

**OFFICIAL PROCEEDINGS
CITY OF COLUMBIA HEIGHTS
CITY COUNCIL MEETING
DECEMBER 12, 2016**

The following are the minutes for the regular meeting of the City Council held at 7:00 PM on Monday December 12, 2016 in the City Council Chambers, City Hall, 590 40th Avenue N.E., Columbia Heights, Minnesota

1. CALL TO ORDER

Mayor Peterson called the meeting to order at 7:03 p.m.

1A. Mayor Peterson appointed Council President Bruce Nawrocki as Mayor pro-tem.

2. ROLL CALL

Present: Mayor Peterson, Council President Nawrocki, Councilmembers Williams, Schmitt and Murzyn, Jr.

Also Present: Walt Fehst; City Manager, Jim Hoeft; City Attorney, Joe Hogeboom; Community Development Director, Gary Gorman; Fire Chief, Kevin Hansen; Public Works Director, Lenny Austin; Police Captain, Joe Kloiber; Finance Director, Renee Dougherty; Library Director, Kelli Bourgeois; Human Resource Director/Assistant to the City Manager, Keith Windschitl; Recreation Director and Katie Bruno; City Clerk/Council Secretary

3. INVOCATION

Invocation provided by Bill Hugo, St Matthew Church

4. PLEDGE OF ALLEGIANCE

5. ADDITIONS/DELETIONS TO MEETING AGENDA

(The Council, upon majority vote of its members, may make additions and deletions to the agenda. These may be items brought to the attention of the Council under the Citizen Forum or items submitted after the agenda preparation deadline.)

ADDITIONS: To be added to the Consent Agenda.

7V. Establish John P. Murzyn Hall rental rates for 2017/2018

MOTION: Move to adopt the 2017 and 2018 John P. Murzyn Hall rental rates and policies, as outlined by the Park & Recreation Commission at their meeting on November 16, 2016.

7W. Increase City Park Rental Fees for 2017

MOTION: Move to adopt the Park Rental Rates, as outlined by the Park and Recreation Commission at their meeting of November 16, 2016.

7X. Increase Event Wagon Rental Fees for 2017

MOTION: Move to adopt the Event Wagon Rental Rates, as outlined by the Park and Recreation Commission at their meeting of November 16, 2016.

6. PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

City Manager Walt Fehst announced a reception was held prior to the council meeting recognizing both Councilmember Nawrocki and Mayor Peterson. City Manager Fehst presented Councilmember Nawrocki with a plaque of appreciation.

Mayor Peterson presented Councilmember Nawrocki with an award of excellence from the Columbia Heights Activity Fund as well as a plaque to Geri Nawrocki for the "Great Lady behind the Man."

City Manager Walt Fehst presented Mayor Peterson with a plaque of appreciation for his 28 years of service, as well as the City of Peace initiative, and his contributions towards the All America City award in 2016.

7. CONSENT AGENDA

(These items are considered to be routine by the City Council and will be enacted as part of the Consent Agenda by one motion. Items removed from consent agenda approval will be taken up as the next order of business.)

A. Approve Minutes of the City Council

MOTION: Move to approve the minutes of the City Council meeting of November 28, 2016

MOTION: Move to approve the minutes of the City Council worksession of December 5, 2016

MOTION: Move to approve the minutes of 2017 Council Sub-committee meeting of December 5, 2016

MOTION: Move to approve the minutes of the Public Hearing meetings of December 5, 2016

B. Accept Board and Commission Meeting Minutes

MOTION: Move to accept the draft minutes from the Planning & Zoning meeting from Dec. 6, 2016

MOTION: Move to accept the minutes from the Planning & Zoning meeting from Nov. 1, 2016.

MOTION: Move to accept the minutes from the Traffic Commission meeting from Nov. 7 2016.

MOTION: Move to accept the minutes from the Library Board meeting from Nov. 2, 2016.

C. Resolution Adopting the 2017-2018 Snow and Ice Control Policy

MOTION: Move to waive the reading of Resolution No. 2016-110, there being ample copies available to the public.

MOTION: Move to approve and adopt Resolution No. 2016-110, being a resolution adopting the 2017-2018 Snow and Ice Control Policy for the City of Columbia Heights.

D. Establish a Public Hearing to Consider Alley Lighting

MOTION: Move to establish January 9, 2017 at 7:00 p.m. as a Public Hearing for consideration of alley lighting between 4221 and 4225 Main Street.

E. Adopt Resolution 2016-129 Certifying and Authorizing the City Of Columbia Heights to Submit A Water Supply Plan To The Department Of Natural Resources

MOTION: Move to waive the reading of Resolution No. 2016-129, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2016-129, being a Resolution certifying and authorizing the City of Columbia Heights to submit a Water Supply Plan to the Department of Natural Resources as required.

F. Adopt Resolution 2016-130 establishing Senior Citizens or Retired & Disabled Persons Hardship Special Assessment Deferral

MOTION: Move to waive the reading of Resolution No. 2016-130, there being ample copies available to the public.

MOTION: Move to adopt Resolution No. 2016-130, being a resolution establishing a new maximum income of \$33,600 for Senior or Retired and Disabled Persons to be eligible for special assessment deferral.

G. Horwitz NS/I Contract Extension

MOTION: Move to approve a one-year contract extension with Horwitz NS/I for HVAC Preventative Maintenance Services for City facilities effective January 1, 2017 through December 31, 2017 at a cost of \$58,308, and to authorize the Mayor and City Manager to enter into a contract for the same.

H. Final Compensating Change Order and Final Payment for Miscellaneous Concrete, Project No. 1600

MOTION: Move to approve the final compensating change order and accept the work for 2016 Miscellaneous Concrete Repairs and Installations, City Project No. 1600, and authorize final payment of \$879.17 to Create Construction of Maple Grove, Minnesota.

I. Final Payment to City Of Fridley for 45th Avenue Street Rehabilitation, Project 1607

MOTION: Move to accept the work for 45th Avenue Street Rehabilitation project, Columbia Heights City Project No. 1607, and to authorize final payment of \$49,987.83 to the City of Fridley.

J. Final Payment for Sanitary Sewer Lining, Project 1504

MOTION: Move to accept the work for Sanitary Sewer Lining, City Project No. 1504, and to authorize final payment of \$6,649.66 to Visu-Sewer of Pewaukee, Wisconsin.

K. Extension of GIS Range Rider Contract

MOTION: Move to approve a one-year extension to the GIS Joint Powers Agreement in the amount of \$22,218; and, authorize the Mayor and City Manager to enter into an agreement for the same.

L. Anoka County Funding Agreement

MOTION: Move to enter into a Joint Powers Agreement with Anoka County for the Innsbruck Area Concrete Street Improvements (Kordiak Park)

M. Project Authorizations (2)

MOTION: Move to authorize the preparation of Plans and Specifications for: Watermain replacement on Main Street from 40th Avenue to 42nd Avenue; and Storm Sewer replacement on 40th Avenue from Central Avenue to LaBelle Pond.

N. Authorization to seek Proposals for Professional Services for the Design And Construction Administration Of Keyes Park Improvements

MOTION: Authorize staff to prepare an RFP for engineering services for Keyes Park Improvements based upon the 2016 Park Master Plan.

O. Resolution Approving A Collective Bargaining Agreement Between the City of Columbia Heights and Law Enforcement Labor Services, Inc. Local 342 – Police Sergeants

MOTION: To waive the reading of Resolution 2016-131, regarding a Labor Agreement between the

City of Columbia Heights and Law Enforcement Labor Services, Inc. Local 342, Police Sergeants, effective January 1, 2017 to December 31, 2018.

MOTION: To adopt Resolution 2016-131 Regarding the Labor Agreement between the City of Columbia Heights and Law Enforcement Labor Services, Inc. Local 342, Police Sergeants, effective January 1, 2017 to December 31, 2018.

P. Second Reading of Ordinance 1637, Sale of City's Vacant Asset Located at 820 40th Avenue NE

MOTION: Move to waive the reading of Ordinance No. 1637, there being ample copies available to the public.

MOTION: Move to approve Ordinance No. 1637, being an ordinance approving the commercial purchase agreement for the sale of certain real property located at 820 40th Avenue NE by and between the City of Columbia Heights and Mulata Associates, a Minnesota limited liability company.

Q. Item: Authorize School Liaison Officer Contract with Columbia Heights School District

MOTION: Move to authorize the Mayor and Police Chief to enter into a Joint Powers agreement with Columbia Heights Public Schools for the provision of a Police School Liaison Officer program as stipulated in the Joint Powers Agreement for the period of January 1 through December 31, 2017.

R. Consideration of approval of attached list of rental housing applications.

MOTION: Move to approve the items listed for rental housing license applications for December 12, 2016, in that they have met the requirements of the Property Maintenance Code.

S. Title: Transfer of Funds to Fire Department Budget

MOTION: Move to approve the transfer of \$19,456.26 from the General Fund to the Fire Department budget.

T. Approve Business License Applications

MOTION: Move to approve the items as listed on the business license agenda for December 12, 2016.

U. Payment of Bills

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8, the City Council has received the list of claims paid covering check number 163821 through 163955 in the amount of \$ 392,069.72.

V. Establish John P. Murzyn Hall rental rates for 2017/2018

MOTION: Move to adopt the 2017 and 2018 John P. Murzyn Hall rental rates and policies, as outlined by the Park & Recreation Commission at their meeting on November 16, 2016.

W. Increase City Park Rental Fees for 2017

MOTION: Move to adopt the Park Rental Rates, as outlined by the Park and Recreation Commission at their meeting of November 16, 2016.

X. Increase Event Wagon Rental Fees for 2017

MOTION: Move to adopt the Event Wagon Rental Rates, as outlined by the Park and Recreation

Commission at their meeting of November 16, 2016.

Motion by Councilmember Schmitt seconded by Councilmember Murzyn, Jr. to approve the Consent Agenda, as presented. All Ayes, Motion Carried.

8. PUBLIC HEARINGS

A. Consideration of revocation of the license to operate a rental unit within the City of Columbia Heights is requested against the rental property at 4229 5th Street NE for failure to meet the requirements of the Residential Maintenance Codes.

Fire Chief Gary Gorman explained the Community Development Department has not been permitted to complete the required inspection.

Lisa Johnson - 4229 5th St NE presented a rental license valid through September 30, 2017. Chief Gorman explained that the presented license is a family exempt license, and a non-family exempt license is what is required.

City Attorney Jim Hoeft explained the Council was asked to make a decision based on a regular non-family exempt license, any question of family vs. non-family license is irrelevant. Gorman explained that an inspection is required to obtain a license. Community Development Director Hogeboom stated he will follow up with the property owner.

Motion by Councilmember Schmitt seconded by Councilmember Williams to close the public hearing and to waive the reading of Resolution Number 2016-128, being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Schmitt seconded by Councilmember Williams to adopt Resolution Number 2016-128, being Resolution of the City Council of the City of Columbia Heights approving revocation pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(A) of the rental license listed. All Ayes, Motion Carried.

B. A Preliminary and Final Plat for the property located at 4400 Stinson Boulevard NE.

Community Development Director Joe Hogeboom reported the applicant has amended his original plan from seven lots to five lots. The Planning & Zoning Commission has recommended approval.

Council President Nawrocki commented that the access driveway to the back properties is narrow. Director Hogeboom indicated that is a private easement, meeting all regulations.

Motion by Mayor Peterson seconded by Councilmember Williams to close the public hearing and waive the reading of Resolution No. 2016-119, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Mayor Peterson seconded by Councilmember Williams to accept the Planning and Zoning Commission recommendation that the City Council approve the Preliminary and Final Plat for the property located at 4400 Stinson Boulevard NE., subject to certain conditions of approval. All Ayes, Motion Carried.

C. A Conditional Use Permit for the property located at 4259 Central Avenue NE.

Community Development Director Joe Hogeboom reported the Holiday Station Store is proposing improvements to their signage as well as the building facade.

Councilmember Schmitt questioned if the City has a light meter. Director Hogeboom indicated we do not, and he would support investing in one.

Joey Crary, representing Indigo Signworks indicated the proposed sign will dim automatically at night.

Motion by Mayor Peterson seconded by Councilmember Williams to close the public hearing and waive the reading of Resolution No. 2016-120, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Mayor Peterson seconded by Councilmember Williams to accept the Planning and Zoning Commission recommendation that the City Council approve the Conditional Use Permit for the property located at 4259 Central Avenue NE., subject to certain conditions of approval. All Ayes, Motion Carried.

D. A Zoning Amendment for the properties located at 3989 Central Avenue, 3889 Central Avenue, and 950 40th Avenue.

Community Development Director Joe Hogeboom reported that the owner of the property at 3989 Central Avenue NE. has petitioned the City of Columbia Heights to change the zoning designation of site from 'Central Business' to 'Mixed Use'. This change would accommodate the potential relocation of Prodeo Academy to the building. The Planning and Zoning Commission voted unanimously to recommend approval of this item to the City Council. Hogeboom indicated that if all approvals are obtained, Prodeo Academy could occupy the space in the fall of 2017.

Council President Nawrocki questioned how buses would access the site. Nancy Aleksuk, representing Swervo Development indicated there are typically 12-15 buses/vans that will route through the back of the building. Councilmember Schmitt questioned if there are concerns with mixing retail/office space with a school. Ms Aleksuk reported they intend to keep the school self-contained without access to the retail/office space. Council President Nawrocki asked why Prodeo wants to move. Rick Campion; Executive Director of Prodeo Academy indicated they are in need of more space.

Motion by Councilmember Williams seconded by Councilmember Murzyn, Jr. to close the public hearing and waive the reading of Resolution No. 2016-108, there being ample copies available to the public. All Ayes, Motion Carried.

Motion by Councilmember Williams seconded by Councilmember Murzyn, Jr to accept the Planning and Zoning Commission recommendation that the City Council approve the Zoning Amendment for the property located at 3989 Central Avenue NE., 3889 Central Avenue NE., and 950 40th Avenue NE. All Ayes, Motion Carried.

E. Resolution 2016-132 adopting a budget for the year 2017, setting the city levy, approving the HRA levy, and approving a tax rate increase.

Finance Director Joe Kloiber reported Council has had four worksessions to review and discuss the 2017 budget. Kloiber indicated the overall increase is 3.25%, with a local taxpayer seeing an approximate 1% decrease.

Councilmember Schmitt asked if compensation changes will affect the budget. Kloiber indicated most were included in the preliminary budget adopted in September, with the exception of a few seasonal/temporary positions.

Motion by Mayor Peterson seconded by Councilmember Williams to waive the reading of Resolution 2016-132, there being ample copies available to the public. All Ayes, Motion Carried

Motion by Mayor Peterson seconded by Councilmember Williams to close the public comment and adopt Resolution 2016-132, being a resolution adopting a budget for the year 2017, setting the city levy, approving the HRA levy, and approving a tax rate increase. All Ayes, Motion Carried

9. ITEMS FOR CONSIDERATION

A. Other Ordinances and Resolutions

B. Bid Considerations

C. New Business and Reports

10. ADMINISTRATIVE REPORTS

City Manager Walt Fehst announced the Canadian Pacific Holiday Train came through Columbia Heights on December 10th, approximately 2,200 people were in attendance.

11. CITIZENS FORUM

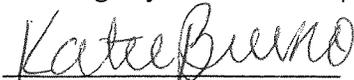
Frost Simula-1700 49th Ave NE thanked Gary Peterson and Bruce Nawrocki for their many years of service. Simula indicated he would like the council to review a point of sale inspection program in 2017. Manager Fehst suggested it be considered during a goals and objective meeting, following the appointment of a fourth councilmember.

Mayor Peterson reminded all to remember our servicemen and women, and to do a random act of kindness.

Council President Nawrocki congratulated Connie Buesgens as she begins her term as a Councilmember. Nawrocki thanked the Community for the opportunity to serve on the council, as well as his wife Geri.

12. ADJOURNMENT

Meeting adjourned at 8:27p.m.



Respectively Submitted,

Katie Bruno, Council Secretary/City Clerk

RESOLUTION NO. 2016-110

A resolution of the City Council for the City of Columbia Heights, Minnesota,

WHEREAS, a Snow and Ice Control Policy has been developed and recommended by City staff; and

WHEREAS, adoption of said policy has been determined to be in the best interest of the City of Columbia Heights,

WHEREAS, the 2017-2018 Snow and Ice Control Policy establishes the procedures, locations, and equipment used for snow and ice control in the city of Columbia Heights.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. The City Council hereby approves and adopts a Snow and Ice Policy for the City of Columbia Heights.

RESOLUTION NO. 2016-119

A resolution of the City Council for the City of Columbia Heights, Minnesota, approving a Preliminary Plat and Final Plat for Thomas Brama for the property located at 4400 Stinson Blvd. NE.

Whereas, a proposal (Case # 2016-1201) has been submitted by Thomas Brama to the City Council requesting Preliminary Plat Approval from the City of Columbia Heights at the following site:

ADDRESS: 4400 Stinson Blvd. NE.

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING: Preliminary Plat and Final Plat Approval per Code Section 9.104 (L) (M).

Whereas, the Planning and Zoning Commission held a public hearing as required by the City Zoning Code on December 6th, 2016;

Whereas, the City Council has considered the advice and recommendations of the Planning and Zoning Commission regarding the effect of the proposed Preliminary Plat and Final Plat upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

Section 9.104 (L) (M) of the Zoning Ordinance outlines conditions that must be met in order for the City to grant a Preliminary and Final Plat. They are as follows:

- (a) The proposed Preliminary Plat conforms to the requirements of City Code Section 9.115.
- (b) The proposed Subdivision is consistent with the Comprehensive Plan.
- (c) The proposed Subdivision contains parcel and land subdivision layout that is consistent with good planning and site engineering design principles.
- (d) The Final Plat substantially conforms to the corresponding Preliminary Plat.

Further, be it resolved, that the attached plans, maps, and other information shall become part of this Preliminary Plat and Final Plat Approval; and in granting approval the City and the applicant agree that the Plat shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal.

CONDITIONS

1. All required state and local codes, permits, licenses and inspections will be met and in full compliance.
2. Before a building permit can be issued, the applicant shall meet the requirements outlined in the attached report from the Public Works Director/City Engineer, dated November 23, 2016.
3. The private driveway will need to be constructed to hold the weight of a fire vehicle, approximately 45,000 to 50,000 lbs. Construction plans for the driveway must be approved by the Fire Chief.
4. The applicant shall be responsible for the cost of filing and recording written easements with the Anoka County Recorder's Office.
5. An approved Preliminary Plat shall be valid for a period of one year from the date of the City Council approval. In the event that a Final Plat is not submitted to the City Council within this time period, the Preliminary Plat will become void.
6. Upon approval of a Final Plat, the applicant shall be responsible for filing and recording the Final Plat with the Anoka County Recorder's Office within one year of the date of City Council action. In the event that a Final Plat is not recorded within this time period, the Final Plat will become void.
7. The applicant shall pay parkland dedication fees for each lot created beyond the original number of lots existing prior to subdivision. The applicant will pay a park dedication fee in the amount of \$8,196.00 due upon final approval by the City Council and prior to any permits issued for the property.

RESOLUTION NO. 2015-120

A resolution of the City Council for the City of Columbia Heights, Minnesota, approving a Conditional Use Permit for a dynamic LED sign for Holiday Station Stores located at 4259 Central Avenue NE.

Whereas, a proposal (Case # 2016-1202) has been submitted by Indigo Sign Works on behalf of Holiday Station Stores to the City Council requesting a Conditional Use Permit from the City of Columbia Heights at the following site:

ADDRESS: 4259 Central Avenue NE

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING: A Conditional Use Permit per Code Section 9.106 (P) (13) (c), to allow a dynamic LED sign to be located in the General Business Zoning District.

Whereas, the Planning and Zoning Commission held a public hearing as required by the City Zoning Code on December 6th, 2016;

Whereas, the City Council has considered the advice and recommendations of the Planning and Zoning Commission regarding the effect of the proposed Conditional Use Permit upon the health, safety, and welfare of

the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

- (a) The use is one of the conditional uses listed for the zoning district in which the property is located, or is a substantially similar use as determined by the Zoning Administrator.
- (b) The use is in harmony with the general purpose and intent of the Comprehensive Plan.
- (c) The use will not impose hazards or disturbing influences on neighboring properties.
- (d) The use will not substantially diminish the use of the property in the immediate vicinity.
- (e) The use will be designed, constructed, operated, and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.
- (f) The use and property upon which the use is located are adequately served by essential public facilities and services.
- (g) Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.
- (h) The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
- (i) The use complies with all other applicable regulations for the districts in which it is located.

Further, be it resolved, that the attached plans, maps, and other information shall become part of this Conditional Use Permit and approval; and in granting this Conditional Use Permit the City and the applicant agree that this permit shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal of the permit. The Conditional Use Permit is subject to certain conditions of approval that have been found to be necessary to protect the public interest and ensure compliance with the provisions of the Zoning and Development Ordinance, including:

CONDITIONS

1. Dynamic LED signs are allowed only on monument signs for conditionally permitted uses in all zoning districts, with the exception of the PO, Public District, in which LED signage may be utilized in existing pylon signs. Motor fuel stations may display dynamic LED signs as part of the pylon sign to promote motor fuel prices only. Such motor fuel price signs do not require a conditional use permit. All dynamic LED signs may occupy no more than 60% of the actual copy and graphic area. The remainder of the sign must not have the capability to have dynamic LED signs, even if not used. Only one, contiguous dynamic display area is

allowed on a sign face.

2. A dynamic LED sign may not change or move more often than once every ten seconds for commercial, industrial uses, or public uses, and no more than once every ten minutes for religious and/or educational institution uses, except one for which changes are necessary to correct hour-and-minute, date, or temperature information.
3. A display of time, date or temperature information may change as frequently as once every five seconds, however information displayed not relating to the date, time or temperature must not change or move more often than once every ten seconds for commercial, industrial uses, or public uses, and no more than once every ten minutes for religious and/or educational institution uses.
4. The images and messages displayed must be static, and the transition from one state display to another must be instantaneous without any special effects. Motion, animation and video images are prohibited on dynamic LED sign displays.
5. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
6. Dynamic LED signs must be designed and equipped to freeze the device in one position if a malfunction shall occur. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this section.
7. Dynamic LED signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness. Dynamic LED signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one-half hour before sunset and one half-hour after sunrise.
8. Dynamic LED signs existing on the effective date of Ordinance 1593, passed April 25, 2011, must comply with the operational standards listed above. An existing dynamic LED sign that does not meet the structural requirements may continue as a non-conforming sign subject to § 9.105(E).
9. Traffic visibility. No planting, structure or other obstruction shall be placed or allowed to grow on corner lots in a manner that will impede vision on the intersecting rights-of-way, in accordance with the following sight triangle: No planting or structure in excess of 30 inches above the abutting curb line shall be permitted within the sight triangle, defined as the area beginning at the intersection of the projected curb line of two intersecting streets, then 30 feet along one curb line, diagonally to a point 30 feet from the point of beginning on the other curb line, then back to a point of beginning. A Site Triangle Map is attached. The Building Official or City Planner will conduct a site inspection at the time a building permit and sign permit is issued to ensure compliance.

RESOLUTION NO. 2016-128

Resolution of the City Council for the City of Columbia Heights approving revocation pursuant to City Code, Chapter

5A, Article IV, Section 5A.408(A) of that certain property rental license held by Terry Robinson (Hereinafter "License Holder").

Whereas, license holder is the legal owner of the real property located at 4229 5th Street N.E., Columbia Heights, Minnesota,

Whereas, pursuant to City Code, Chapter 5A, Article IV, Section 5A.408(B), written notice setting forth the causes and reasons for the proposed Council action contained herein was given to the License Holder on November 23, 2016 of a public hearing to be held on December 12, 2016.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. That on or about November 2, 2016, inspection office staff sent a letter requesting the owner of the property submit the rental license application for this property. The letter was mailed by regular mail to the owner at the address listed in the property records.
2. That on November 10, 2016, inspection office staff reviewed the property file and noted that the property remained unlicensed. A Statement of Cause was mailed by regular mail to the owner at the address listed in the property records.
3. That based upon said records of the Enforcement Office, the following conditions and violations of the City's Property Maintenance Code were found to exist, to-wit:
 - a. Must submit rental license application and fees.
 - b. Must schedule interior inspection.
4. That all parties, including the License Holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code, Chapter 5A, Article III 5A.306 and 5A.303(A).

ORDER OF COUNCIL

1. The rental license belonging to the License Holder described herein and identified by license number FE-4229-15 is hereby revoked;
2. The City will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by License Holder;
3. All tenants shall remove themselves from the premises within 45 days from the first day of posting of this Order revoking the license as held by License Holder.

RESOLUTION NO. 2016-129

A resolution of the City Council for the City of Columbia Heights, Minnesota,

Whereas, pursuant to requirements of the Department of Natural Resources, certification of the Water Supply Plan by the City. The Water Supply Plan addresses the anticipated future water supply, potential impact to resources and various reactions by the City to address concerns if impacts are realized.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1.The Council certifies the Water Supply Plan.

2.The Council authorizes submittal of the Water Supply Plan to the Department of Natural Resources.

RESOLUTION NO. 2016-130

A resolution of the City Council for the City of Columbia Heights, Minnesota,

WHEREAS, immediate payment of special assessments or installments on special assessments cast an undue hardship on some persons owning homestead properties who are 65 years of age or older or retired by virtue of a permanent and total disability for whom it would be a hardship to make payments, and

Whereas, Minnesota Statutes 435.193 – 435.195 makes it possible for a home rule charter city to pass a resolution establishing standards and guidelines for determining the existence of a hardship and for determining the existence of a disability.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. This deferral procedure shall apply only to assessments which are payable in five or more annual installments.
2. This deferral procedure shall apply only to property owned and occupied by the elderly, retired, or disabled applicant. Ownership and occupancy must be the same nature as would qualify the applicant for a homestead exemption for tax purposes.
3. This deferral procedure shall apply only to homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability for whom it would be a hardship to make payments. Permanent and total disability shall have the same definition for purposes of assessment deferral as is used for social security purposes.
4. This deferral procedure shall not be construed as to prohibit the determination of hardship on the basis of exceptional and unusual circumstances not covered by the standards and guidelines herein so long as determination is made in a nondiscriminatory manner and does not give the applicant an unreasonable preference or advantage over other applicants.
5. In order to obtain a deferral of an assessment, the homeowner must make application on the forms prescribed by the City Clerk.
6. The option of the homeowner to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due and payable upon the occurrence of any of the following events:
 - a. the death of the owner, provided that the spouse is not otherwise eligible for benefits hereunder;
 - b. the sale, transfer or subdivision of the property or any part thereof;
 - c. if the property should for any reason lose its homestead status; or
 - d. if for any reason the City shall determine that there would be no hardship to require immediate or partial payment.

RESOLUTION NO. 2016-131

A Resolution of the City Council for the City of Columbia Heights, Minnesota, approving a collective bargaining agreement between the City of Columbia Heights and Law Enforcement Labor Services, Inc. Local No. 342 – Police Sergeants

Whereas, negotiations have proceeded between Law Enforcement Labor Services, Inc. (LELS), Local No. 342, representing Police Sergeants of the City, and members of the City’s negotiation team; and

Whereas, said negotiations have resulted in a mutually acceptable collective bargaining agreement for calendar years 2017 and 2018; and

Whereas, changes to the current agreement are hereby attached as Exhibit A, and a copy of said collective bargaining agreement is available for inspection at the Office of the City Manager and is made a part hereof by reference.

Now therefore, be it resolved that the collective bargaining agreement as negotiated, be and is hereby established as the salary and fringe benefit program for calendar years 2017 and 2018 for LELS, Local No. 342 – Police Sergeants, bargaining unit employees of the City; and

Be it further resolved that the Mayor and City Manager are hereby authorized to execute this collective bargaining agreement and memorandum of understanding.

RESOLUTION 2016-132

ADOPTING A BUDGET FOR THE YEAR 2017, SETTING THE CITY LEVY, AND APPROVING THE HRA LEVY, AND APPROVING A TAX RATE INCREASE.

Now, therefore, in accordance with all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

ORDER OF COUNCIL

Section A. The budget for the City of Columbia Heights for the year 2017 is hereby approved and adopted with appropriations for each of the funds listed below. The estimated gross revenues to fund the budget for the year 2017, including general ad valorem tax levies and use of fund balances, are also as listed below.

Governmental Funds	<u>Revenue</u>	<u>Expense</u>
General Fund	11,304,877	11,409,877
Planning & Inspections	435,675	440,675
Econ Dev Authority Admin	297,018	302,018
Cable Television	227,400	143,459
Library	878,079	878,079
After School Programs	22,000	44,000
Special Project Fund	25,000	25,000
Public Safety - Other	111,955	111,955

Capital Project Funds	1,745,005	2,262,519		
Debt Service Funds	2,038,123	2,015,700		
Proprietary Funds			<u>Capital Assets</u>	<u>Bond Principal</u>
Water Fund	3,250,800	2,798,419	325,000	185,800
Sewer Fund	2,236,750	2,630,788	-	35,000
Refuse Fund	1,993,750	2,050,851	-	-
Storm Sewer Fund	912,600	687,738	385,000	111,600
Liquor Fund	8,964,700	8,884,000	-	195,000
Central Garage	692,915	758,959	-	-
Building Maintenance	206,500	196,831	-	-
Information Systems	335,000	381,761	-	-
Use of Fund Balance	<u>344,482</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Including Interfund Transfers	36,022,629	36,022,629	710,000	527,400

Section B. The following sums of money are levied for the current year, collectable in 2017 upon the taxable property in said City of Columbia Heights, for the following purposes:

Estimated General Fund Levy	8,925,000	
Estimated Library Levy		845,111
Estimated EDA Fund Levy	<u>84,000</u>	
Total	9,854,111	

Section C. The City Council of the City of Columbia Heights hereby approves the Housing and Redevelopment Authority Tax Levy for the fiscal year 2017 in the amount of \$209,468.

BE IT FURTHER RESOLVED: That the County Auditor is authorized to fix a property tax rate for taxes payable in the year 2017 that is higher than the tax rate calculated for the City for taxes levied in 2015 collectable in 2016.

BE IT FURTHER RESOLVED: That the City, pursuant to Resolution 2015-07, has previously called and redeemed all bond principal and interest payments on General Obligation Bond Series 2007A applicable for taxes payable in 2017 in the amount of \$136,992 and that the County Auditor is authorized to cancel the related Bond Levy in its entirety for taxes payable 2017.

BE IT FURTHER RESOLVED: That the City has adequate fund balances and reserves to pay bond principal and interest payments on General Obligation Bond Series 2008B in the amount of \$430,000 and that the County Auditor is authorized to cancel \$430,000 of the related Bond Levy for taxes payable in 2017, leaving a balance of \$227,434 to be levied for taxes payable in 2017 for Series 2008B.

BE IT FURTHER RESOLVED: That the City, pursuant to Resolution 2009-74, has previously certified to the County Auditor an initial debt levy schedule for all years applicable to the General Obligation Bond Series 2009A and that the City hereby confirms the amount of \$234,289 to be levied for taxes payable in 2017, as listed therein for the Series 2009A.

BE IT FURTHER RESOLVED: That the City has adequate fund balances and reserves to pay bond principal and interest payments on General Obligation Bond Series 2015A in the amount of \$2,436 and that the County Auditor is authorized to cancel \$2,436 of the related Bond Levy for taxes payable in 2017, leaving a balance of \$480,000 to be levied for taxes payable in 2017 for Series 2015A.

The Finance Director/Treasurer is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Anoka County, Minnesota.