restaurants to maintain a percentage of their business in food sales.

Business Owner Requests:

The first request for license amendments was submitted by Jimmy's Pro Billiards located at 4040 Central Ave. The owner, James Wetch, spoke with staff during the Business Relief Grant Process about his requested changes. James then submitted the attached letter to begin the review process. Jimmy's currently has a small dining area but the majority of the building has been filled with pool tables. James is worried that, since he cannot sell liquor, he will lose pool leagues and players to other pool halls that have a liquor license. Jimmy's currently has the amount of space that would be required to obtain a liquor license, but this would mean

eliminating a row of pool tables to meet the 3,000 square foot dining area requirement. James's request is that the council considers lowering the required dinning space to 2,000 square feet and clarifies that the square footage measurement includes the kitchen. With regards to seating, James would like the seating requirement to include tables outside the dining area. Any alteration to the amount of seating required in the dining area would be helpful.

The Second Request was submitted by Shelley Santrach who is the owner of the property next to Jimmy's Pro Billiards at 4028/4030 Central Ave. Shelley had run an adult day care out of the space but is looking to utilize the commercial kitchen as a banquet hall/pop-up restaurant. In her letter she refers to it as a Soirée. The idea is to act as an event center that would offer food based events such as bringing in unique chefs, hosting special brunches, or small wedding receptions. The business use itself will have to go through a review and is not ready to be fully vetted, but for a future restaurant/banquet hall to receive a liquor license in this space, the owner has requested a change to the liquor licensing requirements. Shelley's request is that the minimum square footage is lowered to 2,000 square feet and the seating minimum be lowered to 50 seats.

Summary:

It is the purpose of this discussion to see if the council is interested in amending the City's liquor license requirements to help these small businesses expand their services. If the Council is amenable to changing the licensing requirements, staff will bring proposed ordinance changes to the Council for further review and approval.

ATTACHMENT(S):

1. Jimmy's Pro Billiards Request
2. 4028-4030 Request
3. Liquor Ordinance Examples
4. Ordinance 1419 2000 Letter

January 4, 2021

The City of Columbia Heights

City Council

Madame/Gentlemen:

Hello!

This is Jimmy's Pro Billiards, addressing the City of Columbia Heights City Council and to whomever this may concern. We are writing this letter, seeking a change in one of the criteria for the granting of liquor license to restaurants. The criterion concerned is Liquor Code Section 5.505 A.(2), to wit; 'Restaurants with minimum seating for 150 guests at one time and a dining area with a minimum floor area of 3,000 square feet.' We would like to improve the business once again and put in the liquor license and the rule that we would like changed is from 150 seats confined in one area to 150 seats spread throughout the whole establishment, similar to other businesses that are like mine and other restaurants and entertainment business establishments.

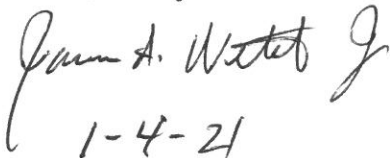
Jimmy's Pro Billiards, located at 4040 Central Avenue, Columbia Heights MN 55421, is primarily a poolroom with a restaurant/bar. The reason for the request for the rule change is in how poolrooms generally operate. In our poolroom, the pool tables which are spread throughout the poolroom are rented by playing customers and the dining tables go with it. Our customers like to play pool while enjoying their food and drinks. Hence, every pool table has a dining table beside it.

I've been in business for 24 years now and I've done my best to grow over the years and make Columbia Heights a better place. I was in business as a poolroom for 13 years, serving movie theater food like hotdogs, popcorn, sandwiches, pizza, etc. Eleven (11) years ago we added a restaurant and beer and wine and brought the whole building up to code. We have been upgrading our poolroom, to make it more competitive with other businesses, more so now in these challenging times. We have remodeled the poolroom, added more chairs to reach the required 150 seats. Throughout the years, we have improved in bits and pieces and would like to make Jimmy's Pro Billiards nicer. Given the trying times we are in, the challenge now is, how we can keep the business open.

I hope this is enough information. If you would like more information, please give me a call at (612)695-2582. Thank you for hearing my concern.

Respectfully yours,

Jimmy Wetch, Jr.
Owner, Jimmy's Pro Billiards



1-4-21

Please accept this letter in support of requested changes to City ordinance for liquor licenses.

Background:

Our property is located at 4028/4030 Central Ave. We purchased this bank owned property in 2010 and completed extensive remodel including a full commercial kitchen and sprinklers. Our company, founded in 2003, provided residential services to people with mental illness and consistently employed over 80 people. The upper floor was used as office/training space for our foster care homes and the larger ground floor space was used as an adult daycare for people with mental illness. In 2019 the operation of the foster care homes was sold to a larger company, but we retained the properties. (total of 11 single family homes in Columbia Heights, Fridley, SLP and NE Mpls) We continued to operate the Adult Daycare until the pandemic forced its closure.

Going forward:

We began exploring alternative uses for our property pre-pandemic and have spent this time making improvements to our space, painting, flooring etc.

We have a certificate of occupancy for I-4 & A-2 mixed use with a load of 213. Our main floor space is approximately 4500 sf and the upper floor is another 3100. We have sufficient and accessible lavatory facilities. A portion of our property (4028) was previously a coffee shop and the set-up remains, the larger space (4030) consists of the new commercial kitchen a large open area and additional bathrooms and storage areas. The spaces are connected via a hallway and additional set of bathrooms.

S O I R É E

At this time, we are working to develop a concept that combines a small restaurant space with a larger event space. The restaurant space would be focused on the 4028 entrance but may expand into the larger space as needed for say a mother's day brunch or other special occasions. The events would vary in size, from intimate private dinners to mid-sized weddings and other celebrations. We would strive to strike a balance between high quality simple food and fine dining. Options would also include take-out and catering.

In support of this development we would like to obtain a full liquor license. Our expectation is that our primary service would focus on wine and beer, but a full liquor license would allow us to include craft cocktails and special events etc. Even though our space would meet the current requirements for seating and space, we do not intend to operate at that scale. We are requesting that statute allow a minimum of 50 seats and 2000 sf for full license requirements.

As a Columbia Heights Alum, I welcome the opportunity to be part of the revitalization of this part of the avenue and I am anxious, as I am sure you all are as well for the new city center!

Sincerely, Shelley Santrach

Liquor Ordinance Examples

1. Columbia Heights

(2) Restaurants with minimum seating for 150 guests at one time and a dining area with a minimum floor area of 3,000 square feet;

2. Anoka

Restaurant means any establishment under the control of a single proprietor or manager, having appropriate facilities to serve meals, for seating not less than 25 guests at one time in one or more dining rooms having a net dining area of at least 1,500 square feet, and where in consideration of payment therefore, meals are regularly served at tables to the general public and which employs an adequate staff for the usual and suitable service to its guests and the principal part of the business of which is the serving of foods. The term "restaurant," when used in connection with on-sale wine or on-sale 3.2 malt liquor licenses, means an establishment under the control of a single proprietor or manager, having appropriate facilities for serving meals and seating not fewer than 25 guests at one time, and where, in consideration of payment thereof, meals are regularly served at table to the general public and which employs an adequate staff to provide the usual and suitable service to its guests.

3. Coon Rapids

(2) Minimum Seating Capacity. (a) To be eligible for an intoxicating liquor license on-sale, any establishment must have a minimum seating capacity of 75 persons.

[Revised 3/23/93, Ordinance 1443]

(b) To be eligible for a wine license on-sale, any restaurant must have a minimum seating capacity of 35 persons. (c) Unless operating a restaurant, cocktail rooms and brewer taprooms are exempt from the minimum seating capacity requirement. (3) No restaurant or hotel or motel holding a Class A on-sale intoxicating liquor license shall discontinue full meal service or table service prior to 11:00 p.m.

4. Spring Lake Park

RESTAURANT. An eating facility, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. To be a restaurant as defined by this paragraph, an establishment shall have a license from the state as required by M.S. § 157.16, as it may be amended from time to time, and meet the definition of either a "small establishment," "medium establishment" or "large establishment" as defined in M.S. § 157.16, subd. 3(d), as it may be amended from time to time. An establishment which serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered to be a restaurant for purposes of this section unless it meets the definitions of a "small establishment", "medium establishment" or "large establishment".

Liquor Ordinance Examples

On-sale intoxicating liquor licenses, which may be issued to the following establishments as defined by M.S. § 340A.101, as it may be amended from time to time, and this section: hotels, restaurants, bowling centers, theaters, clubs or congressionally chartered veterans organizations, theaters and exclusive liquor stores. Club licenses may be issued only with the approval of the Commissioner of Public Safety. The fee for club licenses established by the Council under Paragraph I shall not exceed the amounts provided for in M.S. § 340A.408, subd. 2(b) as it may be amended from time to time. The following license classifications are established:

Class A. For establishments which are conducted in such a manner that the business of serving food for a license year is a minimum of 55% of the total business of serving food and intoxicating liquor.

Class B. For establishments which are conducted in such a manner that the business of serving food for a license year which is less than 55% of the total business of serving food and intoxicating liquor. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at a community festival held within the city under the provisions of M.S. § 340A.404, subd. 4(b) as it may be amended from time to time. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the city, under the provisions of M.S. § 340A.404, subd. 4(a) as it may be amended from time to time; however, the licensee is prohibited from dispensing intoxicating liquor to any person attending or participating in an amateur athletic event being held on the premises.

5. **Blaine**

Restaurant means an eating facility, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. To be a restaurant as defined by this term in this article, an establishment shall have a license from the state as required by Minn. Stat. § 157.16. With the exception of a brewer taproom license, all restaurants shall derive a significant portion of their gross sales revenue from food.

3.2 percent malt liquor on-sale licenses, which may be issued only to restaurants, hotels, clubs, bowling centers with the incidental sale of tobacco and soft drinks.

6. **Fridley**

Any establishment, other than a hotel or bowling center/restaurant, under the control of a single proprietor or manager, having kitchen and other facilities to serve meals and where, in consideration of payment therefore, meals are regularly served at tables to the general public. Such establishment employs an adequate staff for the usual and suitable service to its guests, and the business of serving food and/or intoxicating liquors for a license year is a minimum of

Liquor Ordinance Examples

40% of the total gross sales of the business. Vending machines sales shall not be included as food sales revenue. (Ref. 1223)

4. No "on-sale" license shall be granted for a brew pub, restaurant or hotel that does not have a minimum total building area of 5,000 square feet, with a minimum kitchen and dining area of 2,000 square feet and with a minimum seating capacity that is open to the general public of 130. (Ref. 579, 1335)

7. **Richfield**

"Restaurant" means an establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises and served at tables to the general public, and having appropriate facilities for serving no fewer than 40 guests at one (1) time.

8. **Hopkins**

No on-sale intoxicating liquor license shall be issued to a restaurant unless the applicant makes a bona fide estimation that at least 50 percent of the gross receipts of the restaurant during its first year of business will be attributable to the sale of food.

9. **St. Louis Park**

Restaurant means an establishment, other than a hotel, where meals are regularly prepared on the premises and served at tables to the general public, and which has a seating capacity for at least 30 guests at one time, and the principal part of the business is the preparation and serving of food.

On-sale intoxicating liquor license. On-sale intoxicating liquor licenses shall be granted only to hotels, clubs and restaurants. Such license shall be issued to clubs and congressionally chartered veterans' organizations if they have been in existence for at least three years and liquor sales will only be to members and bona fide guests of such club or organization.

10. **South St. Paul**

a. The establishment is a restaurant open to the public and serving meals on a regular basis and not less than 50 percent of the gross sales is from the serving of food. At the time of application for renewal of the on-sale license for the establishment, the applicant must submit proof, in a form acceptable to the city, that not less than 50 percent of the gross sales is from the serving of food.

b. In the judgment of the city council, such use is compatible with existing uses adjacent to the premises and not detrimental thereto.

Sunday on-sale intoxicating liquor license. A Sunday on-sale liquor license may be issued only to a restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons and which holds an on-sale intoxicating liquor license.

Liquor Ordinance Examples


11. West St. Paul

(1) Category 1. On-sale licenses may be granted to clubs, restaurants, theaters, hotels and bowling centers. For purposes of this section, a RESTAURANT is an establishment where meals are regularly prepared on the premises and served at tables to the general public, as defined in Minn. Stat. § 340A.101, Subd. 25, as it may be amended from time to time. Restaurants must be considered a small, medium or large establishment, as defined by the Minnesota Department of Health.

12. Robbinsdale

Subd. 2. Restaurant. "Restaurant," for purposes of the on-sale of intoxicating liquors, means (i) any establishment to be licensed, other than a hotel or motel, under the control of a single proprietor or manager, having appropriate facilities to serve meals, for seating not less than 30 at one time for meals, and where in consideration of payment therefor meals are regularly served at tables to the general public and which employs an adequate staff for the usual and suitable service of its guests and (ii) whose gross receipts are attributable no more than 60% to liquor and at least 40% to food sales. (Amended, Ord. Nos. 06-14, 17- 10)

Meeting of: September 11, 2000

AGENDA SECTION: NO: bc	ORIGINATING DEPT.: License Department	CITY MANAGER APPROVAL
ITEM: Ordinance #1419 NO: Liquor License Amendments	BY: Kathryn Pepin DATE: August 30, 2000	DATE:  BY:

BACKGROUND/ANALYSIS

Since March of this year, The License Committee has been conducting the process of review and rewrite of Chapter 5, Article V of the City Code pertaining to beer, wine and liquor licensing for the City of Columbia Heights. Staff has gathered similar ordinances from eleven other cities for comparison. Those city's are Andover, Anoka, Blaine, Brooklyn Park, Brooklyn Center, Coon Rapids, Crystal, Fridley, Golden Valley, Lino Lakes, Minneapolis. We also used Chapter 340A of State Statute to assure compliance with State law.

Ordinance 1419 contains the rewritten sections pertaining to Club On Sale Liquor, On Sale Intoxicating Liquor, Sunday On Sale Intoxicating Liquor, and Temporary On Sale Intoxicating Liquor. We have combined the Sunday On Sale Club section with Sunday On Sale Liquor repealing the current Sunday Club Liquor section as the language for both was the same or similar. The Limited On Sale Liquor section has been combined into the On Sale Intoxicating Liquor section under 5.503(3). Section 5.505 pertaining to Limited On Sale Liquor is being repealed. The remaining sections have been significantly changed with a lot of old language eliminated that was not necessary or not in conformance with State Statute.

In response to the City Council's concern with the 300 foot distance required currently for any beer, wine or liquor establishment, the License Committee found that the 300 foot requirement was the minimum distance of the eleven cities used in our comparison. It was the consensus of the License Committee to leave the 300 foot distance as currently stated.

The ratio of food/liquor sales which currently requires 40% food sales has been increased to 60% food sales. The 60% ratio was the number used by more than half of the eleven cities. In addition, the food/ratio requirement will now be the same for all aspects of beer, wine or liquor establishments. The minimum seating requirement for on sale liquor is currently at 150 seats. The survey of the eleven cities showed that a variety of calculation methods were used including square footage of the entire building, the dining area, the seating, etc. After much discussion regarding future development and direction of the City, the 150 seat requirement is proposed to remain.

RECOMMENDATION: The License Committee feels that this finished product will best serve the needs of the City in implementation and enforcement of licensing rules and regulations regarding the sale of intoxicating liquor.

RECOMMENDED MOTION:

Move to waive the reading of Ordinance #1419 there being ample copies available to the public.

RECOMMENDED MOTION:

Move to schedule a second reading of Ordinance #1419, being an ordinance amending Ordinance 853, City Code of 1977, pertaining to the amendment of certain sections of the licensing requirements of the city for September 25, 2000 at 7:00 p.m.

COUNCIL ACTION:



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	FEBRUARY 1, 2021

ITEM:	Water Main Clean & Line / Replacement and Sanitary Sewer 3-Year Programs									
DEPARTMENT:	Public Works	BY/DATE: Kevin Hansen, Jim Hauth 1/27/21								
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WATER MAIN

Background: Columbia Heights has had a history of complaints of discolored water for many years at various locations throughout the City. City staff has determined that the rusty water is caused by encrusted iron scale deposits sloughing off the inside of the water main and into the water distribution system. To date, the problem originates only in unlined cast iron pipe, which was common prior to installations in the early 1960's. Although iron scale has a tendency to turn the color of the water yellow or light brown, it is not known to be a health risk by federally regulated standards. City staff has taken many samples and continues to test the drinking water to ensure compliance with State and Federal requirements. The problem in general is called 'tuberculation' and results in restricted flows. In January of 2005, staff reported to the City Council several techniques to address this problem and indicated that there are likely multiple areas of the distribution system affected by tuberculation.

In 2005, the annual program of water main cleaning and lining under the City of Minneapolis Cleaning and Lining Program was initiated. The process of **Mechanical Cleaning and Lining** involves shutting down a pipe segment, cutting open and accessing (excavating and cutting open) the water main every 400 to 600 feet, and pulling or pushing a mechanical cleaning device (sometimes called a 'pig') through the line to remove the encrustation. Depending on the severity of the interior buildup, a water line may have to be "pigged" repeatedly until the original interior diameter is restored. Since this process leaves the iron wall exposed, lining the interior pipe is necessary to prevent water contact with the iron surface which would allow the tuberculation process to start all over.

Minneapolis utilizes *cement mortar lining* by applying lean cement through a rotating head of a specific diameter. As the lining machine moves through the pipe, it leaves a smooth troweled finish. The new lining of the pipe provides a smooth interior wall resistant to mineral deposits and future tuberculation buildup. This is a very cost effective solution next to complete pipe replacement, as street restoration is kept to a minimum.

A potential cost to the homeowner is the access and operability of the curb stop or water shut off valve at the property line. Consistent with our City Code, it is the homeowner's responsibility for the service line from the main in the street to the house. At the direction of the City Council, repairs and replacements of water service lines are publicly bid and those prices for repairs or replacements are extended to the homeowners if they so choose. The inspection of the curb stops in the proposed program area is typically completed in the fall prior

to the next year's work.

The newly lined pipe should provide another 40 or more years of service. Based upon the positive results and project success of the past four years, staff conducted C-Factor testing on other known problem areas of the water distribution system. C-Factor testing involves isolating water main segments, flowing water and measuring pressures and flow rate. A C-Factor is then calculated which can be used to determine the amount of tuberculation in-pipe. Another way to look at a C-Factor is as a measurement of resistance to flow in-pipe. New pipe will have a C-Factor of 120-125. We would have expected the C-Factors in the areas tested (based on age) to be in a range of 90-95. A general rule of thumb is values below a range of 70-75 would indicate a pipe in poor and tuberculated condition. The measured C-Factors in the 2015 proposed program area measured from 20 to 52.

City staff has conducted a random survey following the completion of the projects with positive comments received from the residents. Staff believes the program accomplished what was intended and eliminated the discolored water problem and restored the original diameter(s) of the existing piping system. Additionally, water quality complaints are now minimal.

Where water main segments have had a history of breaks, cleaning and lining is not an effective application and pipe replacement is required. Public contact and information is very similar to how the clean and line program is conducted, but the construction remove and replace and the restoration of the street significantly lengthen the project timeline.

Due to water main breaks, staff is recommending replacement for the next 3-year cycle, at the locations shown on the attached map.

SANITARY SEWER

Background: Columbia Heights has over 60 miles of sanitary sewer main. Those mains are made up of Vitrified Clay Pipe (VCP), Cast Iron Pipe (CIP), Polyvinyl Chloride Pipe (PVC) and Acrylonitrile Butadiene Styrene (ABS). The majority of sanitary sewer main is VCP with nearly 50 miles installed. VCP has a life expectancy of 60-75 years, and the mains in Columbia Heights were installed between 1927 and 1970. VCP, when laid properly is a very good option for sanitary sewer mains. However, it can be brittle, joints can become weak and issues can start to impede maintenance and routine flows. Tree root intrusion and inflow/infiltration are common problems with VCP. As a result of these issues routine maintenance has been established to ensure the proper operation of the sanitary sewer system. All mains are cleaned at a minimum every 3 years, and much of the City is cleaned every year. Inspections of the sanitary sewers are continually ongoing, but not all sewer lines have been inspected. As a result of the systematic and regular cleaning and inspection the City has seen a decrease in sanitary sewer backup complaints.

Many options exist for repair or replacing sanitary sewer mains. The easiest and most cost effective method is to contract out the installation of Cured-In Place Pipe (CIPP), also called sewer lining. CIPP is comprised of a resin impregnated felt liner that is installed using forced steam, or hot water. The heat of the steam/water pushes the liner tight up against the existing pipe wall, and activates the epoxy resin curing it until it is as hard and strong as PVC pipe. A lined pipe can be considered new, and has a life expectancy of greater than 50 years. Through the continued installation of CIPP in the sanitary sewer system the life of existing pipes can be doubled, and construction and maintenance costs can be low. Typically 8" CIPP installation cost is less than \$25.00/linear foot; A 300 foot segment of 8" main (typical in town) will cost less than \$7,500 to line.

Maintenance reports and inspection records are used to determine which pipes need to be repaired and replaced on an annual basis. The structural condition of the sanitary sewer main is the largest contributing factor in deciding which to repair, but root intrusion and inflow/infiltration also are considered. The pipes identified for CIPP lining in 2021 have been inspected and found to have structural issues, and/or significant amounts of root intrusion and inflow/infiltration. These repairs will help reduce required maintenance, the cost of treating inflow/infiltration and costly sanitary sewer backups. Similar issues have been identified in the pipes scheduled for 2022 and 2023.

Due to the combined weighting of maintenance records and inspection reports, staff is recommending replacement for the next 3-year cycle, at the locations shown on the attached map.

Staff Recommendation Consider the 3-year Water Main Replacement and Sanitary Sewer Lining Programs for years 2021 – 2023.

ATTACHMENT(S): Maps



**COLUMBIA
-HEIGHTS-**
2016 ALL-AMERICA CITY

Sanitary Sewer System Proposed Lining by Year

Legend

• Sanitary Manholes

— Completed Sanitary Lining

Lining Year

— 2023 and Beyond

— 2021 - 6,322 LF

— 2022 - 5,935 LF

— 2022 - Central Ave Pipe Replacement

— 2023 - Estimated 6,000 LF

□ Right Of Way

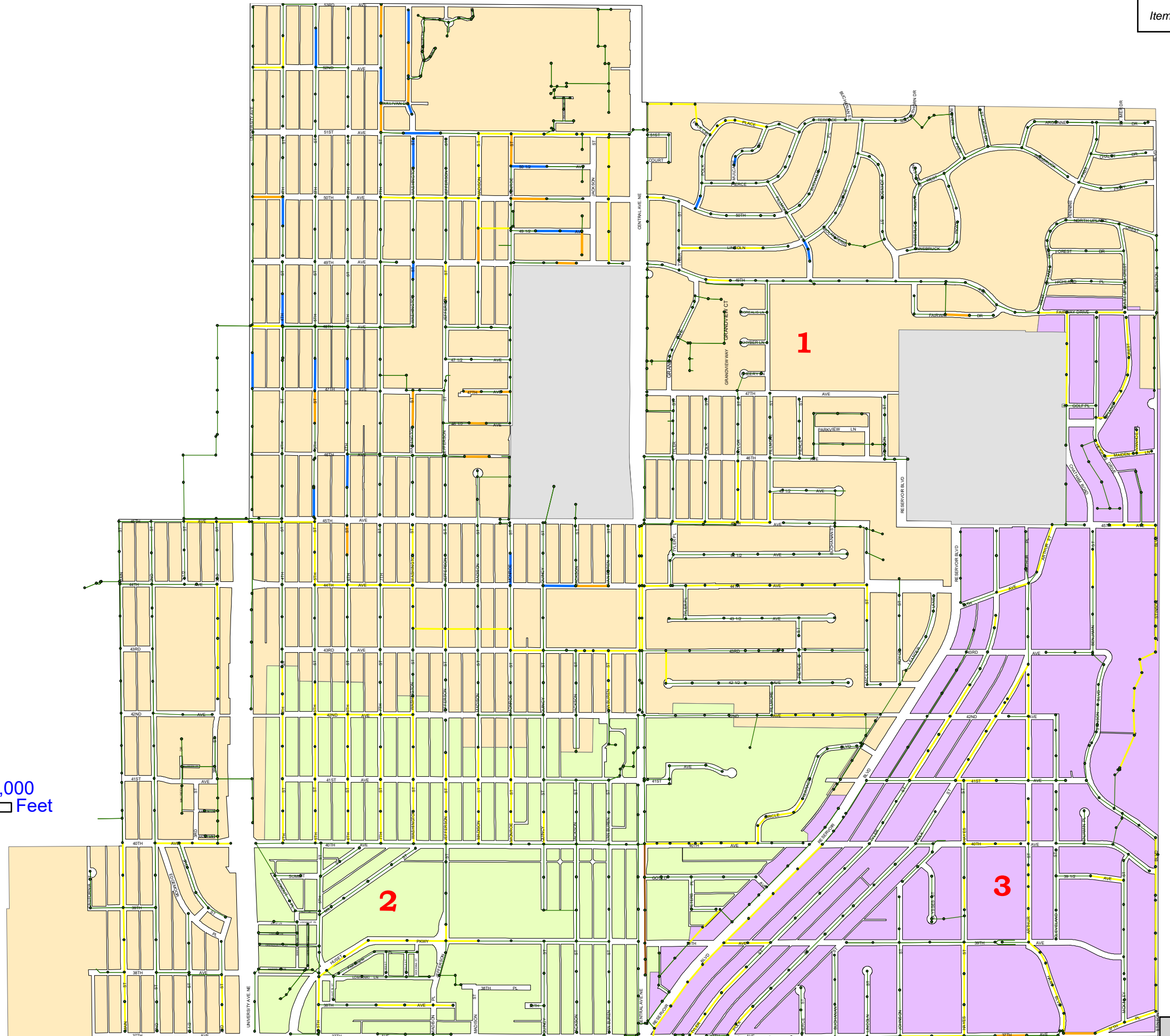
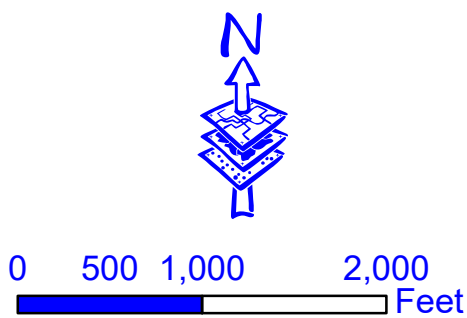
□ Sanitary Zone 1

□ Sanitary Zone 2

□ Sanitary Zone 3

Map Update: January 2021

Map Sources - Columbia Heights:
Public Works
Engineering
GIS





WATER SYSTEM MAIN REPLACEMENT 2021-2023

Legend

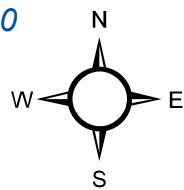
Valves

- Hydrant Lead Valves
- Main Valves
- 2021 Water Main Replacement - 2,400 Ft.
- 2022 Water Main Replacement Pierce & Lincoln - 1,200 Ft.
- 2022 Water Main Replacement 37th - Buchanan to Polk - 1,000 Ft.
- 2022 Water Main Replacement 37th - Central to Polk - 1,000 Ft.
- 2023 No Water Main Replacement
- Future Water Main Replacement Needs - 39,281 Ft.
- Lined Water Main
- Water Main
- Water Pressure Zone
- City Limits
- Right of Way

Map Date: December 14, 2020

1:3,903

1 inch = 325 feet

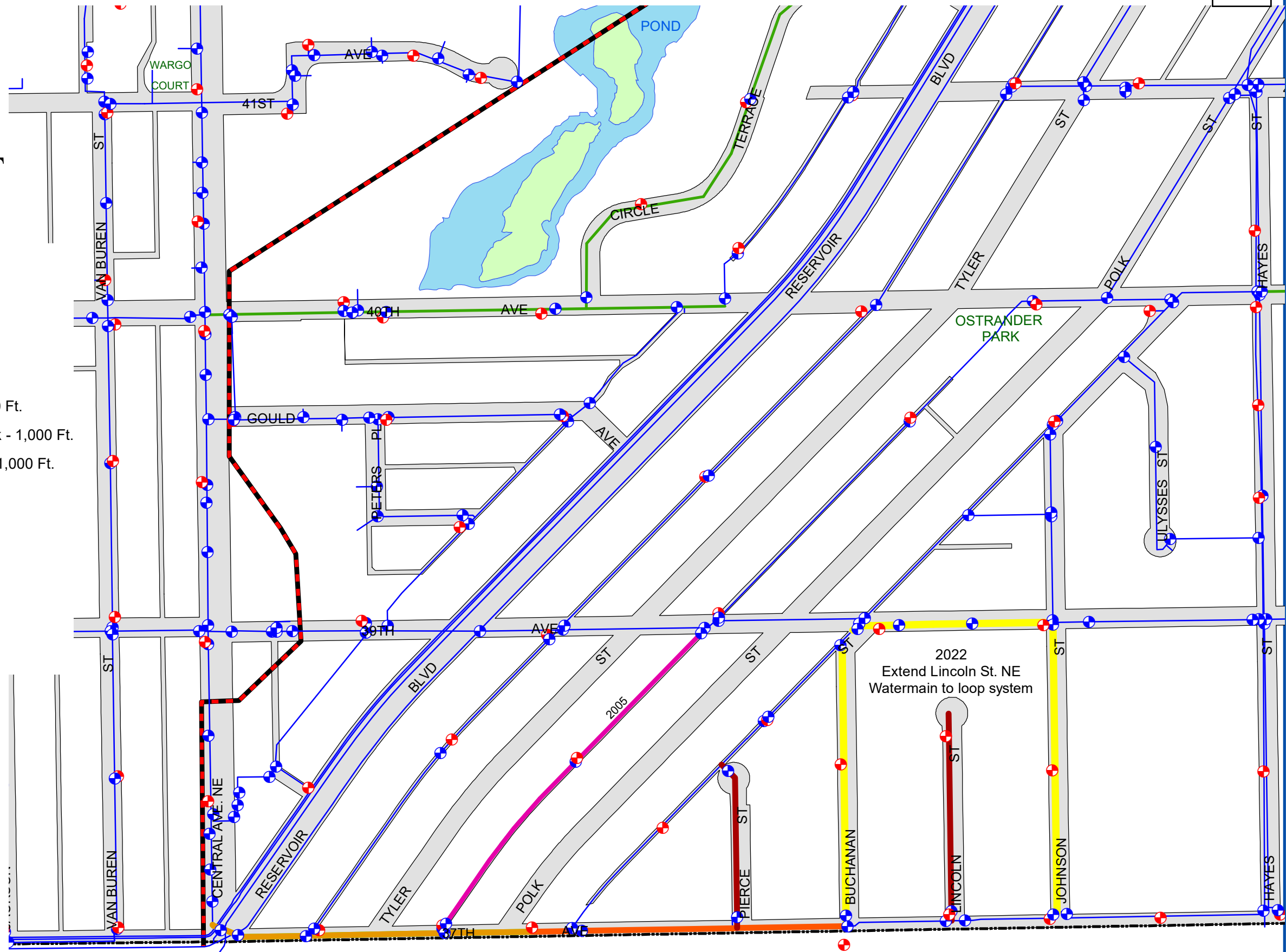


Map Sources - Columbia Heights:

Public Works
Engineering
GIS



NEAPOLIS



Item 2.



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	FEBRUARY 1, 2021

ITEM:	Bola Wrap Restraint Device										
DEPARTMENT:	Police	BY/DATE:	Chief Lenny Austin/January 27, 2021								
<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 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 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 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:

It is the CHPD’s policy that officers hold the highest regard for the dignity and liberty of all persons, and place minimal reliance upon the use of force. We respect the value of every human life and that the application of deadly force is a measure to be employed in only the most extreme circumstances. The CHPD continues to research opportunities to ensure this and to make sure that officers are properly equipped to perform their job tasks at a high level.

Recently, the CHPD purchased a restraint device called the Bola Wrap. The Bola Wrap is a hand held remote restraint device that discharges a Kevlar tether, eight feet in length, that is designed to entangle a subject at a range of 10-25 feet. This allows officers to temporarily restrain a subject at a safe distance and can potentially reduce a subject’s ability to struggle, minimizing the possibility of needing to use higher levels of force. This appears to be a device that will allow for a less injurious level of force in certain situations, compared to electronic control devices like the Taser, or less lethal options such as our less lethal projectiles that we currently have. It does not incapacitate like our other use of force options such as chemical agents, Tasers, or impact weapons.

This is a relatively new piece of equipment with only a handful of agencies in the State of Minnesota currently using these devices. So far the results have been positive and effective as a use of force option that has a relatively low risk of injury to officers and subjects.

The CHPD has purchased eight of these devices. Officers will complete their training on this device in February 2021. Once Officers are trained, the Bola Wrap restraint device will become part of the department’s use of force options.

ATTACHMENT(S):



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	FEBRUARY 1, 2021

ITEM:	Board and Commission Ordinance Amendments, Application, and Recruitment Follow-Up									
DEPARTMENT:	Administration	BY/DATE: Nicole Tingley, 1/25/21								
<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 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 checked="" 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 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 checked="" 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 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 checked="" type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population									

BACKGROUND:

Board and Commission Ordinance Amendments

At the January Work Session, the City Council provided direction for City Staff to draft an ordinance changing the term length for all boards and commissions to 3 years and to put in place a term limit of 2 consecutive terms on a single board or commission. It was also suggested to add attendance requirements.

While drafting these changes, city staff made edits to create more consistencies with the boards and commissions including removal from office, officers, vacancies, oath of office, and residency requirements. Staff also reformatted the board and commission section of the City Code to be easier to read. No changes have been made to the function (authority and duties) of the boards and commissions. Additionally, boards and commissions that are inactive and anticipated to stay inactive have been removed. All of the changes are with the exception of the EDA and HRA. They are highly governed by State Statute and making changes would require a thorough legal review.

Please provide your direction on moving forward with the ordinance changes to be planned for the first reading to be held on February 8th and the second reading to be held on February 22nd.

One area in particular that staff needs more feedback on is attendance requirements, as there are many variations of this. Very common is to miss consecutive meetings – this was placed in the draft. In other cases it is a percentage of meetings or a combination of both. Staff would recommend having some type of provision in place for the City Council to allow exceptions.

Examples-

Roseville-

Attendance: It is the expectation that Commissioners attend all meetings of the commission. An absence is considered the same whether it is excused or unexcused. If a commissioner is absent three consecutive meetings and/or misses a total of 30% or more of commission meetings in a rolling 12 month period, the staff liaison or commission chair will forward the information to the City Council.

In this example it states later that the City Council may remove the member because of attendance.

New Brighton-

Attendance at meetings is of the utmost importance in carrying out the work of a commission. If a member misses four of the scheduled meetings during the commission calendar year (April through March), the member's seat may become vacated and the City Council can begin the process of filling the vacated seat. The City Manager shall be responsible for notifying the member of the intended and resulting action.

Edina-

Sec. 2-86. - Attendance requirements.

(a) Purpose. To assist boards and commissions in fulfilling their purposes and duties and to ensure that they are not prevented from doing so by the repeated absence of their members, the council hereby establishes an attendance policy for members serving on boards and commissions.

(b) Removal. Any member of a board or commission established by the council shall be deemed to have resigned as a member of the board or commission under the following circumstances:

(1)The regular member fails to attend three consecutive regular meetings, or for a regular member of the planning commission fails to attend four consecutive regular meetings.

(2)The regular member fails to attend at least 75 percent of the regular scheduled meetings in any calendar year, not including the joint work sessions with the council. For a regular member, whose term begins during a calendar year, attendance in that calendar year is measured as at least 75 percent of the scheduled meetings following the beginning of the member's term.

(c) Exceptions.

(1)The requirements of this subsection shall not apply to attendance at special meetings, or of meetings of committees or subcommittees, including committees of the whole, established by a board or commission pursuant to section 2-82.

Chaska-

1. *Vacation of office.* Except as hereinafter provided, any member missing three (3) consecutive regularly scheduled monthly meetings, or any four (4) regularly scheduled monthly meetings in any one calendar year, shall have automatically vacated said office, and the City Council shall fill said vacancies as soon thereafter as practicable pursuant to the CMCO 2.24.040.
2. *Leave of absence.* The vacation of office provision provided in paragraph A shall not apply to a member who, because of serious illness, accident, or family emergency is prevented from attending meetings, and who has applied for and obtained a leave of absence granted by the City Council, which leave of absence shall not exceed six (6) months.

Application

At the January Work Session, the City Council also reviewed the Board and Commission application and provided direction for changes. You may notice the formatting for it has changed as well. Additionally, the Mayor has suggested adding "Professional Designations/Awards/Honors/Previous Government Service." Please provide your feedback on this.

Other Recruitment Follow-Up

With the City Council's direction to move to having a term limit of 2 full consecutive terms on a single board or commission, there are individuals that their terms are ending that would not be qualified to serve again on their current board or commission (unless unanimous vote of the City Council). As we move into the application process, we need to notify these individuals of this change. Attached is a draft letter to be sent out and below are the individuals who would receive it.

- Library Board Member- Catherine Vesley (has served since March 2000)
- Park & Recreation Commission Member- Marsha Stroik (has served since November 2003)
- Traffic Commission Member- Kevin Doty (has served since January 2007)
- Traffic Commission Member Brian Clerkin (has served since June 2012)

It is also worth noting that Park & Recreation Commission Member Bruce Evans has served more than 6 years (since December 2014), but not two full terms. He served a vacant term from December 2014 to March 2016 and in March 2016 was appointed to a 5 year term. City Staff recommends allowing him to serve one more term so he would not be included with the letter. City staff would like Council direction and feedback on the letter and recipients.

Description for top of website:

The Mayor has suggested including the following language on the same webpage as the application to explain how individuals are chosen. The City Attorney has reviewed the language. Please provide direction on including this on the website.

"The Mayor and Council shall give due regard in appointing board and commission members. In addition to being qualified to fulfill the role, the Mayor and Council will consider geographical distribution within the city and the commission's representative nature in terms of gender, religion, ethnicity, race, age, disability, employee, and employer groups."

Advertisement of Openings

Unfortunately, with the timing of the newsletter, we do not anticipate the newsletters will arrive before the application deadline of February 28. In order to fit with the current interview schedule of March 8 and 15, we need to keep the February 28th deadline to leave enough time to schedule interviews. The last interview should not be later than March 15th to allow time for contacting references. We plan on placing an advertisement in the Life newspaper instead to help spread the word.

ATTACHMENT(S):

Draft Ordinance

Draft Revised Board and Commission Application

Draft of Letter to send to Board and Commission Members who have served two or more terms

ORDINANCE NO. XXXX

**AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 3 OF THE COLUMBIA HEIGHTS CITY CODE RELATING TO
ADMINISTRATION OF BOARDS AND COMMISSIONS AND REMOVAL OF INACTIVE COMMISSIONS**

The City of Columbia Heights does ordain:

Section 1

Chapter 3, Article 3 of the Columbia Heights City Code as currently read is amended as follows:

§ 3.301 BOARDS AND COMMISSIONS GENERALLY

- (A) Except as otherwise provided with respect to a Board or Commission, the provisions of this section shall apply to all Boards and Commissions except the Economic Development Authority and the Housing and Redevelopment Authority.
- (B) Membership. Members shall be appointed by the City Council and shall serve at the pleasure of the Council. Members shall be residents of the City. No member of the Council shall serve as a member of a Board or Commission.
- (C) Terms of Appointment. The following are the terms of appointment:
- (1) The terms of members of Boards and Commissions shall be for a period of three (3) years each. Terms of membership shall be staggered so that no more than one-half of the terms on a Board or Commission expire in any particular year.
- (2) The time period for each three year term will be April 1 to March 31. Upon the expiration of their terms of office members shall continue to serve until their successor has been appointed.
- (3) Members are only eligible to serve two consecutive full terms on a Board or Commission in addition to any partial term served to complete an unexpired term resulting from a vacancy or an initial term upon creation of a Board or Commission, except by unanimous vote of the City Council. Upon completion of service on one Board or Commission, residents can be eligible for appointment to another Board or Commission, or after a period of at least one year, for appointment to the same Board or Commission on which they have previously served.
- (D) Vacancies. The Council may, but need not, appoint a person for the unexpired portion of the term of a member whose membership has become vacant.
- (1) Membership shall become vacant upon the occurrence of any of the following:
- (a) The death of a member
- (b) The member's resignation in writing
- (c) A member's absence from three (3) consecutive regular meetings, unless waived by the City Council after a written request from the member
- (d) Termination of a member's residence in the City.

- (E) Removal from Office. The Council shall have the authority, in its discretion, to remove any member.

- (F) Officers. Each Board or Commission annually at its first meeting of the calendar year (April through March) shall elect from its members a chairperson and vice-chairperson. The chairperson shall preside at all meetings. In the absence of the chairperson, the vice-chairperson shall preside. In the absence of a chairperson or vice-chairperson, members of a Board or Commission may appoint an acting chairperson to act during the absence.
- (G) Oath of Office. Every member shall take an oath that they will faithfully discharge the duties of the board or commission to which they were appointed.
- (H) Compensation. Board and Commission Members shall serve without compensation.
- (I) Meetings. All Boards and Commissions shall hold public meetings regularly as determined by the membership. The public shall be notified of all meetings in accordance with state laws governing open meetings. Members shall be notified of any special meeting or meeting cancellation at least three calendar days in advance, by any means including via telephone, e-mail, home delivery, in person or U.S. Mail.

§ 3.3012 PARK AND RECREATION COMMISSION

(A) ~~(1) Establishment.~~ A Park and Recreation Commission is hereby established. ~~supervise and control the use of public park lands, recreation, and senior citizen programs in the city, including parks, parkways, playgrounds; recreation fields and buildings; lakes, streams, and beaches therein; and all public service facilities related thereto. The Commission shall also recommend improvements for such parks as may be necessary and desirable, and shall have the authority to make reasonable administrative rules and regulations, including setting fees, governing public use of park lands and buildings, but shall at all times be subject to the direction and authority of the Council. All recreation programs shall be in accordance with the policies approved by the City Council.~~

~~————(2) The Commission shall have broad programming latitude in the implementation of those policies, including programming ideas, development, and functions.~~

~~————(3) The Commission shall conduct and supervise recreation services and programs for public recreation in its broadest sense, including playgrounds, parks, playfields, swimming pools, beaches, camps, indoor recreation centers, and any and all other recreation activities.~~

(B) Membership. The Park and Recreation Commission shall be composed of seven members ~~from among the residents of the city. Five members shall serve a term of five years. Two members shall serve a term of two years.~~

(C) Authority and Duties. The Park and Recreation Commission shall have the following authority and duties: ~~The Park and Recreation Commission shall have the power to make expenditures from funds so authorized and budgeted by the Council and approved by the City Manager; provided, however, that no single expenditure shall be made in an amount in excess of that authorized by City Charter.~~

(1) The Park & Recreation Commission shall supervise and control the use of public park lands, recreation, and senior citizen programs in the city, including parks, parkways, playgrounds; recreation fields and buildings; lakes, streams, and beaches therein; and all public service facilities related thereto. The Commission shall also recommend improvements for such parks as may be necessary and desirable, and shall have the authority to make reasonable administrative rules and regulations, including setting fees, governing public use of park lands and buildings, but shall at all times be subject to the direction and authority of the Council. All recreation programs shall be in accordance with the policies approved by the City Council.

(2) The Commission shall have broad programming latitude in the implementation of those policies, including programming ideas, development, and functions.

(3) The Commission shall conduct and supervise recreation services and programs for public recreation in its broadest sense, including playgrounds, parks, playfields, swimming pools, beaches, camps, indoor recreation centers, and any and all other recreation activities.

~~(C)~~ (4) The Park and Recreation Commission shall have the power to make expenditures from funds so authorized and budgeted by the Council and approved by the City Manager; provided, however, that no single expenditure shall be made in an amount in excess of that authorized by City Charter.

~~(1)~~ (a) All monies received by the Park and Recreation Commission or its representatives in the course of administering any properties or programs under its jurisdiction shall be turned over to the Treasurer at intervals of not greater than once each week for placement in the appropriate fund. No monies placed in said fund shall be transferred to any other fund unless authorized by a resolution of the Council and passed by four-fifths vote of said Council.

~~(2)~~ (b) The Park and Recreation Commission shall keep such books and records or account as are necessary for a proper recording of its financial activities as determined by the City Manager. At a time prescribed by the City Manager, the Commission shall submit to the Council a proposed budget showing its estimated financial requirements for the ensuing fiscal year.

~~(3)~~ (c) Expenditures may be made for the purpose of making improvements on park lands, such as planting trees, shrubs and flowers, and ornamenting or protecting the same; administering park and recreation programs for the citizens of the city; or in any other manner authorized and allowed under this section and the City Charter.

~~(4)~~ (d) All claims and all bills incurred by the Commission shall be presented to the Council for payment and paid in the same manner as other claims against the city are paid.

~~(D)~~ (5) The Park and Recreation Commission may authorize the issuance of permits for otherwise prohibited activities to allow the holders thereof to:

~~(1)~~ (a) Remain in the parks or on the parkways, lakes or waterways during otherwise prohibited hours;

~~(2)~~ (b) Post notices;

~~(3)~~ (c) Park vehicles in otherwise unauthorized areas;

~~(4)~~ (d) Aquaplane or water ski in otherwise prohibited areas;

~~(5)~~ (e) Distribute circulars or cards;

~~(6)~~ (f) Sell refreshments or other articles;

- ~~(7)(g)~~ Bring a dog into the park for the purpose of conducting dog shows or exhibitions held under the direction of the Commission;
- ~~(8)(h)~~ Conduct shows of entertainment or exhibitions;
- ~~(9)(i)~~ Conduct public meetings or public speeches upon a showing to the Commission that the health and safety of those in attendance will be properly safeguarded; and
- ~~(10)(j)~~ Have fires on the ice of any lake under the jurisdiction of the Commission upon showing of compliance with regulations established by the Commission for the safety of said heaters.

~~(E)(6)~~ The Park and Recreation Commission shall have the authority to revoke for good cause, any permit issued either by the Commission or the designated city employee, but (except upon conviction by court) the person whose permit is subject to be revoked shall have at least five days' notice thereof in writing and the opportunity to appear before the Commission, or a committee thereof, to show cause why this permit should not be revoked.

~~(F)(7)~~ The Commission and the Recreation Director shall have authority to suspend any coach, referee or other person when it is for the good of the recreation program. Such suspension may be appealed to the full Commission if requested in writing within five days to the City Manager. If not appealed within five days, the suspension shall stand. If appealed, the Commission shall meet to let the suspended individual be heard. Thereafter, the Commission shall make a finding. Such finding is final.

~~(G)(8)~~ The Commission is empowered and authorized to solicit and receive gifts, bequests, or endowments of money or property as donations or grants from persons, firms or corporations including governmental agencies and to administer the funds for public park and recreation purposes subject to City Charter and city policy.

~~§ 3.302 HUMAN SERVICES COMMISSION~~

~~(A) The Human Services Commission is hereby established under the control and direction of the Council. The Commission shall act in a strictly advisory capacity to the Council and have no legislative, judicial or quasi-judicial powers of law enforcement, except in the performance of duties prescribed by division (D) of this section.~~

~~(B) The purpose of the Human Services Commission is to aid and advise the Council in the promotion of equal opportunity in employment, housing, public accommodations, public service, education and such other affairs that affect the social well being of the citizens of Columbia Heights. In furtherance of such purpose, the Commission shall:~~

~~— (1) Study and review programs and policies and aid the Council in soliciting the cooperation of agencies, organizations, and individuals in the city in an active program directed to create equal opportunities and eliminate discriminatory practices as described in M.S. Chapter 363, as it may be amended from time to time.~~

~~— (2) Review all reports or complaints of discrimination in the city and report its findings to the Council, subject to the conditions prescribed by division (D) of this section.~~

~~— (3) Advise and aid the Council on the implementation of such recommendations as the Council determines appropriate to cooperate with the State Department of Human Rights.~~

~~— (4) Recommend to the Council from time to time such action as may seem advisable to create better human relations in the city and perform such other functions concerning human relations as the Council may determine.~~

~~—(C) The Human Services Commission shall be composed of nine members from among the residents of the city who are at least 18 years of age.~~

~~—(1) Members of the Commission shall serve for a term of three years commencing and ending in the month of April. The terms are to be staggered so that each year no more than three Commissioners are appointed to a full term.~~

~~—(2) The Commission shall be composed of the widest possible representation of the various peoples and institutions within the city and, if possible, no more than two members shall reside in any voting precinct.~~

~~—(3) The Council may terminate the appointment of any Commissioner by a majority vote without cause and without a hearing.~~

~~—(D) Upon direction of the Council, the Human Services Commission may study and make a report to the State Human Rights Commissioner on any matter referred to it by the State Department of Human Rights. Upon direction of the Council, the Human Services Commission may conduct an investigation of such matter and make such recommendations as are necessary and appropriate.~~

§ 3.303 MERIT BOARD

~~(A) The Merit Board is hereby established to investigate the discharge or suspension of city employees. The Board shall hold a public hearing upon the request of any city employee authorized to utilize the provisions of this section. The Board shall report its findings and actions taken to the Council and the Manager.~~

~~—(B) The Merit Board shall be composed of five members from among residents of the city.~~

~~—(1) Members of the Board shall serve for a term of four years, to be staggered so that each year one of the members shall be newly appointed.~~

~~—(2) Each Board member shall subscribe to and file with the City Clerk an oath for the faithful discharge of his duties.~~

~~—(C) Meetings shall be held on the first Monday in June of each year, and as are necessary to carry out the duties of the Commission.~~

~~—(D) Any suspended or discharged permanent city employee in the employ of the city continuously for one year immediately preceding said suspension or discharge may make a written demand for a public hearing and investigation into the cause of said discharge or suspension.~~

~~—(1) For purposes of this section, a PERMANENT EMPLOYEE shall be defined as any employee who has worked in a full-time or part-time capacity continuously for a period of one year, other than in a job position specifically designated as seasonal or temporary.~~

~~—(2) The provisions of this section shall not apply to the Manager, and to employees subject to a collective bargaining agreement, or subject to the jurisdiction of the Joint Police and Fire Civil Service Commission, as is hereinafter established.~~

~~—(E) The demand for a hearing shall be submitted to the Secretary of the Commission, who shall then request a written statement setting forth the causes for such discharge or suspension from the Manager.~~

~~—(F) The Board shall conduct a public hearing within ten days thereafter with five days' notice to the employee of the time and place for the hearing. The employee shall be provided with a copy of the statement of causes for discharge or suspension.~~

~~—(G) Within ten days after the completion of the hearing, the Board shall make written findings and either direct that the employee be reinstated or confirm the discharge or suspension. The Board in its discretion may order that the employee be paid any portion or all of the wages lost during the period of said suspension, or discharge.~~

§ 3.304 [RESERVED]

§ 3.305 HOUSING AND REDEVELOPMENT AUTHORITY.

(A) Except as limited by this section as it may be amended from time to time, the HRA may exercise all the powers under the HRA Act needed in order to carry out programs and projects for low and moderate income housing including, but not limited to, the following powers:

- (1) To own, manage and operate all housing facilities that are operated by CHEDA as of the effective date of this section.
- (2) To establish and operate housing development projects and housing projects (as such terms are defined in the HRA Act).
- (3) To accept control and authority over any housing program for low and moderate income persons that the city or CHEDA delegates to the HRA.
- (4) To levy special benefit taxes in accordance with Section 469.033, subdivision 6 of the HRA Act in order to pay or finance the cost of housing projects and programs for low and moderate income persons, subject to approval by the City Council in accordance with Section 469.033, subdivision 6.
- (5) To acquire and convey real or personal property or any interest therein by gift, grant, purchase, exchange, lease, transfer, bequest, devise, or otherwise, and by the exercise of the power of eminent domain.
- (6) To determine the level of low and moderate incomes within its areas of operation.
- (7) To issue bonds for any of its corporate purposes and to secure those bonds by mortgages upon property held or to be held by it or by pledge of its revenues, including grants or contributions.

(B) The HRA may not exercise any powers under M.S. §§ 469.174 to 469.179, as they may be amended from time to time, or any other powers under the HRA Act that relate solely to redevelopment; provided, however, that nothing in this section will be construed to limit the HRA's powers to carry out any housing project or housing development project that requires or includes redevelopment or that requires or includes land uses or facilities reasonably necessary to serve or facilitate the development of housing for low and moderate persons.

§ 3.306 PLANNING AND ZONING COMMISSION.

(A) Establishment. A Planning and Zoning Commission is hereby established. ~~which shall consist of seven members to be organized as follows:~~

- ~~(1) The members shall be appointed by the Council and may be removed by a four-fifths vote of the Council. The Community Development Director, City Planner, Building Official and City Attorney shall serve as ex officio members of the commission.~~
- ~~(2) The appointed members shall serve for a term of four years to be staggered so that the term of one member shall expire each year. Every member shall take an oath that he/she will faithfully discharge the duties of office.~~

- ~~(3) The Commission shall elect a Chairperson, Vice Chairperson, and Secretary/Treasurer from among its membership. Officer positions shall be elected annually at the first meeting of the year. The Recording Secretary need not be designated from Planning Commission membership.~~
- ~~(4) Planning Commissioners must attend a minimum of 75% of regularly schedule annual meetings. Failure to meet this requirement shall result in a recommendation to the City Council for a Commissioner’s removal.~~
- ~~(5) Regular monthly meetings of the Planning Commission shall take place at 6:00 p.m. on the first Tuesday of each month in City Council Chambers, unless otherwise publicly noted.~~

(B) Membership. The Planning Commission shall be composed of seven members. The Community Development Director, City Planner, Building Official and City Attorney shall serve as ex officio members of the commission. ~~The Commission shall prepare a program of work outlining activities to be undertaken by the Commission. Such a program will include an outline of data and information to be assembled as a basis for a city plan, an outline of subjects to be covered by a city plan, and an outline of types of procedure necessary to make the city plan effective. The work program may be revised from time to time.~~

(C) Authority and Duties. The Planning Commission shall have the following authority and duties:

(1) The Commission shall prepare a program of work outlining activities to be undertaken by the Commission. Such a program will include an outline of data and information to be assembled as a basis for a city plan, an outline of subjects to be covered by a city plan, and an outline of types of procedure necessary to make the city plan effective. The work program may be revised from time to time.

~~(1)(2)~~ The Commission shall prepare, adopt and maintain a comprehensive city plan for the physical development of the city. Said plan shall include proposed public buildings, street arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, and the projected use of property, density of population, and other matters relating to the physical development of the city. Such a plan may be prepared in sections, each of which shall relate to a major subject of the plan, as outlined in the Commission's program of work.

~~(2)(3)~~ The Commission may from time to time recommend to the Council changes or additions to the city plan or any section thereof whenever changed conditions or further studies by the Commission indicate that such amendment or addition is necessary or desirable.

~~(D)(1)(4)~~ The Commission shall certify and submit to the Council an attested copy of the city plan or of any section, amendment, or addition to the city plan and recommend and advise to the Council reasonable and practicable means for putting into effect the plan, or amendments or additions thereto, so that the plan will serve as a pattern and guide for the orderly physical development of the city and as a basis for the efficient expenditure of city funds relating to the subjects of the city plan.

~~(2)(a)~~ Such means shall consist of a zoning plan, the control of subdivision plats, a plan of future streets and street extensions, coordination of the normal public improvements of the city, a long term program of capital expenditures and such other matters as will accomplish the purposes of this section.

~~(E)~~(5) The Commission shall study and make recommendations for changes to the official plat map within 40 days after any proposed plat, plat subdivision, or change to the plat map has been referred to the Commission for study.

~~(4)~~(a) The Commission may recommend to the Council that the proposal be approved; be disapproved, for specific reasons as are indicated; or proposal be approved after specified changes or revisions are made therein, deferral back to the Commission for review of said revisions or changes may be requested.

~~(2)~~(b) Upon the advice of the City Engineer, the Commission may recommend that the proposed future extension or widening of city streets be indicated on the plat map.

~~(F)~~(6) The Commission shall have such duties and functions as are prescribed by the zoning code and shall comply with all procedures provided therein. The Commission shall study and make recommendations on proposed changes to the zoning code and report thereon to the Council.

~~(G)~~(7) Prior to adoption of any amendment or change to the city plan or the zoning code, the Commission shall hold at least one public hearing with ten days' notice of the time and place of such hearing to be published in the official city newspaper.

~~(H)~~(8) The Commission shall list and classify all local public works permanent improvements proposed in the city budget for the ensuing fiscal year that have been referred to the Commission. The Commission shall prepare and recommend a coordinated program of proposed public works for the ensuing fiscal year to the Council and to such other officer, department, board, or governmental bodies as have jurisdiction over the accomplishment of such public work projects.

~~(I)~~(9) The Commission shall submit to the Council a report of its work during the preceding year on or before January 1 of each year. Said report shall include a copy of the recommended programs of public works projects, as provided by division ~~(H)~~(8) of this section.

~~(J)~~(10) The Planning and Zoning Commission shall perform all duties and functions of the Housing Advisory and Appeals Board, as established by § 6.202(B).

§ 3.307 BOARD OF APPEALS AND ADJUSTMENTS.

The Board of Appeals and Adjustments is hereby established pursuant to M.S. Chapter 462, as it may be amended from time to time. The Board shall have authority, functions and duties prescribed by the zoning code, and shall consist of such members as provided therein.

§ 3.308 TRAFFIC COMMISSION.

~~(A) Establishment. A Traffic Commission is hereby established. which shall consist of five members. The members shall be appointed by the Council and may be removed by four-fifths vote of the Council. The Public Works Director, or a person designated by the Public Works Director, and the Chief of Police, or a person designated by the Police Chief, shall serve as ex officio members of the Commission. The members shall serve for a term of four years to be staggered so that the term of one member shall expire each year. The~~

~~Commission shall elect a chairperson from among its membership. The Secretary need not be designated from the Commission membership.~~

~~(B) Membership. The Traffic Commission shall be composed of five members. The Public Works Director, or a person designated by the Public Works Director, and the Chief of Police, or a person designated by the Police Chief, shall serve as ex officio members of the Commission. The Commission shall serve as an advisory body to the Council and the administrative service of the city. The Commission shall study and investigate all matters pertaining to the regulation of traffic upon the streets and ways within the city on its own initiative, or as are referred to the Commission by the Council or the administrative service of the city. The Commission shall conduct public hearings as are necessary to give full consideration to such matters. Written recommendations shall be forwarded to the Council and to the Manager.~~

~~(C) Authority and Duties. The Traffic Commission shall serve as an advisory body to the Council and the administrative service of the city. The Commission shall study and investigate all matters pertaining to the regulation of traffic upon the streets and ways within the city on its own initiative, or as are referred to the Commission by the Council or the administrative service of the city. The Commission shall conduct public hearings as are necessary to give full consideration to such matters. Written recommendations shall be forwarded to the Council and to the Manager. The Manager shall direct the administrative service to act on said recommendations upon the expiration of 30 days of receipt thereof, when authorized to do so by Chapter 7 of this code, except as otherwise provided below.~~

~~(D) The Manager shall direct the administrative service to act on said recommendations upon the expiration of 30 days of receipt thereof, when authorized to do so by Chapter 7 of this code, except as otherwise provided below.~~

~~(DE) Administrative action on the recommendations of the Traffic Commission shall be subject to a right of appeal to the Council by any interested person, and the right of the Council to direct that the Commission recommendations be modified or not pursued. Upon receipt of notice of appeal or Council intervention, the Manager shall suspend further administrative action until directed by Council action.~~

~~(EF) Notwithstanding the provisions of division (ED) of this section, recommendations and findings pertaining to the regulation of traffic on a State Trunk Highway or other roads not within the exclusive jurisdiction of the city shall be submitted exclusively to the Council for further action. Where required by the laws of the State of Minnesota, consent of the State Commissioner of Highways shall be obtained prior to formal Council action on the Commission's recommendations.~~

~~(F) The Commission shall establish a monthly meeting date and direct the Secretary to prepare an agenda for each meeting. Said agenda shall be sent to the Commission members for their consideration at least two days prior to the meeting date.~~

§ 3.309 LIBRARY BOARD.

~~(A) Establishment. A Library Board is hereby established, which shall be composed of five members to be appointed by the Council. The Board members shall serve three year terms. Members shall be residents of the city.~~

(B) Membership. The Library Board shall be composed of five members.

(BC) Authority and Duties. The Library Board ~~is hereby established to~~ shall supervise and control the policy, program, use and physical plant of the city library, including all lands and equipment associated therewith and the setting of levels of service and manpower. The Board shall also recommend improvements for the library as may be necessary and desirable and shall have the authority to make reasonable administrative rules and regulations, including the setting of fees, governing public use of the library and its facilities, but shall at all times be subject to the direction and authority of the Council. All the library policies and programs shall be in accordance with the policies approved by the City Council.

(CD) The Library Director shall have the power to make expenditures from funds so authorized and budgeted by the Council and approved by the City Manager; provided, however, that no single expenditure shall be made in an amount in excess of that authorized by City Charter.

(1) All monies received or expended shall be accounted for and audited in the Library Fund as though the library were a department under the control of the City Manager or subsidiary manager as delegated.

(2) All claims and all bills incurred by the Board shall be presented to the Council for payment and paid in the same manner as other claims against the city are paid.

(3) Annually and in proper time, the Board shall approve and recommend to the Council a budget for the coming year and at least semi-annually, the Board shall approve and make a comparison by line item of its performance against the current budget together with recommendations for transfers of funds between line items.

§ 3.310 ECONOMIC DEVELOPMENT AUTHORITY.

(A) Enabling authority.

(1) The Columbia Heights Economic Development Authority (CHEDA) is hereby established.

(2) The board of commissioners of the CHEDA shall consist of seven members, at least two but no more than five of whom must be members of the City Council. The members shall be appointed by the Mayor with approval of the City Council.

(3) Commissioners shall be appointed for initial terms of one, two, three, four and five years respectively, and two members for six years. Thereafter all commissioners shall be appointed for six-year terms. Notwithstanding the above provisions, the term of any commissioner who is a member of the City Council shall coincide with that member's term of office as a City Council member.

(4) A vacancy is created in the membership of the CHEDA when a City Council member of the board of commissioners ends Council membership. A vacancy for this or any other reason must be filled for a new term or the balance of the expired term, as the case may be, in the manner in which the original appointment was made.

(5) The following limits apply to the CHEDA and its operation:

- (a) The sale of bonds or other obligations of the CHEDA must be approved by the City Council.
- (b) The CHEDA must follow the budget process for city departments in accordance with city policies, ordinances and resolutions and the City Charter.
- (c) Development and redevelopment actions of the CHEDA must be in conformance with the city comprehensive plan and official controls implementing the comprehensive plan.
- (d) The CHEDA must submit its plans for development and redevelopment to the City Council for approval in accordance with city planning procedures and laws.
- (e) The CHEDA shall not hire permanent or temporary employees without prior approval by the City Council.
- (f) The administrative structure and management practices and policies of the CHEDA must be approved by the City Council.

(6) As provided in the Act it is the intention of the City Council that nothing in this section nor any activities of the CHEDA are to be construed to impair the obligations of the city or the Housing and Redevelopment Authority in and for the city under any of their contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the city or the HRA.

(B) Implementation.

- (1) The City Council will from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this section.
- (2) The Mayor, the City Manager and other appropriate city officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this section.
- (3) Nothing in this section is intended to prevent the city from modifying this section to impose new or different limitations on the CHEDA as authorized by the Act.

(C) EDA powers.

- (1) Except as limited by this section or the enabling resolution, as either may be amended from time to time, the EDA may exercise all the powers under the EDA Act, including, but not limited to, the following:
 - (a) All powers under the HRA Act other than those allocated to the HRA under this section.
 - (b) All powers of a city under M.S. §§ 469.124 to 469.134, as they may be amended from time to time.
 - (c) All powers and duties of a redevelopment agency under M.S. §§ 469.152 to 469.165, as they may be amended from time to time, for a purpose in the HRA Act or the EDA Act, and all powers and duties in the HRA Act and EDA Act for a purpose in M.S. §§ 469.152 to 469.165, as they may be amended from time to time.
 - (d) The authority to acquire property, exercise the right of eminent domain; make contracts for the purpose of redevelopment and economic development; serve as a limited partner in a partnership whose purpose is consistent with the CHEDA's purpose; buy supplies and materials

needed to carry out development within the EDA Act; and operate and maintain public parking facilities.

(e) The authority to issue bonds in accordance with the EDA Act and the HRA Act.

(f) The authority to levy special benefit taxes in accordance with Section 469.033, subdivision 6 of the HRA Act in order to pay or finance public redevelopment costs (as defined in the HRA Act), subject to approval by the City Council in accordance with Section 469.033, subdivision 6.

(g) All powers under M.S. §§ 469.174 to 469.179, as they may be amended from time to time, including without limitation the power to establish a housing district as defined in M.S. § 469.174, subd. 11, as it may be amended from time to time.

(2) CHEDA may not exercise powers under the HRA Act that are allocated to the HRA under this section; provided, however, that nothing in this section will be construed to limit CHEDA's powers to carry out any redevelopment project that includes housing for low and moderate income persons that is owned and operated by non-governmental parties.

§ 3.311 [RESERVED]

~~§ 3.312 TELECOMMUNICATIONS COMMISSION.~~

~~—(A) A Telecommunications Commission is hereby established which shall consist of seven members to be organized as follows:~~

~~—(1) Seven members shall be appointed by the City Council. The members appointed by the City Council shall be residents of the city. A majority of Commission members shall constitute a quorum.~~

~~—(2) Each member of the Commission shall serve a term of two years.~~

~~—(3) The Assistant to the City Manager, or a person designed by him, shall be an ex officio member of the Commission.~~

~~—(4) If a seat on the Commission becomes vacant before the term of the seat has expired, it shall be filled by appointment by the City Council.~~

~~—(5) The Commission shall elect a chairperson from among its membership. The secretary need not be designated from the Commission membership.~~

~~—(6) The Commissions shall establish a monthly meeting date and conduct business of the Commission as prescribed hereinafter. A meeting agenda shall be sent to Commission members at least two days prior to the meeting date.~~

~~—(B) The Commission shall serve in an advisory capacity to the Council and the administrative service of the city. The duties and responsibilities of the Commission shall be as follows:~~

~~—(1) Study, investigate and make written recommendations to the City Council on all matters pertaining to the provision of telecommunication services within the city on its own initiative or as referred to the Commission by the Council or administrative service of the city. This shall include, but not be limited to, the following matters:~~

~~—(a) Additional services which could be furnished by the telecommunication service providers.~~

~~—(b) Rate adjustments.~~

~~—(c) Actions of a provider which may be grounds for revocation of its franchise, permit, license, or other right to do business in the city.~~

~~—(d) Provider's performance regarding subscriber complaints and interruption of service.~~

~~—(e) Operation and use of access channels.~~

~~—(f) Renewal or extension of the franchise, permit, license, or other right to do business in the city.~~

- ~~—(g) Channel, spectrum, or capacity allocation and programming.~~
- ~~—(h) Compliance of provider with terms and conditions of the franchise, permit, license, or right to do business in the city.~~
- ~~—(i) Possible sanctions against the provider.~~
- ~~—(2) Prepare and submit an annual report to the city assessing the grantee's performance according to the terms of the cable television franchise and make written recommendations to the city.~~
- ~~—(3) Three months prior to the fifth year of operation and every five years thereafter, the Commission shall submit a report to the city, which report shall include a written appraisal of the performance of the grantee over the entire length of the cable franchise with regard to the provisions of the cable franchise. The report shall include recommendations for revised or additional provisions of the franchise, considering at least the following items: channel capacity, channels for access, cable casting; facilities and staff assistance available for access cable casting; two way capability, and the need for further service to be extended within the franchise area based upon a reassessment of the communications needs of the city in relation to the services generally offered by the cable industry.~~

~~§ 3.313 TREE BOARD.~~

- ~~—(A) There is hereby created and established a City Tree Board for the City of Columbia Heights, which shall be composed of the members of the Park and Recreation Commission.~~
- ~~—(B) Members of the Board shall serve without compensation.~~
- ~~—(C) It shall be the responsibility of the Board to study, investigate, counsel and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of public trees. Such plan will be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive City Tree Plan for the City of Columbia Heights, Minnesota. The Board, when requested by the City Council, shall consider, investigate, make findings, reports and recommendations upon any special matter of question coming within the scope of its work. Notwithstanding anything to the contrary herein, it shall be the responsibility of the City Forester to determine if a tree is hazardous to public safety.~~
- ~~—(D) The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.~~
- ~~—(E) The City Council shall have the right to review the conduct, acts and decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the City Council who may hear the matter and make final decision.~~

~~§ 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.
- (1) The Commission serves as an advisory to the City Council.
 - ~~(2) The Commission does not require its own by-laws.~~
 - ~~(3) The Mayor appoints and the Council ratifies.~~

- ~~(4) The PAC shall be comprised of five to seven members serving on terms of three to six years with no more than two consecutive. It is recommended to stagger member terms.~~
- ~~(5) Commission officers include: Chair, Vice Chair, and Secretary.~~
- ~~(6) Residency is not required to serve on the Commission.~~
- ~~(7) The majority of the Commission members must be residents of Columbia Heights in any given .~~
- ~~(8) Non residents serving on the Commission should be individuals that have connections to the city by either working or owning a business within the city limits, have gone to school in Columbia Heights or have family members still living in Columbia Heights.~~

Section 2

This Ordinance shall be in full force and effect from and after 30 days after its passage.

First Reading:
 Offered by:
 Seconded by:
 Roll Call:

Second Reading:
 Offered by:
 Seconded by:
 Roll Call:

Date of Passage:

Amáda Márquez Simula, Mayor

Attest:

Nicole Tingley, City Clerk/Council Secretary



City Board and Commission Application

**Please number your choices according to preference:
(leave blank any one on which you do not wish to serve)**

***Note: for this commission, please indicate if you are a qualified voter?**

- | | |
|---|--|
| <input type="checkbox"/> Economic Development Authority | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Park & Recreation Commission | <input type="checkbox"/> Traffic Commission |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Charter Commission* |

Yes No

Name	Phone		
-------------	--------------	--	--

Street Address	City	State	Zip
-----------------------	-------------	--------------	------------

Email Address	Number of years/months resident of Columbia Heights
----------------------	--

Property you own in Columbia Heights, if any (other than Residence)

If you are appointed to a City Board or Commission, your Employer and phone number for the purpose of this appointment will be City Hall. If you have other work, please complete the following.

Employer

Work Phone	Position Title/Occupation
-------------------	----------------------------------

Educational Background:

Volunteer, Civic, Professional and Community Activities:

Professional Designations/Awards/Honors/Previous Government Service:

Please describe why you are interested in serving on a board or commission and why you feel you are qualified:

Please indicate what (if any) evenings you are not available for meetings

___ Monday ___ Tuesday ___ Wednesday ___ Thursday ___ Friday

Please list three references

Name	Address	Phone	Email Address

How did you hear about the position? If someone recommended you to apply, may we contact them? If so, please provide their contact information.

**Important Information About Your Application
Data Privacy Notice**

Minnesota law requires that you be informed of the purpose and intended use of the information you are providing on this application. Per Minnesota Statute 13.601, subd. 3a, your name, address, occupation, education, training, civic affiliations, qualifications, experience, and veteran status are available to anyone who requests the information.

This information will be used to identify you as an applicant, enable us to contact you when additional information is required, send you notices, and assess your qualifications for appointment. This data is not legally required, but refusal to supply the information requested may affect the City Council's ability to accurately evaluate your application.

Should you be appointed to a City of Columbia Heights Board or Commission, your residential address and either a phone number or email address where you can be reached will also become public information (per Minnesota Statute 13.601, subd. 3b). The purpose is to list contact information for Board/Commission members on a public roster.

Please select which of the following you will allow listed on a public roster (you must select either email or phone number).

___ Email ___ Phone Number ___ Both

By typing my name or handwriting my signature, I certify that I have read and understand the Data Privacy Notice and certify that the statements in this application are true and correct to the best of my knowledge:

Signature:

Date:

Return completed application to:

City of Columbia Heights
Attn: City Clerk
590 40th Ave NE
Columbia Heights, MN 55421

OR ntingley@columbiaheightmentsmn.gov

City of Columbia Heights | Administration

590 40th Ave NE, Columbia Heights, MN 55421 ▪ Ph: 763-706-3610 ▪ Fax: 763-706-3601 ▪ www.columbiaheightsmn.gov

DATE

NAME

ADDRESS

Columbia Heights, MN 55421

Dear NAME,

The City is beginning its annual recruitment process of Board and Commission members. As you may recall, your term on the BOARD OR COMMISSION is set to expire March 31, 2021.

In an effort to involve more residents on Boards and Commissions and to gain as many perspectives as possible, the City Council has implemented term limits for Board and Commission members. Starting this year, members are limited to serving two consecutive terms on a single Board or Commission unless appointed by unanimous vote of the City Council.

Therefore, although you are not qualified to serve on the BOARD OR COMMISSION, you are invited to apply this year to serve on another Board or Commission, or to apply next year for appointment to the BOARD OR COMMISSION of which you are a current member..

At this time, the City is seeking applications for the following Board and Commission positions with applications due February 28:

- 3 Library Board Members (2 with 3 year terms and 1 with a 1 year term to fill a vacated position)
- 2 Traffic Commission Members (3 year terms)
- 1 Planning Commission Member (3 year terms)
- 2 Park & Recreation Commission Members (3 year terms)
- 2 Charter Commission Members (Appointed by the Chief Judge of the 10th Judicial District for 4 year terms)

We would like to thank you for your years of dedicated service to the City of Columbia Heights as a BOARD OR COMMISSION Member. We truly appreciate your input and the impact you have had in our community. We encourage you to stay involved and thank you for your understanding in our decision.

Sincerely,

City of Columbia Heights Mayor and City Council

Mayor Amáda Márquez Simula
Councilmember Connie Buesgens
Councilmember Kt Jacobs
Councilmember John Murzyn, Jr.
Councilmember Nick Novitsky



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	2/1/2021

ITEM:	Nonprofit List									
DEPARTMENT:	Administration	BY/DATE: Kelli Bourgeois 1/29/21								
<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 checked="" type="checkbox"/> Diverse, Welcoming "Small-Town" Feel</td> </tr> <tr> <td><input type="checkbox"/> Economic Strength</td> <td><input 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 checked="" type="checkbox"/> Opportunities for Play and Learning</td> <td><input checked="" type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>			<input type="checkbox"/> Safe Community	<input checked="" type="checkbox"/> Diverse, Welcoming "Small-Town" Feel	<input type="checkbox"/> Economic Strength	<input type="checkbox"/> Excellent Housing/Neighborhoods	<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services	<input checked="" type="checkbox"/> Opportunities for Play and Learning	<input checked="" type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population
<input type="checkbox"/> Safe Community	<input checked="" type="checkbox"/> Diverse, Welcoming "Small-Town" Feel									
<input type="checkbox"/> Economic Strength	<input type="checkbox"/> Excellent Housing/Neighborhoods									
<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services									
<input checked="" type="checkbox"/> Opportunities for Play and Learning	<input checked="" type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population									

BACKGROUND:

With our centennial activities, we have been drawing on the great network of nonprofit organizations within the City. Councilmember Novitsky suggested creating a comprehensive list of all the nonprofits in the community with their contact information and a summary of their mission so we could more easily communicate with the groups and let others in the community know about them. Many other communities have a list of nonprofit organizations on their city websites, which staff also thinks is a great idea.

Because our Council are all so involved in the community and are active members of many of the nonprofits, we are asking for your assistance to help formulate this list. We would greatly appreciate it if you could provide the following for organizations you are involved in or ask others to share this information with us so we can have the most thorough list possible:

- Organization
- Mission
- Meeting Days/Times
- Main Contact Person (Name, E-mail and Phone (if available))
- Whether or not they are accepting new members
- What City volunteer activities they would be interested in being involved in
- Volunteer coordinator contact person (if available)

Thank you for helping us pull this together!



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	2/1/2021

ITEM:	Mayor’s Monarch Pledge and Land Acknowledgment									
DEPARTMENT:	Administration	BY/DATE: Kelli Bourgeois 1/29/21								
<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 checked="" type="checkbox"/> Diverse, Welcoming “Small-Town” Feel</td> </tr> <tr> <td><input type="checkbox"/> Economic Strength</td> <td><input 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 checked="" type="checkbox"/> Opportunities for Play and Learning</td> <td><input checked="" type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>			<input type="checkbox"/> Safe Community	<input checked="" type="checkbox"/> Diverse, Welcoming “Small-Town” Feel	<input type="checkbox"/> Economic Strength	<input type="checkbox"/> Excellent Housing/Neighborhoods	<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services	<input checked="" type="checkbox"/> Opportunities for Play and Learning	<input checked="" type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population
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<input checked="" type="checkbox"/> Opportunities for Play and Learning	<input checked="" type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population									

BACKGROUND:
 Mayor Márquez Simula requested this item be placed on the agenda to recap the Mayor’s Monarch Pledge before it goes to the City Council meeting, and to discuss the concept of a land acknowledgment to the Native Americans who resided here before the area was settled.



AGENDA SECTION	WORK SESSION ITEMS
MEETING DATE	2/1/2021

ITEM:	Closed Session – Civil Disturbance Plan																		
DEPARTMENT:	Multiple	BY/DATE:	Emergency Management Staff 1/29/21																
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_ Opportunities for Play and Learning		_Engaged, Multi-Generational, Multi-Cultural Population																	

BACKGROUND:

This item will be in a closed session under Minnesota Statute §13D.05 Subd. 3(d), to discuss emergency response procedures; of which, disclosure would pose a danger to public safety and compromise security procedures.

Chief Thompson, Chief Austin, and many other staff have worked over the last six months to create a citywide Civil Disturbance Plan for Columbia Heights. The document is a confidential document due to the security details outlined within it, but staff want to meet with the City Council to discuss planning for emergencies and hazards in general, and to give a high level overview of the Plan we have created.