



CITY COUNCIL MEETING
City Hall—Council Chambers, 590 40th Ave NE
Monday, April 11, 2022
7:00 PM

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

AMENDED AGENDA

**AGENDA AMENDED ON 4/11/22 REGARDING THE ADDITION OF ITEM 14
CHANGES REFLECTED IN RED AND SUPPORTING DOCUMENTS ADDED**

ATTENDANCE INFORMATION FOR THE PUBLIC

*Members of the public who wish to attend may do so in-person, or by calling **1-312-626-6799** and entering meeting ID **828 4755 9265** or by Zoom at <https://us02web.zoom.us/j/82847559265>. For questions please call the Administration Department at 763-706-3610.*

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

MISSION STATEMENT

Our mission is to provide the highest quality public services. Services will be provided in a fair, respectful and professional manner that effectively addresses changing citizen and community needs in a fiscally-responsible and customer-friendly manner.

APPROVAL OF AGENDA

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

PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

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.)

MOTION: Move to approve the Consent Agenda as presented.

1. Approve March 22, 2022 City Council Work Session Minutes.

Motion: Move to approve the City Council Work Session Meeting Minutes of March 22, 2022.

2. Approve March 23, 2022 Special City Council Meeting Minutes.

MOTION: Move to approve the Special City Council Meeting Minutes of March 23, 2022.

3. Approve March 23, 2022 City Council Work Session Minutes.

Motion: Move to approve the City Council Work Session Meeting Minutes of March 23, 2022.

4. Approve March 28, 2022 City Council Meeting Minutes.

MOTION: Move to approve the City Council Meeting minutes of March 28, 2022.

5. Second Reading of Ordinance 1672, Regulating Targeted Picketing.

MOTION: Move to waive the reading of Ordinance No. 1672, there being ample copies available to the public.

MOTION: Move to approve Ordinance No. 1672, being an Ordinance Amending Chapter 10, Article 3 of the Columbia Heights City Code, Regulating Targeted Picketing, and direct staff to send the ordinance, as presented, for publication in the legal newspaper.

6. Adopt Resolution 2022-46, Approving No Mow May.

MOTION: Move to waive the reading of Resolution 2022-46, there being ample copies available to the public.

MOTION: Move to approve Resolution 2022-46 Supporting No Mow May.

7. Adopt Resolution 2022-47 Approving a Master Partnership Contract with MnDOT.

MOTION: Move to waive the reading of Resolution 2022-47, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2022-47 being a Resolution approving the Master Partnership Contract with MnDOT.

8. Capital Equipment Replacement: Public Works Wheeled Excavator.

MOTION: Move to authorize the purchase of one (1) new 2022 Volvo EWR130E Wheeled Excavator with attachments from Nuss Truck and Equipment in Burnsville, MN, for \$208,675.00 from the Water (433.9499.44999), Sewer (432.9499.44999) and Storm (438.9699.44999) funds.

9. Capital Equipment Replacement: Public Works Patch Truck.

MOTION: Move to authorize the purchase of (1) Western Star 47X Single Axle Cab & Chassis from Boyer Ford Trucks, Inc. of Lauderdale, MN for \$100,953 and (1) STPH22-17 asphalt pothole patcher from Stepp Manufacturing of North Branch MN for \$102,626 for a total amount of \$203,579 allocated from fund 431-3121.

10. Acquisition of Toyota Mini-Truck.

MOTION: Move to authorize the acquisition of one (1) Daihatsu Hijet (Toyota) model S510P Mini-Truck, purchase cost \$20,500, and one 2022 Western V Snowplow, purchase cost \$4,000, for a net cost of \$0.00 after deducting for vehicle trade-ins, plus tax and license, from AR-MAR Service located in Bemidji, Minnesota.

11. Rental Occupancy Licenses for Approval.

MOTION: Move to approve the items listed for rental housing license applications for April 11, 2022, in that they have met the requirements of the Property Maintenance Code.

12. License Agenda.

MOTION: Move to approve the items as listed on the business license agenda for April 11, 2022 as presented.

13. Review of Bills.

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8 the City

Council has reviewed the enclosed list to claims paid by check and by electronic funds transfer in the amount of \$1,425,656.16.

PUBLIC HEARINGS

14. Adopt Provisional Rental License for 3947 Tyler Street NE.

MOTION: Move to close the public hearing and to waive the reading of Resolution Number 2022-51, being ample copies available to the public.

MOTION: Move to adopt Resolution Number 2022-51, being Resolution of the City Council of the City of Columbia Heights approving a provisional rental housing license until 9/30/2022 pursuant to City Code of the rental license listed.

15. First Reading of Ordinance No. 1673 Amending Chapter 8 Article 1 of the City Code.

MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1673 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1673 being an Ordinance Amending Chapter 8 of City Code for April 25, 2022.

16. First Reading of Ordinance No. 1674 Amending Chapter 8 Article VII of the City Code.

MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1674 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1674 being an Ordinances Amending Chapter 8 of City Code for April 25, 2022.

17. First Reading of Ordinance No. 1675 Amending Chapter 9 of the City Code.

MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1675 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1675 being an Ordinances Amending Chapter 9 of City Code for April 25, 2022.

18. First Reading of Ordinance No. 1676 Amending Chapter 4 Article II of the City Code.

MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1676 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1676 being an Ordinance Amending Chapter 4 of City Code for April 25, 2022.

19. First Reading of Ordinance No. 1677 Amending Chapter 4 Article III of the City Code.

MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1677 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1677 being an Ordinance Amending Chapter 4 of City Code for April 25, 2022.

ITEMS FOR CONSIDERATION

20. Root Property Update and Approval of Additional Project Costs.

MOTION: Move to approve the final compensation change orders for Veit and Carlson

McCain for the environmental remediation of 3930 University Avenue NE.

MOTION: Move to waive the reading of Resolution No. 2022-49, there being ample copies available to the public.

MOTION: Move to approve Resolution No. 2022-49, a resolution requesting funds from the Anoka County Housing and Redevelopment Authority to support economic development activities at 3930 University Avenue NE, Columbia Heights.

21. 3930 University Fuel Tank Removal and Remediation.

MOTION: Move to waive the reading of Resolution No. 2022-50, there being ample copies available to the public.

MOTION: Move to approve Resolution No. 2022-50, a resolution of the City Council for the City of Columbia Heights, Minnesota, authorizing the submittal of the abandoned underground storage tank removal and petroleum tank release cleanup fund applications to the Minnesota Department of Commerce.

Ordinances and Resolutions

Bid Considerations

22. Adopt Resolution 2022-48 Being a Resolution Accepting Bids and Awarding a Contract for the 2022 Street Rehabilitation Program, Projects 2202 and 2206.

MOTION: Move to waive the reading of Resolution 2022-48, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2022-48 being a Resolution accepting bids and awarding the 2022 Street Rehabilitation Program consisting of Bid A: Street Rehabilitation – Zone 6 and Zone 7; Project 2202, Bid B: Municipal State Aid – 47th Avenue Mill and Overlay; Project 2206, Bid C: Chatham Road Mill and Overlay (Repair); Bid D: City Wide Street Striping (Epoxy Paint), and Alternate 1: Residential Construction, to Valley Paving, Inc. of Shakopee, MN based upon their low, qualified, responsible bid in the amount of \$1,728,233.42, appropriated from the following funds, \$1,452,324.93 from Fund 415-6400 (2202), \$141,617.53 from Fund 415-6400 (2206), \$13,795.25 from fund 212-3190, \$18,700.71 from Fund 101-3121, \$16,040.00 from Fund 601-9430, \$19,490.00 from Fund 602-9450 and \$66,265.00 from Fund 604-9650; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same.

New Business and Reports

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Report of the City Manager

Report of the City Attorney

COMMUNITY FORUM

At this time, individuals may address the City Council about any item not included on the regular agenda. Speakers that are in-person are requested to come to the podium. All speakers need to state their name and connection to Columbia Heights, and limit their comments to five (5) minutes. All speakers are also asked to fill out this information as well as their address on a form for the Council Secretary's record. Those in attendance virtually should send this information in the chat function to the moderator. The City Council will listen to brief remarks, ask clarifying questions, and if needed, request staff to follow up or direct the matter to be added to an upcoming agenda. Generally, the City Council will not take official action on items raised at the Community Forum at the meeting on which they are raised.

ADJOURNMENT

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



CITY COUNCIL SPECIAL WORK SESSION
City Hall—Council Chambers, 590 40th Ave NE
Tuesday, March 22, 2022
4:00 PM

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

MINUTES

The following are the minutes for the City Council Special Work Session held at 4:00 pm on Tuesday, March 22, 2022, in the City Council Chambers, City Hall, 590 40th Avenue NE, Columbia Heights, Minnesota.

CALL TO ORDER/ROLL CALL

The Special Work Session was called to order at 4:25 pm.

Present: Mayor Márquez Simula (via Zoom), Councilmembers Buesgens, Jacobs, Murzyn, Jr., and Novitsky

Also Present: Kelli Bourgeois, City Manager; Sara Ion, City Clerk

SPECIAL WORK SESSION ITEMS

1. Interview Board and Commission Candidates.

The City Council conducted interviews for Board and Commission Positions as follows:

Carrie Mesrobian for the Library Board.

Mark Shaheen for the Planning Commission.

Andrew Macko for the Park and Recreation Commission.

Gail Halling for the Planning Commission.

Matthew Lupkes for the Planning Commission.

Kristin Mesrobian for the Parks and Recreation Commission.

Eric Sahnnow for the Planning Commission.

ADJOURNMENT

The meeting was adjourned at 7:05 pm

Respectfully Submitted,

Sara Ion, City Clerk



SPECIAL CITY COUNCIL MEETING
City Hall—Council Chambers, 590 40th Ave NE
Wednesday, March 23, 2022
3:00 PM

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

MINUTES

The following are the minutes for the Special City Council Meeting held at 3:00 pm on Wednesday, March 23, 2022, in the City Council Chambers, City Hall, 590 40th Avenue NE, Columbia Heights, Minnesota.

CALL TO ORDER/ROLL CALL

The Special City Council Meeting was called to order at 3:00 pm.

Present: Mayor Márquez Simula, Councilmembers Buesgens, Jacobs, Murzyn, Jr., and Novitsky

Also Present: Kelli Bourgeois, City Manager; Aaron Chirpich, Community Development Director; Kevin Hansen, Public Works Director; Sara Ion, City Clerk; Joe Kloiber, Finance Director.

ITEMS FOR CONSIDERATION

1. City Hall Floorplan, Design, and Snow Melt Overview.

Director Chirpich lead the review of the floor plan and design items for City Hall. At the City Council Meeting of November 30, 2020 the City Council approved the floorplan for the new City Hall as prepared by architects, Leo A Daly. Since that time, the City has continued to refine the plans and make decisions on color pallet, IT, furniture, and other design elements; we have refined and expanded the scope of the snow melt system; and we now have 100% complete construction drawings and material and design selections made for the new space, and are ready to go to bid on the project. Director Chirpich reviewed the floor plan in detail, along with some of the design options and choices (with samples of fabrics, tiles, and other surfaces in Council Chambers for review).

Mayor Márquez Simula inquired about council seating.

Director Chirpich stated that there are examples of seating in the conference room and that we have asked for larger fabric samples as well.

City Manager Bourgeois confirmed that there are also guest seating chairs available for review.

Councilmember Buesgens stated that she is looking forward to reviewing materials and seating.

Councilmember Jacobs stated that she is grateful for the staff time and energy and that it was great work.

Director Chirpich and Director Hansen then gave an update of the progress related to the Snow Melt plan for the main entrance to City Hall on Central. There have been several updates to the scope of the plan and ability to apply for and receive grant funding. The cost for this project is estimated to be at about \$185,000 and the current plan is to review plans with the Watershed District and evaluate what additional funding and grants there are for this project.

Councilmember Jacobs inquired about the scope and continuity of the project. She wanted to make sure that the system is similar to what is used at the library and that there are temperature and moisture sensors that are utilized from the fall to the spring.

Director Chirpich confirmed that the whole area would be covered by the Snow Melt system. Alatus will be covering the area off of Gould and the balance of what the City is not covering on 40th.

Mayor Márquez Simula inquired about how large the conference room would be on the Northwest corner. She also wanted to know about the flat surfaces in Chambers. She stated that she has recently toured a new St. Louis Park facility and there was a water vapor display instead of a gas fireplace. She felt it was a cool idea and was not using natural resources. Overall, she was very excited about the updates.

Director Hansen stated that the Conference Room at the Northwest Corner is much wider and the room is longer and able to accommodate more than 8 people if needed. He also confirmed that the flat surfaces in Council Chambers will be quartz.

Director Chirpich confirmed that the conference room would have space for 16 to 18 people. The fireplace would not be always used. Overall, the space will be more flexible and modern, and there will be more space for staff to collaborate.

2. City Hall Budget Update, Approval of Plans and Specifications, Ordering Advertisement for Bids, and City Manager Spending Authority Adjustments.

Director Hansen gave an overview of the City Hall Budget Update. Following receipt of the CD plan set by Leo A. Daly, staff forwarded the completed plans to the City's construction management partner Doran for review. As part of their review, Doran has completed an updated budget for the project based on the complete CD plan set. Staff felt that it was necessary to review the budget prior to bidding due to expected price increases related to inflation, pandemic induced supply chain disruptions, and labor shortages that are now impacting construction projects nationwide. At the time of the November 2020 project budget approval, the estimate for the base construction costs for the City Hall condo space was \$5,171,000. Based on the complete bidding plan set finished in 2022, Doran has estimated the total project cost for base construction at \$5,998,044, a difference of approximately \$827,044.

The base buildout costs include the following primary elements:

General Interior Construction
Back-up generator
Snow melt system for the exterior sidewalk

In addition to the base condominium construction costs, the new City Hall budget includes the following cost categories:

Permitting
Professional Services
Furniture
Technology
Contingency

The November 2020 budget total for these items was \$1,491,056. Since that time, staff have secured more refined budget numbers for these cost categories, and the revised estimate is \$2,170,584, or a difference of \$679,528. The final (prior to bidding) budget estimate for all City Hall condominium costs is now \$8,168,628. A more detailed budget breakdown for the entire project was reviewed. While the estimated cost has increased, the funding has remained essentially the same and still funding the project.

Overall the final plans and specifications for the City Hall condominium buildout are substantially complete. The advertisement for bids is scheduled to be published on April 1st, and the bid opening is scheduled for April 26th. Council award for contracts is expected to take place on May 9th.

City Manager Bourgeois stated that in addition to Resolution 2022-42 there is also Resolution 2022-43 to increase the spending authorization that the City Manager has related to this project only. The increase is not required but would allow for the project to progress in a more rapid manner if authorizations are needed that impact the moving pieces of the projects.

Finance Director Kloiber stated that this resolution has the potential to save the City money as we will need to adjust and update as change orders occur. Having this ability will allow for the contractor to balance out issues and keep the project moving along.

Councilmember Murzyn stated that he feels that this is the perfect way to go. Kelly has a good head on her shoulders, and we should give her the authority to do what she needs.

Councilmember Buesgens and Novitsky agreed.

Motion by Councilmember Jacobs, seconded by Councilmember Buesgens to waive the reading of Resolution 2022-42, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Jacobs, seconded by Councilmember Buesgens to adopt Resolution 2022-42 approving plans and specifications and ordering advertisement for bids

for the buildout of the City Hall Condominium at 3989 Central Avenue NE, City Project #1911. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Murzyn Jr., to waive the reading of Resolution 2022-43, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Buesgens, seconded by Councilmember Jacobs to adopt Resolution 2022-43 amending Resolution 2003-43 delegating authority to the City Manager to award certain contracts and purchases for the City Hall project.

3. Schedule City Hall Site Visit.

City Manager Kelli Bourgeois inquired with the Council if there was a date at the end of April that will work well for a site visit. It was decided that April 27th would work well for everyone if the site visit would occur before 4:30 pm. The EDA Commission will also be invited to the walk through.

ADJOURNMENT

The meeting was adjourned at 4:04pm

Respectfully Submitted,

Sara Ion, City Clerk



CITY COUNCIL SPECIAL WORK SESSION
City Hall—Council Chambers, 590 40th Ave NE
Tuesday, March 23, 2022
4:30 PM

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

MINUTES

The following are the minutes for the City Council Special Work Session held at 4:30 pm on Wednesday, March 23, 2022, in the City Council Chambers, City Hall, 590 40th Avenue NE, Columbia Heights, Minnesota.

CALL TO ORDER/ROLL CALL

The Special Work Session was called to order at 4:30 pm.

Present: Mayor Márquez Simula, Councilmembers Buesgens, Jacobs, Murzyn, Jr., and Novitsky

Also Present: Kelli Bourgeois, City Manager; Sara Ion, City Clerk

SPECIAL WORK SESSION ITEMS

1. Interview Board and Commission Candidates.

The City Council conducted interviews for Board and Commission Positions as follows:

Laurel Deneen for the Planning Commission.
 Tom Kaiser for the Planning Commission.
 Rachel James for the Park and Recreation Commission.
 Cliff Johnston for the Park and Recreation Commission.
 Rachelle Waldon for the Library Board.
 Chris Polley for the Library Board (Via Zoom).
 Dana Gulley for the Planning and Park and Recreation Commission.

2. Post Interview Debrief.

The City Council discussed which candidates to appoint to the Boards and Commissions by Resolution at the March 28, 2022, City Council meeting. The following applicants were recommended by at least a majority of the City Council.

Rachel James, Dayna Gulley and Andrew Macko for the Parks and Recreation Commission.
 Eric Sahnaw, Tom Kaiser, and Laurel Deneen for the Planning Commission.
 Carrie Mesrobian and Rachelle Waldon for the Library Board.

It was determined how all applicants would be contacted. The City Manager would contact the applicants who were not selected via phone, and the City Clerk would contact all other applicants both selected and not selected to follow up on their appointment or to offer other opportunities to continue to be involved in the City.

ADJOURNMENT

The meeting was adjourned at 7:25 pm.

Respectfully Submitted,

Sara Ion, City Clerk



CITY COUNCIL MEETING
City Hall—Council Chambers, 590 40th Ave NE
Monday, March 28, 2022
7:00 PM

MINUTES

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

The following are the minutes for the Meeting of the City Council held at 7:00 pm on Monday, March 28, 2022, in the City Council Chambers, City Hall, 590 40th Avenue NE, Columbia Heights, Minnesota. Due to the COVID-19 pandemic, this hybrid meeting was held both virtually and in-person.

CALL TO ORDER/ROLL CALL

Council President Novitsky called the meeting to order at 7:00 pm.

Present: Council President Novitsky, Councilmember Buesgens; Councilmember Jacobs; Councilmember Murzyn, Jr.

Absent: Mayor Márquez Simula

Also Present: Lenny Austin, Chief of Police; Kelli Bourgeois, City Manager; Jim Hoeft, City Attorney; Sara Ion, City Clerk/Council Secretary; Ben Sandell, Communications Coordinator; Peter Leatherman, Chief Executive Officer, The Morris Leatherman Company.

PLEDGE OF ALLEGIANCE

MISSION STATEMENT

Our mission is to provide the highest quality public services. Services will be provided in a fair, respectful and professional manner that effectively addresses changing citizen and community needs in a fiscally-responsible and customer-friendly manner.

APPROVAL OF AGENDA

Motion by Buesgens, seconded by Councilmember Jacobs, to approve the Agenda as presented. All Ayes, Motion Carried 4-0.

PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Citywide Survey Results Summary

Communications Coordinator Sandell stated that the City hired The Morris Leatherman Company to conduct a scientific survey of the City's residents regarding public services, facilities, utilities, events, and other items important to the City and the community. The surveyors spoke with a random sample of 400 residents over three weeks in February 2022. Results were received in early March 2022. Survey results have a +/- 5% margin of error.

Leatherman, The Morris Leatherman Company, presented a summary presentation of the citywide survey results to the Council. He touched on some of the key questions, offered

context and comparisons, including average norms, and provided a general overview of the results.

He stated that overall, the City “has a lot of folks, with a lot of knowledge, that feel very good about the level of communication they have from the City and about the City”. The City has extraordinary high ratings, and a willingness from the community to invest in the community when looking at the maintenance of City services or the expansion of park and recreation facilities that were discussed in the survey.

Councilmember Jacobs asked about the 22 percent rating on the rise in crime and how that was determined as being from outside the City. Leatherman stated that they asked later about their feeling of safety within the City and you could see a difference in the comparison of those questions.

The Council stated that everyone did a good job and thanked Leatherman for his presentation.

Additionally, the City conducted a smaller survey online to give other residents a chance to offer feedback. This was an online, opt-in survey open online for two weeks and was shared widely on social media. It used 15 questions inspired by the larger citywide survey. 255 current residents of Columbia Heights filled out this survey. Since it was an online, opt-in survey, the margin of error is not calculable.

Coordinator Sandell presented a summary presentation of the City’s smaller, online survey results. He reported on the results for each of the questions, summarized open-ended answers, and offered comparisons to the results in the citywide survey. He stated that it was reassuring to see the results of the surveys, although there are areas to improve, there is a lot to be proud of.

The results of both surveys and the slideshow presentation are posted at www.columbiaheightsmn.gov/survey.

Councilmember Buesgens stated that it is nice to hear the results, the information is interesting, and she looks forward to working with the results; she is glad they did it.

B. National Library Week

Council President Novitsky declared April 3-9, 2022, “National Library Week”, and read the City’s proclamation.

CONSENT AGENDA

Motion by Councilmember Jacobs, seconded by Councilmember Murzyn Jr., to approve the Consent Agenda as presented. All Ayes, Motion Carried 4-0.

1. **Approve March 7, 2022 City Council Work Session Meeting Minutes**
MOTION: Move to approve the City Council Work Session Meeting minutes of March 7, 2022.
2. **Approve March 14, 2022 City Council Meeting Minutes**
MOTION: Move to approve the City Council Meeting minutes of March 14, 2022.
3. **Accept October 5, 2021 Planning Commission Minutes**
MOTION: Move to accept the Planning Commission Meeting Minutes of October 5, 2021.
4. **Accept January 3, 2022 EDA Meeting Minutes**
MOTION: Move to accept the Economic Development Authority Meeting Minutes of January 3, 2022.
5. **Accept February 15, 2022 Traffic Commission Minutes**
MOTION: Move to accept the February 15, 2022 Traffic Commission minutes.
6. **Approve Resolution 2022-40, Authorizing Acceptance of Livable Communities Grant Funds from the Metropolitan Council and Execution of the Livable Communities Demonstration Account Development Grant Agreement**
MOTION: Move to waive the reading of Resolution 2022-40, there being ample copies available to the public.
MOTION: Move to adopt Resolution 2022-40, accepting \$1,232,000 of Livable Communities Grant funds from the Metropolitan Council and authorize the execution of the Livable Communities Demonstration Account Grant Agreement.
7. **Approval of Updates to the ACRED Voluntary Cost Sharing Agreement**
MOTION: Move to approve the Voluntary Cost Sharing Agreement for the Anoka County Economic Development Initiative by and between the County of Anoka and the City of Columbia Heights.
MOTION: Move to authorize the City Manager, or his or her designee, to take all actions necessary on behalf of the City to perform the purpose of the Voluntary Cost Sharing Agreement, including without limitation to the execution of any and all documents to which the City is a party referenced.
8. **Approval of Resolution 2022-41 Requesting Funds from the Anoka County HRA**
MOTION: Move to waive the reading of Resolution No. 2022-41, there being ample copies available to the public.
MOTION: Move to approve Resolution No. 2022-41, requesting funds from the Anoka County Housing and Redevelopment Authority to support economic development activities within the City of Columbia Heights.
9. **Adopt Resolution 2022-44; Non-Union Employee Wages for Assistant Store Manager and Liquor Operations Director for Calendar Year 2022**
MOTION: Move to waive the reading of Resolution 2022-44, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2022-44, approving 2022 cost of living for the classifications of Assistant Liquor Store Manager and Liquor Operations Director classifications effective 1/1/22.

10. Adopt Resolution 2022-45, Appointing Board and Commission Members

MOTION: Move to waive the reading of Resolution 2022-45, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2022-45, appointing City of Columbia Heights Board and Commission Members.

11. Authorization to Seek Bids for the 2022 Miscellaneous Concrete Replacement and Installation Project

MOTION: Move to authorize staff to seek bids for the 2022 Miscellaneous Concrete Replacement and Installation Project.

12. Professional Services Agreement for Construction Administration Services for 37th Avenue Water Main Structural Lining, City Project 2203

MOTION: Move to approve the Professional Services Agreement with SEH Inc. for construction administration services for the 37th Avenue Water Main Structural Lining and Rehabilitation in an amount not-to-exceed \$34,930 appropriated from Fund 651-52203-3050.

13. Accept Corrective Asphalt Materials Proposal for Bituminous Street and Parking Lot Surface Treatment

MOTION: Move to accept the proposal from Corrective Asphalt Materials to apply Reclamite to select City Streets and Parking Lots for an estimated cost of \$57,702.32.

14. Approval of Marco's Bid to Install Camera Systems at the 4025 Van Buren Municipal Parking Ramp

MOTION: Move to accept the proposal from Marco, in the amount of \$50,273.96, for the installation of security cameras in and around the municipal parking ramp located at 4025 Van Buren St; and furthermore, to authorize the City Manager to enter into an agreement for the same.

15. License Agenda

MOTION: Move to approve the items as listed on the business license agenda for March 28, 2022 as presented.

16. Rental Occupancy Licenses for Approval

MOTION: Move to approve the items listed for rental housing license applications for March 28, 2022, in that they have met the requirements of the Property Maintenance Code.

17. Review of Bills

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8 the City

Council has reviewed the enclosed list to claims paid by check and by electronic funds transfer in the amount of \$991,761.34.

PUBLIC HEARINGS

18. First Reading of Ordinance 1672, Regulating Targeted Picketing

Chief Austin reported that throughout the state and nation there has been an increase in situations where local leaders have become targets for frustration and anger and have been faced with threats to themselves and their families. The concern for safety involving local leadership does not appear to be going away anytime in the near future. The practice of targeted picketing can cause emotional distress to a neighborhood and can obstruct the free use of public sidewalks and public travel. To help address these concerns, some cities have adopted ordinances regulating targeted picketing in residential neighborhoods. Establishing such an ordinance in Columbia Heights now could assure that regulations and protections are in place to aid in addressing potential future instances of picketing in neighborhoods.

Council President Novitsky opened the public hearing.

No one wished to speak.

Motion by Councilmember Jacobs, seconded by Councilmember Murzyn, Jr., to close the public hearing and waive the reading of Ordinance No. 1672, there being ample copies available to the public. All Ayes, Motion Carried 4-0.

Motion by Councilmember Jacobs, seconded by Councilmember Buesgens, to set the second reading of Ordinance No. 1672, being an Ordinance Amending Chapter 10, Article 3 of the Columbia Heights City Code, Regulating Targeted Picketing, for April 11, 2022 at approximately 7:00 pm in the City Council Chambers. All Ayes, Motion Carried 4-0.

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Councilmember Buesgens stated she attended the Traffic Commission meeting, there was quite a lot of discussion about new items; she attended the Saint Patrick's parade, it was well attended, and people seemed to be having a good time; the Council conducted interviews for new commission members, which were in the consent agenda that evening; she welcomed the new commission members.

Councilmember Jacobs said she attended lectures on "The Lost Wisdom of Women" and "Engaging Women of Color"; she started a six-part series "Women with a Focus"; attended a landlord meeting; attended the Saint Patrick's parade; she volunteers at SACA every week, they hosted their "Hops for Hunger" and it was a successful event for them; she facilitated two resident reach outs. She stated she wanted to congratulate the commissioners and board members; she said she was personally disappointed they were not able to appoint more new applicants as the Council has repeatedly stated the need to appoint new faces to the new commission. She hopes those that were not appointed and others in the community would not be deterred from applying in the future. She stated she wanted to

convey her thoughts and prayers to the local friends and families of the residents of Ukraine and Russia, and countries that are caring for the refugees that have left their homeland.

Councilmember Novitsky stated that the Saint Patrick's parade was a huge success and thanked everyone who was involved. He said that at Murzyn Hall that they had dancers that are competing internationally for Irish dancing. He recognized the library board ahead of "Library Week", stating that they are continuously trying to meet the resident's needs and is a very active group. He added that they also have the "Friends of the Library" and the "Library Foundation"; the City is behind the library and he looks forward to what all the groups can do together in the near future.

Report of the City Manager

Manager Bourgeois said she attended the Saint Patrick's parade, was thrilled with the turnout and the event; she hopes it can be an annual event. She stated that the library in partnership with Northeast Bank is hosting a training called "Financial Fitness: Finance Basics", registration is required through the library; the classes will be held April 4, 2022, April 11, 2022, and April 25, 2022, from 5:30-6:30 pm.

Report of the City Attorney

Attorney Hoeft had no update.

COMMUNITY FORUM

Council President Novitsky opened the community forum.

No one wished to speak.

ADJOURNMENT

Motion by Murzyn Jr., seconded by Councilmember Jacobs, to adjourn. All Ayes, Motion Carried 4-0.

Meeting adjourned at 8:03 pm.

Respectfully Submitted,

Sara Ion, City Clerk/Council Secretary

AGENDA SECTION	CONSENT AGENDA
MEETING DATE	APRIL 11, 2022

ITEM:	Second Reading of Ordinance 1672, Regulating Targeted Picketing.										
DEPARTMENT: Police		BY/DATE: Chief Austin/March 30, 2022									
<p>CITY STRATEGY: <i>(please indicate areas that apply by adding a bold "X" in front of the selected text below)</i></p> <table border="0"> <tr> <td>X Safe Community</td> <td>_ Diverse, Welcoming "Small-Town" Feel</td> </tr> <tr> <td>_ Economic Strength</td> <td>_ Excellent Housing/Neighborhoods</td> </tr> <tr> <td>_ Equity and Affordability</td> <td>_ Strong Infrastructure/Public Services</td> </tr> <tr> <td>_ Opportunities for Play and Learning</td> <td>_ Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>				X Safe Community	_ Diverse, Welcoming "Small-Town" Feel	_ Economic Strength	_ Excellent Housing/Neighborhoods	_ Equity and Affordability	_ Strong Infrastructure/Public Services	_ Opportunities for Play and Learning	_ Engaged, Multi-Generational, Multi-Cultural Population
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BACKGROUND:

Throughout the state and nation there has been an increase in situations where local leaders have become targets for frustration and anger and have been faced with threats to themselves and their families. The concern for safety involving local leadership does not appear to be going away anytime in the near future.

The practice of targeted picketing can cause emotional distress to a neighborhood and can obstruct the free use of public sidewalks and public travel. To help address these concerns, some cities have adopted ordinances regulating targeted picketing in residential neighborhoods. Establishing such an ordinance in Columbia Heights now could assure that regulations and protections are in place to aid in addressing potential future instances of picketing in neighborhoods.

The first reading of Ordinance No. 1672, Regulating Targeted Picketing, occurred at the March 28, 2022 City Council meeting, and was posted to the City website on March 29, 2022.

RECOMMENDED MOTION(S):
<p>MOTION: Move waive the reading of Ordinance No. 1672, there being ample copies available to the public.</p> <p>MOTION: Move to approve Ordinance No. 1672, being an Ordinance Amending Chapter 10, Article 3 of the Columbia Heights City Code, Regulating Targeted Picketing, and direct staff to send the ordinance, as presented, for publication in the legal newspaper.</p>

ATTACHMENT(S):

Ordinance 1672, Regulating Targeted Picketing

ORDINANCE NO. 1672

BEING AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 3 OF THE COLUMBIA HEIGHTS CITY CODE BY ADDING A NEW SECTION 10.314 THERETO REGULATING TARGETED PICKETING IN RESIDENTIAL NEIGHBORHOODS IN THE CITY OF COLUMBIA HEIGHTS

The City of Columbia Heights does ordain:

WHEREAS, the City Council finds that targeted residential picketing in front of or about a residential dwelling causes emotional distress to the dwelling occupants, obstructs and interferes with the free use of public rights-of-way and has as its object the harassment of the dwelling occupants; and,

WHEREAS, the City Council further finds that, without resorting to targeted residential picketing, ample opportunities exist for those otherwise engaged in targeted residential picketing to exercise constitutionally protected freedom of speech and expression; and,

WHEREAS, the protection and preservation of the home is the keystone of democratic government; the public health and welfare and the good order of the community require that members of the community enjoy, in their homes and dwellings, a feeling of wellbeing, tranquility and privacy, and when absent from their homes and dwellings, carry with them the sense of security inherent in the assurance that they may return to the enjoyment of their homes and dwellings; the practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes with the free use of public sidewalks and public ways of travel; such practice has as its object the harassing of such occupants and, without resort to such practice, full opportunity exists, and under the terms and provisions of this section, will continue to exist for the exercise of freedom of speech and their constitutional rights; and that the provisions hereinafter enacted are necessary for the public interest to avoid the detrimental results hereinafter set forth.

Section 1. Definitions. For the purpose of this ordinance, “targeted residential picketing” means an activity, including but not limited to marching, standing or patrolling, that is conducted on or in close proximity to, and is focused on, a single residential dwelling without the consent of the dwelling’s occupant(s).

Section 2. Prohibited Activity. No person shall engage in targeted residential picketing within the City.

Section 3. Violation/Penalty. Every person convicted of a violation of any provision of this Ordinance shall be guilty of a misdemeanor.

Section 4. Severability. Should any section, subdivision, clause, or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision

shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part held to be invalid.

Section 5. Effective Date. This ordinance will be in full force and effect from and after 30 days after its passage.

First Reading: March 28, 2022

Offered by: Jacobs

Seconded by: Buesgens

Roll Call: All Ayes, Márquez Simula Absent

Second Reading: April 11, 2022

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Mayor Amáda Márquez Simula

Attest:

Sara Ion, City Clerk

AGENDA SECTION	CONSENT
MEETING DATE	APRIL 11, 2022

ITEM:	No Mow May.										
DEPARTMENT: Administration		BY/DATE: Kelli Bourgeois, April 5, 2022									
<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 checked="" type="checkbox"/> Excellent Housing/Neighborhoods</td> </tr> <tr> <td><input type="checkbox"/> Equity and Affordability</td> <td><input type="checkbox"/> Strong Infrastructure/Public Services</td> </tr> <tr> <td><input type="checkbox"/> Opportunities for Play and Learning</td> <td><input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>				<input type="checkbox"/> Safe Community	<input checked="" type="checkbox"/> Diverse, Welcoming "Small-Town" Feel	<input type="checkbox"/> Economic Strength	<input checked="" type="checkbox"/> Excellent Housing/Neighborhoods	<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services	<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population
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BACKGROUND:

As reviewed at the April 4th Work Session, Councilmembers and staff have discussed implementing No Mow May in Columbia Heights. Many communities in Minnesota are participating in "No Mow May" which is an effort to support pollinators. This effort encourages, or at a minimum allows, residents to not mow their yards through the month of May in order to protect overwinter habitat and provide early nectar for pollinators such as bees, birds and beetles. Other Minnesota cities, such as Edina, and West St. Paul, are beginning to implement this option and it is supported by the Minnesota DNR.

The City Council can provide for No Mow May by passing a resolution stating the City will not enforce the grass/weed height management section of the City Code, attached. Draft Resolution is included for your review and action. The resolution as drafted provides for No Mow May annually with no additional Council action. If the Council would prefer to take this action annually the Resolution can be amended to only implement No Mow May for 2022.

For your reference, here is the pertinent City Code language from Section 4.203:

§ 4.203 WEED REMOVAL.

(A) The weed inspector or delegated assistant may inspect all premises and places within the city for the presence of weeds, as defined below:

WEEDS. As used in this code shall include:

- (a) Noxious weeds enumerated by Minn. Rules, part 1505.0730, as it may be amended from time to time.
- (b) Any other uncultivated or uncontrolled weed growth, which have gone or are about to go to seed, such as secondary weeds enumerated by Minn. Rules, part 1505.0740, as it may be amended from time to time.
- (c) Any tall weeds or grass growing upon any lot or parcel of land in the city to a height greater than nine inches. The weed inspector may grant exceptions for wildlife areas, areas bordering ponds, wildflower areas, ornamental grasses and other such areas that are a part of an orderly landscape design.
- (d) Such other vegetation as the Council shall, from time to time, designate by resolution.

(B) The weed inspector or delegated assistant shall notify the affected property owner that weeds which are on his property, must be eradicated, or controlled, in the manner prescribed by the inspector. Such notice may be posted on the property, served personally, or may be served by mail.

(1) The notification shall require abatement of the weeds, or other prescribed action, within four days from the date of mailing of notice.

(2) The notification shall state that the city will take appropriate remedial action to eradicate or control the weeds upon expiration of said four days, with a charge to the property owner/property for costs.

(C) For properties for which there have been one or more notices issued within the prior 12-month period, compliance with division (B) shall not be required. For those properties, the first notice issued within a 12-month period shall contain a general notice that the city may abate future violations without providing additional specific notice of the violation.

(D) The weed inspector, delegated assistant, or other delegated agent of the city, shall cause the removal or other prescribed action of any weeds located on public property; or on private property, upon expiration of the prescribed notice to the owner.

(E) For the purpose of this section, the following definition shall apply.

Staff recommends adoption of Resolution 2022-46 providing for No More May annually.

RECOMMENDED MOTION(S):
MOTION: Move to waive the reading of Resolution 2022-46, there being ample copies available to the public. MOTION: Move to approve Resolution 2022-46 Supporting No Mow May.

ATTACHMENT(S):

Resolution 2022-46

Resolution of the City Council for the City of Columbia Heights Supporting No Mow May.

Whereas, the Columbia Heights City Council recognizes bees and other pollinators are integral to pollination of plants in order to grow a wide diversity of essential foods including fruit, nuts, and vegetables; and

Whereas, pollinator populations are threatened due to habitat loss, neonicotinoid use, pathogens and parasites; and

Whereas, the city of Columbia Heights has taken many actions to protect and promote pollinators including planting native and pollinator friendly plants and trees in public spaces, establishing test native turfgrass areas, and providing native and pollinator education at the Library and Recreation; and

Whereas, recent research suggests pollinators make use of non-mown spaces as key floral resources during early spring in the upper Midwest of the United States; and

Whereas pollinators and floral resources have a positive relationship, where the increase in pollinators can increase the amount of flora and vice versa; and

Whereas the City Council finds it is in the public interest and consistent with adopted City policy for the City to demonstrate its commitment to a safe and healthy community environment through the implementation of initiatives that help increase the pollinator population.

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 hereby Orders:

ORDER OF THE COUNCIL

1. The City continues its efforts to become a pollinator friendly City by ensuring best management practices for management of vegetation.
2. Proclaims May 1st through 31st annually as “No Mow May”, and encourages all residents of the City who wish to participate in this initiative refrain from mowing their lawns in the month of May to provide vital early spring flowers for bees and other pollinators that emerge from hibernation.
3. The City temporarily suspends enforcement of Columbia Heights City Code requirements in Section 4.203 (A)(c) and (B) “Any tall weeds or grass growing upon any lot or parcel of land in the city to a height greater than nine inches . . .” and “The weed inspector or delegated assistant shall notify the affected property owner that weeds which are on his property, must be eradicated, or controlled, in the manner prescribed by the inspector . . .”.from May 1 through May 31 of each year.
4. The City will continue to enforce City Code Section (A)(a) and the Minnesota State Mandate regarding the management of noxious weeds.

Passed this 11th day of April, 2022

Offered by:

Seconded by:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary

AGENDA SECTION	CONSENT
MEETING DATE	APRIL 11, 2022

ITEM:	Adopt Resolution 2022-47 Approving a Master Partnership Contract with MnDOT		
DEPARTMENT: Public Works		BY/DATE: Kevin Hansen 4/5/2022	
CITY STRATEGY: <i>(please indicate areas that apply by adding a bold “X” in front of the selected text below)</i>			
<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 checked="" type="checkbox"/> Strong Infrastructure/Public Services	
<input type="checkbox"/> Opportunities for Play and Learning		<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population	

BACKGROUND: Attached is a Master Partnership Agreement with MnDOT. The Master Partnership Contract provides a framework for MnDOT and the City of Columbia Heights to provide payment to each other for services rendered. A few routine services are included in the contract and all other services are accomplished through the execution of work orders or project specific construction contracts. The existing agreement was initiated by MnDOT with the term of 2017 – 2022 expiring June 30, 2022. The new contract term is for 2022 - 2027.

Examples of the work that would be covered by the agreement are: Pavement Striping, Sign and Signal Repair, Bridge Load Ratings, Bridge and Structure Inspections, Minor Bridge Maintenance, Minor Road Maintenance (such as guard rail repair and sign knockdown repair), Pavement Condition Data, and Materials Testing. Other work provided by either party, such as engineering and design, would require a separate agreement specific to the project. Examples of this would be traffic signal replacement or new street lighting.

We currently need the new agreement in place to cover City requested services for state lab, materials and bituminous plant testing for our 2022 project work.

STAFF RECOMMENDATION: Approve the Master Partnership Agreement 1050140 with MnDOT for the term of 2022 - 2027.

RECOMMENDED MOTION(S):
<p>MOTION: Move to waive the reading of Resolution 2022-47, there being ample copies available to the public.</p> <p>MOTION: Move to adopt Resolution 2022-47 being a Resolution approving the Master Partnership Contract with MnDOT.</p>

ATTACHMENTS:

- MnDOT Cover Letter
- Resolution 2022-47
- Master Partnership Contract 1050140

A RESOLUTION APPROVING A MASTER PARTNERSHIP AGREEMENT WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION

Whereas, The Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

Whereas, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

Whereas: the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write “work orders” against a master contract would provide the greatest speed and flexibility in responding to identified needs.

ORDER OF COUNCIL

It is hereby resolved:

1. That the City of Columbia Heights enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the Council.
2. That the proper Columbia Heights officer, the City Manager, are authorized to execute such contract, and any amendments thereto.
3. That the City Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the [City/County/Other Local Government] Engineer or Title of Other Official may execute such work order contracts on behalf of the City of Columbia Heights without further approval by this Council.

Passed this 11th day of April, 2022

Offered by:

Seconded by:

Roll Call:

Mayor Amáda Márquez Simula

Sara Ion, City Clerk

**STATE OF MINNESOTA
MASTER PARTNERSHIP CONTRACT**

This master contract is between the State of Minnesota, acting through its Commissioner of Transportation in this contract referred to as the “State” and the Columbia Heights City, acting through its City Council, in this contract referred to as the “Other Party.”

Recitals

1. The parties are authorized to enter into this contract pursuant to Minnesota Statutes, §§15.061, 471.59 and 174.02.
2. Minn. Stat. § 161.20, subd. 2, authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.
3. Each party to this contract is a “road authority” as defined by Minn. Stat. §160.02, subd. 25.
4. Minn. Stat. § 161.39, subd. 1, authorizes a road authority to perform work for another road authority. Such work may include providing technical and engineering advice, assistance and supervision, surveying, preparing plans for the construction or reconstruction of roadways, and performing roadway maintenance.
5. Minn. Stat. §174.02, subd. 6, authorizes the Commissioner of Transportation to enter into contracts with other governmental entities for research and experimentation; for sharing facilities, equipment, staff, data, or other means of providing transportation-related services; or for other cooperative programs that promote efficiencies in providing governmental services, or that further development of innovation in transportation for the benefit of the citizens of Minnesota.
6. Each party wishes to occasionally purchase services from the other party, which the parties agree will enhance the efficiency of delivering governmental services at all levels. This Master Partnership Contract (MPC) provides a framework for the efficient handling of such requests. This MPC contains terms generally governing the relationship between the parties. When specific services are requested, the parties will (unless otherwise specified) enter into a “Work Order” contracts.
7. After the execution of this MPC, the parties may (but are not required to) enter into “Work Order” contracts. These Work Orders will specify the work to be done, timelines for completion, and compensation to be paid for the specific work.
8. The parties are entering into this MPC to establish terms that will govern all of the Work Orders subsequently issued under the authority of this Contract.

Contract

1. Term of Master Partnership Contract; Use of Work Order Contracts; Survival of Terms

- 1.1. **Effective Date:** This contract will be effective on July 1st, 2022, or upon the date last signed by all State officials as required under Minn. Stat. § 16C.05, subd. 2, whichever occurs last. The Other Party must not begin work under this Contract until ALL required signatures have been obtained and the Other Party has been notified in writing to begin such work by the State’s Authorized Representative.
- 1.2. **Expiration Date.** This Contract will expire on June 30, 2027.
- 1.3. **Exhibits.** Exhibit A is attached and incorporated into this agreement.
- 1.4. **Work Order Contracts.** A work order contract must be negotiated and executed (by both the State and the Other Party) for each particular engagement, except for Technical Services provided by the State to the Other Party as specified in Article 2. The work order contract must specify the detailed scope of work and deliverables for that project. A party must not begin work under a work order until the work order is fully

executed. The terms of this MPC will apply to all work orders contracts issued, unless specifically varied in the work order. The Other Party understands that this MPC is not a guarantee of any payments or work order assignments, and that payments will only be issued for work actually performed under fully-executed work orders.

- 1.5. **Survival of Terms.** The following clauses survive the expiration or cancellation of this master contract and all work order contracts: 12. Liability; 13. State Audits; 14. Government Data Practices and Intellectual Property; 17. Publicity; 18. Governing Law, Jurisdiction, and Venue; and 22. Data Disclosure. All terms of this MPC will survive with respect to any work order contract issued prior to the expiration date of the MPC.
- 1.6. **Sample Work Order.** A sample work order contract is available upon request from the State.
- 1.7. **Definition of “Providing Party” and “Requesting Party”.** For the purpose of assigning certain duties and obligations in the MPC to work order contracts, the following definitions will apply throughout the MPC. “Requesting Party” is defined as the party requesting the other party to perform work under a work order contract. “Providing Party” is defined as the party performing the scope of work under a work order contract.

2. Technical Services

- 2.1. Technical Services include repetitive low-cost services routinely performed by the State for the Other Party. If requested and authorized by the Other Party, these services may be performed by the State for the Other Party without the execution of a work order, as these services are provided in accordance with standardized practices and processes and do not require a detailed scope of work. Exhibit A – Table of Technical Services is attached.
 - 2.1.1. Every other service not falling under the services listed in Exhibit A will require a work order contract (If you have questions regarding whether a service is covered under 2.1.1, please contact Contract Management).
- 2.2. The Other Party may request the State to perform Technical Services in an informal manner, such as by the use of email, a purchase order, or by delivering materials to a State lab and requesting testing. A request may be made via telephone, but will not be considered accepted unless acknowledged in writing by the State.
- 2.3. The State will promptly inform the Other Party if the State will be unable to perform the requested Technical Services. Otherwise, the State will perform the Technical Services in accordance with the State’s normal processes and practices, including scheduling practices taking into account the availability of State staff and equipment.
- 2.4. **Payment Basis.** Unless otherwise agreed to by the parties prior to performance of the services, the State will charge the Other Party the State’s then-current rate for performing the Technical Services. The then-current rate may include the State’s normal and customary additives. The State will invoice the Other Party upon completion of the services, or at regular intervals not more than once monthly as agreed upon by the parties. The invoice will provide a summary of the Technical Services provided by the State during the invoice period.

3. Services Requiring a Work Order Contract

- 3.1. **Work Order Contracts:** A party may request the other party to perform any of the following services under individual work order contracts.
- 3.2. **Professional and Technical Services.** A party may provide professional and technical services upon the request of the other party. As defined by Minn. Stat. §16C.08, subd. 1, professional/technical services “means services that are intellectual in character, including consultation, analysis, evaluation, prediction, planning, programming, or recommendation; and result in the production of a report or completion of a task.” Professional and technical services do not include providing supplies or materials except as incidental to performing such services. Professional and technical services include (by way of example and without limitation) cultural resources, engineering services, surveying, foundation recommendations and reports, environmental documentation, right-of-way assistance (such as performing appraisals or providing

relocation assistance, but excluding the exercise of the power of eminent domain), geometric layouts, final construction plans, graphic presentations, public relations, and facilitating open houses. A party will normally provide such services with its own personnel; however, a party's professional/technical services may also include hiring and managing outside consultants to perform work provided that a party itself provides active project management for the use of such outside consultants.

- 3.3. **Roadway Maintenance.** A party may provide roadway maintenance upon the request of the other party. Roadway maintenance does not include roadway reconstruction. This work may include but is not limited to snow removal, ditch spraying, roadside mowing, bituminous mill and overlay (only small projects), seal coat, bridge hits, major retaining wall failures, major drainage failures, and message painting. All services must be performed by an employee with sufficient skills, training, expertise or certification to perform such work, and work must be supervised by a qualified employee of the party performing the work.
- 3.4. **Construction Administration.** A party may administer roadway construction projects upon the request of the other party. Roadway construction includes (by way of example and without limitation) the construction, reconstruction, or rehabilitation of mainline, shoulder, median, pedestrian or bicycle pathway, lighting and signal systems, pavement mill and overlays, seal coating, guardrail installation, and channelization. These services may be performed by the Providing Party's own forces, or the Providing Party may administer outside contracts for such work. Construction administration may include letting and awarding construction contracts for such work (including state projects to be completed in conjunction with local projects). All contract administration services must be performed by an employee with sufficient skills, training, expertise or certification to perform such work.
- 3.5. **Emergency Services.** A party may provide aid upon request of the other party in the event of a man-made disaster, natural disaster or other act of God. Emergency services includes all those services as the parties mutually agree are necessary to plan for, prepare for, deal with, and recover from emergency situations. These services include, without limitation, planning, engineering, construction, maintenance, and removal and disposal services related to things such as road closures, traffic control, debris removal, flood protection and mitigation, sign repair, sandbag activities and general cleanup. Work will be performed by an employee with sufficient skills, training, expertise or certification to perform such work, and work must be supervised by a qualified employee of the party performing the work. If it is not feasible to have an executed work order prior to performance of the work, the parties will promptly confer to determine whether work may be commenced without a fully-executed work order in place. If work commences without a fully-executed work order, the parties will follow up with execution of a work order as soon as feasible.
- 3.6. When a need is identified, the State and the Other Party will discuss the proposed work and the resources needed to perform the work. If a party desires to perform such work, the parties will negotiate the specific and detailed work tasks and cost. The State will then prepare a work order contract. Generally, a work order contract will be limited to one specific project/engagement, although "on call" work orders may be prepared for certain types of services, especially for "Technical Services" items as identified section 2.1.. The work order will also identify specific deliverables required, and timeframes for completing work. A work order must be fully executed by the parties prior to work being commenced. The Other Party will not be paid for work performed prior to execution of a work order contract and authorization by the State.

4. Responsibilities of the Providing Party

- 4.1. **Terms Applicable to ALL Work Order Contracts.** The terms in this section 4.1 will apply to ALL work order contracts.
 - 4.1.1. Each work order will identify an Authorized Representative for each party. Each party's authorized representative is responsible for administering the work order, and has the authority to make any decisions regarding the work, and to give and receive any notices required or permitted under this MPC or the work order.
 - 4.1.2. The Providing Party will furnish and assign a publicly employed licensed engineer (Project Engineer), to be in responsible charge of the project(s) and to supervise and direct the work to be performed under each work order contract. For services not requiring an engineer, the Providing Party will

furnish and assign another responsible employee to be in charge of the project. The services of the Providing Party under a work order contract may not be otherwise assigned, sublet, or transferred unless approved in writing by the Requesting Party's authorized representative. This written consent will in no way relieve the Providing Party from its primary responsibility for the work.

- 4.1.3. If the Other Party is the Providing Party, the Project Engineer may request in writing specific engineering and/or technical services from the State, pursuant to Minn. Stat. Section 161.39. The work order Contract will require the Other Party to deposit payment in advance. The costs and expenses will include the current State additives and overhead rates, subject to adjustment based on actual direct costs that have been verified by audit.
- 4.1.4. Only the receipt of a fully executed work order contract authorizes the Providing Party to begin work on a project. Any and all effort, expenses, or actions taken by the Providing Party before the work order contract is fully executed are considered unauthorized and undertaken at the risk of non-payment.
- 4.1.5. In connection with the performance of this contract and any work orders issued, the Providing Agency will comply with all applicable Federal and State laws and regulations. When the Providing Party is authorized or permitted to award contracts in connection with any work order, the Providing Party will require and cause its contractors and subcontractors to comply with all Federal and State laws and regulations.
- 4.2. **Additional Terms for Roadway Maintenance.** The terms of section 4.1 and this section 4.2 will apply to all work orders for Roadway Maintenance.
 - 4.2.1. Unless otherwise provided for by contract or work order, the Providing Party must obtain all permits and sanctions that may be required for the proper and lawful performance of the work.
 - 4.2.2. The Providing Party must perform maintenance in accordance with MnDOT maintenance manuals, policies and operations.
 - 4.2.3. The Providing Party must use State-approved materials, including (by way of example and without limitation), sign posts, sign sheeting, and de-icing and anti-icing chemicals.
- 4.3. **Additional Terms for Construction Administration.** The terms of section 4.1 and this section 4.3 will apply to all work order contracts for construction administration.
 - 4.3.1. Contract(s) must be awarded to the lowest responsible bidder or best value proposer in accordance with state law.
 - 4.3.2. Contractor(s) must be required to post payment and performance bonds in an amount equal to the contract amount. The Providing Party will take all necessary action to make claims against such bonds in the event of any default by the contractor.
 - 4.3.3. Contractor(s) must be required to perform work in accordance with the latest edition of the Minnesota Department of Transportation Standard Specifications for Construction.
 - 4.3.4. For work performed on State right-of-way, contractor(s) must be required to indemnify and hold the State harmless against any loss incurred with respect to the performance of the contracted work, and must be required to provide evidence of insurance coverage commensurate with project risk.
 - 4.3.5. Contractor(s) must pay prevailing wages pursuant to applicable state and federal law.
 - 4.3.6. Contractor(s) must comply with all applicable Federal, and State laws, ordinances and regulations, including but not limited to applicable human rights/anti-discrimination laws and laws concerning the participation of Disadvantaged Business Enterprises in federally-assisted contracts.
 - 4.3.7. Unless otherwise agreed in a work order contract, each party will be responsible for providing rights of way, easement, and construction permits for its portion of the improvements. Each party will, upon the other's request, furnish copies of right of way certificates, easements, and construction permits.

- 4.3.8. The Providing Party may approve minor changes to the Requesting Party's portion of the project work if such changes do not increase the Requesting Party's cost obligation under the applicable work order contract.
- 4.3.9. The Providing Party will not approve any contractor claims for additional compensation without the Requesting Party's written approval, and the execution of a proper amendment to the applicable work order contract when necessary. The Other Party will tender the processing and defense of any such claims to the State upon the State's request.
- 4.3.10. The Other Party must coordinate all trunk highway work affecting any utilities with the State's Utilities Office.
- 4.3.11. The Providing Party must coordinate all necessary detours with the Requesting Party.
- 4.3.12. If the Other Party is the Providing Party, and there is work performed on the trunk highway right-of-way, the following will apply:
 - a. The Other Party will have a permit to perform the work on the trunk highway. The State may revoke this permit if the work is not being performed in a safe, proper and skillful manner, or if the contractor is violating the terms of any law, regulation, or permit applicable to the work. The State will have no liability to the Other Party, or its contractor, if work is suspended or stopped due to any such condition or concern.
 - b. The Other Party will require its contractor to conduct all traffic control in accordance with the Minnesota Manual on Uniform Traffic Control Devices.
 - c. The Other Party will require its contractor to comply with the terms of all permits issued for the project including, but not limited to, National Pollutant Discharge Elimination System (NPDES) and other environmental permits.
 - d. All improvements constructed on the State's right-of-way will become the property of the State.

5. Responsibilities of the Requesting Party

- 5.1. After authorizing the Providing Party to begin work, the Requesting Party will furnish any data or material in its possession relating to the project that may be of use to the Providing Party in performing the work.
- 5.2. All such data furnished to the Providing Party will remain the property of the Requesting Party and will be promptly returned upon the Requesting Party's request or upon the expiration or termination of this contract (subject to data retention requirements of the Minnesota Government Data Practices Act and other applicable law).
- 5.3. The Providing Party will analyze all such data furnished by the Requesting Party. If the Providing Party finds any such data to be incorrect or incomplete, the Providing Party will bring the facts to the attention of the Requesting Party before proceeding with the part of the project affected. The Providing Party will investigate the matter, and if it finds that such data is incorrect or incomplete, it will promptly determine a method for furnishing corrected data. Delay in furnishing data will not be considered justification for an adjustment in compensation.
- 5.4. The State will provide to the Other Party copies of any Trunk Highway fund clauses to be included in the bid solicitation and will provide any required Trunk Highway fund provisions to be included in the Proposal for Highway Construction, that are different from those required for State Aid construction.
- 5.5. The Requesting Party will perform final reviews and inspections of its portion of the project work. If the work is found to have been completed in accordance with the work order contract, the Requesting Party will promptly release any remaining funds due the Providing Party for the Project(s).
- 5.6. The work order contracts may include additional responsibilities to be completed by the Requesting Party.

6. Time

- 6.1. In the performance of project work under a work order contract, time is of the essence.

7. Consideration and Payment

- 7.1. **Consideration.** The Requesting Party will pay the Providing Party as specified in the work order. The State's normal and customary additives will apply to work performed by the State, unless otherwise specified in the work order. The State's normal and customary additives will not apply if the parties agree to a "lump sum" or "unit rate" payment.
- 7.2. **State's Maximum Obligation.** The total compensation to be paid by the State to the Other Party under all work order contracts issued pursuant to this MPC will not exceed \$500,000.00.
- 7.3. **Travel Expenses.** It is anticipated that all travel expenses will be included in the base cost of the Providing Party's services, and unless otherwise specifically set forth in an applicable work order contract, the Providing Party will not be separately reimbursed for travel and subsistence expenses incurred by the Providing Party in performing any work order contract. In those cases where the State agrees to reimburse travel expenses, such expenses will be reimbursed in the same manner and in no greater amount than provided in the current "MnDOT Travel Regulations" a copy of which is on file with and available from the MnDOT District Office. The Other Party will not be reimbursed for travel and subsistence expenses incurred outside of Minnesota unless it has received the State's prior written approval for such travel.

7.4. Payment

- 7.4.1. **Generally.** The Requesting Party will pay the Providing Party as specified in the applicable work order, and will make prompt payment in accordance with Minnesota law.
- 7.4.2. **Payment by the Other Party.**
- a. The Other Party will make payment to the order of the Commissioner of Transportation.
 - b. IMPORTANT NOTE: PAYMENT MUST REFERENCE THE "MNDOT CONTRACT NUMBER" SHOWN ON THE FACE PAGE OF THIS CONTRACT AND THE "INVOICE NUMBER" ON THE INVOICE RECEIVED FROM MNDOT.
 - c. Remit payment to the address below:
MnDOT
Attn: Cash Accounting
RE: MnDOT Contract Number 1050140W[XX] and Invoice Number: 00000[#####]
(see note above)
Mail Stop 215
395 John Ireland Blvd
St. Paul, MN 55155
- 7.4.3. **Payment by the State.**
- a. Generally. The State will promptly pay the Other Party after the Other Party presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted as specified in the applicable work order, but no more frequently than monthly.
 - b. Retainage for Professional and Technical Services. For work orders for professional and technical services, as required by Minn. Stat. § 16C.08, subd. 2(10), no more than 90 percent of the amount due under any work order contract may be paid until the final product of the work order contract has been reviewed by the State's authorized representative. The balance due will be paid when the State's authorized representative determines that the Other Party has satisfactorily fulfilled all the terms of the work order contract.

8. Conditions of Payment

- 8.1. All work performed by the Providing Party under a work order contract must be performed to the Requesting Party's satisfaction, as determined at the sole and reasonable discretion of the Requesting Party's Authorized Representative and in accordance with all applicable federal and state laws, rules, and

regulations. The Providing Party will not receive payment for work found by the Requesting Party to be unsatisfactory or performed in violation of federal or state law.

9. State's Authorized Representative and Project Manager

- 9.1. The State's Authorized Representative for this master contract is the District State Aid Engineer, who has the responsibility to monitor the State's performance.
- 9.2. The State's Project Manager will be identified in each work order contract.

10. Other Party's Authorized Representative and Project Manager

- 10.1. The Other Party's Authorized Representative for administering this master contract is the Other Party's Engineer, and the Engineer has the responsibility to monitor the Other Party's performance. The Other Party's Authorized Representative is also authorized to execute work order contracts on behalf of the Other Party without approval of each proposed work order contract by its governing body.
- 10.2. The Other Party's Project Manager will be identified in each work order contract.

11. Assignment, Amendments, Waiver, and Contract Complete

- 11.1. **Assignment.** Neither party may assign or transfer any rights or obligations under this MPC or any work order contract without the prior consent of the other and a fully executed Assignment Contract, executed and approved by the same parties who executed and approved this MPC, or their successors in office.
- 11.2. **Amendments.** Any amendment to this master contract or any work order contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original contract, or their successors in office.
- 11.3. **Waiver.** If a party fails to enforce any provision of this master contract or any work order contract, that failure does not waive the provision or the party's right to subsequently enforce it.
- 11.4. **Contract Complete.** This master contract and any work order contract contain all negotiations and contracts between the State and the Other Party. No other understanding regarding this master contract or any work order contract issued hereunder, whether written or oral may be used to bind either party.

12. Liability

- 12.1. Each party will be responsible for its own acts and omissions to the extent provided by law. The Other Party's liability is governed by Minn. Stat. chapter 466 and other applicable law. The State's liability is governed by Minn. Stat. section 3.736 and other applicable law. This clause will not be construed to bar any legal remedies a party may have for the other party's failure to fulfill its obligations under this master contract or any work order contract. Neither party agrees to assume any environmental liability on behalf of the other party. A Providing Party under any work order is acting only as a "Contractor" to the Requesting Party, as the term "Contractor" is defined in Minn. Stat. §115B.03 (subd. 10), and is entitled to the protections afforded to a "Contractor" by the Minnesota Environmental Response and Liability Act. The parties specifically intend that Minn. Stat. §471.59 subd. 1a will apply to any work undertaken under this MPC and any work order issued hereunder.

13. State Audits

- 13.1. Under Minn. Stat. § 16C.05, subd. 5, the party's books, records, documents, and accounting procedures and practices relevant to any work order contract are subject to examination by the parties and by the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this MPC.

14. Government Data Practices and Intellectual Property

- 14.1. **Government Data Practices.** The Other Party and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this MPC and any work order contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Other Party under this MPC and any work order contract. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Other Party or the State.
- 14.2. **Intellectual Property Rights**

14.2.1. Intellectual Property Rights. The Requesting Party will own all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents created and paid for under work order contracts. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Providing Party, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this master contract or any work order contract. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Providing Party, its employees, agents, or contractors, in the performance of a work order contract. The Documents will be the exclusive property of the Requesting Party and all such Documents must be immediately returned to the Requesting Party by the Providing Party upon completion or cancellation of the work order contract. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be "works made for hire." The Providing Party Government assigns all right, title, and interest it may have in the Works and the Documents to the Requesting Party. The Providing Party must, at the request of the Requesting Party, execute all papers and perform all other acts necessary to transfer or record the Requesting Party's ownership interest in the Works and Documents. Notwithstanding the foregoing, the Requesting Party grants the Providing Party an irrevocable and royalty-free license to use such intellectual property for its own non-commercial purposes, including dissemination to political subdivisions of the state of Minnesota and to transportation-related agencies such as the American Association of State Highway and Transportation Officials.

14.2.2. Obligations with Respect to Intellectual Property.

- a. **Notification.** Whenever any invention, improvement, or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by the Providing Party, including its employees and subcontractors, in the performance of the work order contract, the Providing Party will immediately give the Requesting Party's Authorized Representative written notice thereof, and must promptly furnish the Authorized Representative with complete information and/or disclosure thereon.
- b. **Representation.** The Providing Party must perform all acts, and take all steps necessary to ensure that all intellectual property rights in the Works and Documents are the sole property of the Requesting Party, and that neither Providing Party nor its employees, agents or contractors retain any interest in and to the Works and Documents.

15. Affirmative Action

- 15.1. The State intends to carry out its responsibility for requiring affirmative action by its Contractors, pursuant to Minn. Stat. §363A.36. Pursuant to that Statute, the Other Party is encouraged to prepare and implement an affirmative action plan for the employment of minority persons, women, and the qualified disabled, and submit such plan to the Commissioner of the Minnesota Department of Human Rights. In addition, when the Other Party lets a contract for the performance of work under a work order issued pursuant to this MPC, it must include the following in the bid or proposal solicitation and any contracts awarded as a result thereof:
- 15.2. **Covered Contracts and Contractors.** If the Contract exceeds \$100,000 and the Contractor employed more than 40 full-time employees on a single working day during the previous 12 months in Minnesota or in the state where it has its principle place of business, then the Contractor must comply with the requirements of Minn. Stat. § 363A.36 and Minn. R. Parts 5000.3400-5000.3600. A Contractor covered by Minn. Stat. § 363A.36 because it employed more than 40 full-time employees in another state and does not have a certificate of compliance, must certify that it is in compliance with federal affirmative action requirements.

15.3. **Minn. Stat. § 363A.36.** Minn. Stat. § 363A.36 requires the Contractor to have an affirmative action plan for the employment of minority persons, women, and qualified disabled individuals approved by the Minnesota Commissioner of Human Rights (“Commissioner”) as indicated by a certificate of compliance. The law addresses suspension or revocation of a certificate of compliance and contract consequences in that event. A contract awarded without a certificate of compliance may be voided.

15.4. **Minn. R. Parts 5000.3400-5000.3600.**

15.4.1. **General.** Minn. R. Parts 5000.3400-5000.3600 implement Minn. Stat. § 363A.36. These rules include, but are not limited to, criteria for contents, approval, and implementation of affirmative action plans; procedures for issuing certificates of compliance and criteria for determining a contractor’s compliance status; procedures for addressing deficiencies, sanctions, and notice and hearing; annual compliance reports; procedures for compliance review; and contract consequences for non-compliance. The specific criteria for approval or rejection of an affirmative action plan are contained in various provisions of Minn. R. Parts 5000.3400-5000.3600 including, but not limited to, parts 5000.3420-5000.3500 and 5000.3552-5000.3559.

15.4.2. **Disabled Workers.** The Contractor must comply with the following affirmative action requirements for disabled workers:

- a. The Contractor must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The Contractor agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
- b. The Contractor agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.
- c. In the event of the Contractor's noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with Minn. Stat. Section 363A.36, and the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.
- d. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the commissioner of the Minnesota Department of Human Rights. Such notices must state the Contractor's obligation under the law to take affirmative action to employ and advance in employment qualified disabled employees and applicants for employment, and the rights of applicants and employees.
- e. The Contractor must notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the Contractor is bound by the terms of Minn. Stat. Section 363A.36, of the Minnesota Human Rights Act and is committed to take affirmative action to employ and advance in employment physically and mentally disabled persons.

15.4.3. **Consequences.** The consequences for the Contractor’s failure to implement its affirmative action plan or make a good faith effort to do so include, but are not limited to, suspension or revocation of a certificate of compliance by the Commissioner, refusal by the Commissioner to approve subsequent plans, and termination of all or part of this contract by the Commissioner or the State.

15.4.4. **Certification.** The Contractor hereby certifies that it is in compliance with the requirements of Minn. Stat. § 363A.36 and Minn. R. Parts 5000.3400-5000.3600 and is aware of the consequences for noncompliance.

16. **Workers’ Compensation**

- 16.1. Each party will be responsible for its own employees for any workers compensation claims. This MPC, and any work order contracts issued hereunder, are not intended to constitute an interchange of government employees under Minn. Stat. §15.53. To the extent that this MPC, or any work order issued hereunder, is determined to be subject to Minn. Stat. §15.53, such statute will control to the extent of any conflict between the contract and the statute.

17. Publicity

- 17.1. **Publicity.** Any publicity regarding the subject matter of a work order contract where the State is the Requesting Party must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Other Party individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from a work order contract.
- 17.2. **Data Practices Act.** Section 17.1 is not intended to override the Other Party's responsibilities under the Minnesota Government Data Practices Act.

18. Governing Law, Jurisdiction, and Venue

- 18.1. Minnesota law, without regard to its choice-of-law provisions, governs this master contract and all work order contracts. Venue for all legal proceedings out of this master contract or any work order contracts, or the breach of any such contracts, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

19. Prompt Payment; Payment to Subcontractors

- 19.1. The parties must make prompt payment of their obligations in accordance with applicable law. As required by Minn. Stat. § 16A.1245, when the Other Party lets a contract for work pursuant to any work order, the Other Party must require its contractor to pay all subcontractors, less any retainage, within 10 calendar days of the prime contractor's receipt of payment from the Other Party for undisputed services provided by the subcontractor(s) and must pay interest at the rate of one and one-half percent per month or any part of a month to the subcontractor(s) on any undisputed amount not paid on time to the subcontractor(s).

20. Minn. Stat. § 181.59.

- 20.1. The Other Party will comply with the provisions of Minn. Stat. § 181.59 which requires: Every contract for or on behalf of the state of Minnesota, or any county, city, town, township, school, school district, or any other district in the state, for materials, supplies, or construction shall contain provisions by which the Contractor agrees: (1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract, no contractor, material supplier, or vendor, shall, by reason of race, creed, or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; (2) That no contractor, material supplier, or vendor, shall, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in clause (1) of this section, or on being hired, prevent, or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed, or color; (3) That a violation of this section is a misdemeanor; and (4) That this contract may be canceled or terminated by the state, county, city, town, school board, or any other person authorized to grant the contracts for employment, and all money due, or to become due under the contract, may be forfeited for a second or any subsequent violation of the terms or conditions of this contract.

21. Termination; Suspension

- 21.1. **Termination by the State for Convenience.** The State or commissioner of Administration may cancel this MPC and any work order contracts at any time, with or without cause, upon 30 days written notice to the Other Party. Upon termination, the Other Party and the State will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.
- 21.2. **Termination by the Other Party for Convenience.** The Other Party may cancel this MPC and any work order contracts at any time, with or without cause, upon 30 days written notice to the State. Upon termination,

the Other Party and the State will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

- 21.3. **Termination for Insufficient Funding.** The State may immediately terminate or suspend this MPC and any work order contract if it does not obtain funding from the Minnesota legislature or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination or suspension must be by written or fax notice to the Other Party. The State is not obligated to pay for any services that are provided after notice and effective date of termination or suspension. However, the Other Party will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the master contract or work order is terminated because of the decision of the Minnesota legislature or other funding source, not to appropriate funds. The State must provide the Other Party notice of the lack of funding within a reasonable time of the State's receiving that notice.

22. Data Disclosure

- 22.1. Under Minn. Stat. §270C.65, subd. 3, and other applicable law, the Other Party consents to disclosure of its federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Other Party to file state tax returns and pay delinquent state tax liabilities, if any.

23. Defense of Claims and Lawsuits

- 23.1. If any lawsuit or claim is filed by a third party (including but not limited to the Other Party's contractors and subcontractors), arising out of trunk highway work performed pursuant to a valid work order issued under this MPC, the Other Party will, at the discretion of and upon the request of the State, tender the defense of such claims to the State or allow the State to participate in the defense of such claims. The Other Party will, however, be solely responsible for defending any lawsuit or claim, or any portion thereof, when the claim or cause of action asserted is based on its own acts or omissions in performing or supervising the work. The Other Party will not purport to represent the State in any litigation, settlement, or alternative dispute resolution process. The State will not be responsible for any judgment entered against the Other Party, and will not be bound by the terms of any settlement entered into by the Other Party except with the written approval of the Attorney General and the Commissioner of Transportation and pursuant to applicable law.

24. Additional Provisions

- 24.1. NONE

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OTHER PARTY

The Other Party certifies that the appropriate person(s) have executed the contract on behalf of the Other Party as required by applicable articles, bylaws, resolutions or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

COMMISSIONER OF TRANSPORTATION

By: _____

Date: _____

Title: _____

COMMISSIONER OF ADMINISTRATION

By: _____

Date: _____

Source Code	Title	Description
1735	Bituminous Plant Inspection	Performing QA/QC physical testing at the plant; sampling and transporting of materials from the plant to the lab for lab testing, plant reviews, and operations; investigating plant discrepancies; and other technical services in the plant or office associated with bituminous plant inspection.
2830	Bridge Bearing Assemblies	All tasks related to the repair and maintenance of fixed or expansion-bearing assemblies on bridges. Includes related traffic
2819	Bridge Curb, Walk And Railing	Repairing and maintaining bridge curb, walk, rail, coping, and fencing connected to the rail. Includes glare screen and median barriers on bridges. Includes related traffic control.
2820	Bridge Deck	Work associated with bridge deck and slab repair regardless of removal depth or type of material used for patching. Includes deck or slab overlays and replacements and underside deck delamination. Includes related traffic control.
2838	Bridge Deck Crack Sealing	All tasks related to deck crack sealing. Includes related traffic control.
2827	Bridge Expansion, Relief Joints	All maintenance tasks associated with bridge expansion joints, except joint reestablishment. Includes tightening expansion device bolts and replacing seal glands. Includes related traffic control.
2855	Bridge Inspection Direct Support	Activities that support bridge inspection, but are not direct production (i.e., leadership, technical, administrative assistance.
2828	Bridge Inspection-Federal Fund	All bridge inspection tasks for non-MnDOT bridges funded by the federal Fracture-Critical Bridge Program (Project Code will begin with TSL and with the local bridge number). Includes related inspection reports. For MnDOT Trunk Highway bridges (Project Code begins with TSO followed by the bridge number) and local and Department of Natural Resources (DNR) (bridge number begins with 9A follow by bridge number) bridge inspections to be billed to the local government or Department of Natural Resources (DNR) use Source Code 2824.
2824	Bridge Inspection-Non-Federal	All tasks related to inventory, inspection, and load capacity rating work done on trunk highway bridges to meet the requirements of the National Bridge Inspection System and/or Minnesota Bridge Safety Inspection Program or for billing to local governments. Includes related inspection reports and deck condition surveys.
1421	Bridge Management System Operation/Administration/Data	Use for tasks related to the Bridge Management System, including operations, administration, or data entry.
2847	Bridge Poured/ Relief Joint Seal	All tasks associated with resealing bridge construction joints. Includes related traffic control. Related source type codes: Activities that support bridge inspection, but are not direct production (i.e., leadership, technical, administrative assistance).
2829	Bridge Superstructure	All tasks to repair any bridge component above the bridge seat that is not included in other source codes. Includes repairs to all types of bridge superstructure elements such as girders, beams, floor beams, trusses, stringers, t-beams, precast channels, and box girders. Includes related traffic control.
2316	Brush & Tree Removal	Maintaining, watering, trimming, and removing highway right of way tree and brush. Includes chipping of tree limbs and stump removal/grinding. Includes related traffic control.
0032	Business Unit Management	All expenses of business/office managers for general management and administration of support functions. includes administering central facilities maintenance and facilities capital budgets.
3000	Class Of Frequency Coordination	Use for frequency coordination done with APCO, AASHTO or FCCA.

Source Code	Title	Description
1733	Concrete Plant Inspections	Performing QA/QC physical testing at the plant; sampling and transporting of materials from the plant to the lab for lab testing, plant reviews, and operations; investigating plant discrepancies; and other technical services in the plant or office associated with stationary concrete plants or mobile concrete paving plant inspection.
1734	Construction Materials Inspections	Performing construction phase material inspection and engineering, for structural steel, precast and pre-stressed concrete, reinforcement steel, and electrical products and related technical services in the field and office for materials to be used in multiple projects. Includes travel time, sampling, and sample delivery. Includes tasks related to reviewing shop drawings furnished by suppliers or fabricators and contractor working drawings or calculations, and for tasks related to structural metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and engineering, and technical services in the field and offices).
1802	Construction Surveying	Use for surveys to provide staking for the contractor's operations and for any other construction phase surveying
2106	Crack Sealing	All surface crack sealing, crack filling, or rout and seal operations. Includes related materials, hauling, stockpiling, and traffic control.
3023	Elec Comm Eq Rep - Miles	
0400	Equipment Calibration-Mat Insp	Use when performing periodic equipment calibration for equipment used in the materials lab or on construction projects.
1800	Field Inspection	All construction project field inspection (not cyclical inspection of assets), including preparatory plans & spec review, measurement, and verification other than environmental monitoring. Includes field inspection of materials such as gradations, densities/DCP, proctors, compaction, slump tests, and field air tests. Witnessing claims, determination and computation of pay quantities, materials control and certification for progress vouchers, but not for final payments. Includes collecting and transporting samples for lab tests, but not the actual laboratory verifications. Includes all construction phase project related activities for project and resident engineers such as problem resolution, guidance and direction to field technicians. Includes all miscellaneous field engineering expenses used by district offices such as space rental, utilities, or other costs charged to the construction project Includes all work associated with evaluation of implementation of intelligent compaction devices to determine if construction contract terms have been met.
1040	Final Design Surveys	All district field and office tasks needed to respond to supplemental "Requests for Survey Data" and add the data to the surveys base map or DTM.
0601	Gen Training Preparation - Delivery	Use for time, materials, and travel expenses when developing or delivering training. includes course preparation, designing materials, and managing training records.
2210	Guardrail-Install/Repair/Maintenance	Install, repair, or maintain low tension cable, plate beams, and end treatments; cable tension adjustments; and reflector replacement. includes related traffic control.
2624	Indirect Expense	Indirect shop expenses and shop equipment. Allocate to mobile equipment.
1871	Lighting Maintenance & Utilities	All work related to installing, maintaining, restoring, or removing highway lighting systems and fixtures. Includes repairing, maintaining, or replacing supports necessary for roadway lighting luminaries. Includes patrol highway lighting, inspect lighting structures, electrical service for highway lighting, re-lamping, pump stations, anti-icing systems, truck roll-over warning systems and electrical repairs. Includes traffic control in support of roadway lighting activities. Use for tasks related to public inquiries/complaints, review utility billings, provide data, and conduct field reviews.

Source Code	Title	Description
1875	Locate One Call	Finding and marking locations of buried conduit, cables, hand holes, loops, etc. in order to maintain or repair the traffic management system, signal systems, or roadway lighting systems.
1732	Material Testing & Inspection	Performing construction phase and research physical and chemical laboratory testing, and related technical services in the districts and central labs, and for performing research and construction phase non-destructive testing materials surveys, and related technical services in the field and offices. Includes detour surveys. Non-destructive tests include, skid resistance and falling weight deflectometer (FWD) testing.
2660	Misc Revenue	Used only by Office of Financial Management for billing and deposit transactions and to record payments to the department for gravel sold to contractors and others.
2822	Miscellaneous Bridge Maintenance	Miscellaneous maintenance tasks performed on a specific bridge or structure not covered by other source codes. Includes work on items such as stairways, drains, fencing, light bases, transient guards, and access doors. Includes transient removal, ordering materials, and picking up equipment. Includes related traffic control.
3049	On Call Electronic Communications Infrastructure Maintenance	To be used by Statewide Radio Communications personnel to record on-call time.
2142	Overhead Sign Panel Maintenance	Work related to the repair and replacement of overhead sign panels, extruded sign panels mounted on I-beams, and overhead sign structures. Includes related cable locates and traffic control. Does not include structural work.
2102	Patching	Related source type codes: 2103-Heavy patching, 2104-Bituminous paving, 2105-Blow patching
1520	Pavement Management System	For tasks related to the operation of the pavement management system, including development and maintenance/technical support. Includes tasks to meet needs external to MnDOT.
2406	Plowing & Material Application	Shoulder to shoulder snow removal operation, winging back, snow blowing drifts, and the application of de-icing chemicals using mobile equipment. Includes changing cutting edges during event and related traffic control.
3005	Radio - Mobile Equipment	Use for the repair and preventative maintenance of all equipment associated with wireless two-way radio communications systems (includes mobile radios, portable radios, base stations, console workstations, recorders, etc.). Non-MnDOT equipment - Must use Project number assigned to requesting agency (State Patrol, DNR, BCA, Fire Marshall). See OSRC Project Code list.
3027	Radio Programming	Creating or modifying radio frequency programs and programming mobile and portable radios. Does not include mobile radios used as fixed base radios as part of the Inter-OP System (Use 3009).
3002	Radio/Electronic Infrastructure	Use for the repair and preventative maintenance of all equipment associated with wireless two-way radio communications systems (includes mobile radios, portable radios, base stations, console workstations, recorders, etc.). Non-MnDOT equipment - Must use Project number assigned to requesting agency; Department of Public Safety (DPS) includes State Patrol (SP) Bureau of Criminal Apprehension (BCA), Fire Marshall); does not include Department of Natural Resources (DNR). See OSRC Project
3007	Radio/Electronic System Engineering	Use for design of microwave, radio and miscellaneous electronic systems.
3009	Radio/Electronic System Upgrade & Installation	Use for the installation and other services needed to provide major system upgrades or improvements to wireless or electronic systems. Use for all work performed to correct or repair deficiencies found in a new installation.
1716	Record Sampling	Used by Materials and Research Section and district materials staff to verify inspector" sampling and testing procedures and checking inspectors' equipment during project construction as required by FHWA. Use when performing field tests on split sample.

Source Code	Title	Description
2222	Sign/Delineation/Marker Repair	Replacing, repairing, and washing signs (including temporary stop signs). Includes re-sequencing intersection signing and repair/replace overhead and extrude signs mounted on I-beams. Includes related cable locates and traffic control.
1182	Soils/Foundation Field/Laboratory Tests	All laboratory testing necessary to provide geotechnical information to complete roadway soils recommendations and approvals for use in the development of Final Design Plans and Special Provisions. Lab work includes R-value, resilient modulus, soil classification, gradation, proctor testing, unconfined compression, consolidation, direct simple shear, direct shear, permeability and triaxial tests.
1879	State Furnished Materials	Use to record labor hours, equipment usage, and material costs to supply state furnished materials to a state road construction project with federal participation.
1738	State Project - Specific Materials Inspection	Performing material inspection and engineering for materials designated for a specific construction project (SP). Generally applies to inspection of such things as structural steel, prestressed concrete items, and most precast concrete items and related technical services in the field and offices when related to a particular SP. Use for SP specific tasks related to performing the review of shop drawings furnished by suppliers or fabricators and contractor working drawings or calculations, and for tasks related to structural metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and engineering and technical services in the field and offices).
1434	Structural Metals Inspection-Non DOT	Reviewing shop drawings furnished by suppliers, fabricators, and contractors (working drawing or calculations), and for tasks related to structural metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and engineering, and technical services in the field and offices) for local agency projects.
2629	Supplies & Small Tools	Shop tools, small equipment, and supplies that cannot be directly charged to a mobile equipment unit.
0152	Support Services	Work that supports general office management, system management such as entering data into SWIFT, PPMS, PUMA and other MnDOT systems, attending staff meetings and other indirect support activities.
1312	Tech Assist-Outside MnDOT	Use when providing technical assistance to an organization external to MnDOT.
3025	Tower/Building Maintenance	Use for all tasks related to the maintenance of a tower building or site. Includes towers, buildings, generators, LP system, fencing, landscaping, grounding, ice bridge, cable management, climbing ladders, card key systems, and HVAC.
1876	Traffic Counting	Use to record labor, equipment usage, and material costs for activities related to traffic counts made for statewide traffic monitoring or traffic operations. Includes all activities related to traffic counting, such as taking requests, assigning priorities, collecting field data, processing data, and developing new techniques for collection.
1501	Traffic Management System (TMS)	Used by traffic operations staff for all tasks that support the RTMC's operations center (or TOCC) providing traveler information, managing incidents and monitoring the FMS. Includes dynamic message sign maintenance, ramp meter maintenance, camera maintenance, and loop detection activities. Includes maintenance activities related to any ITS or TMS device such as RTMC cables, monitor wall, switchers, routers, or modems. Use to record all costs for maintenance activities related to traffic management fiber optics. Use for tasks related to maintaining traffic operations software including minor software enhancements and fixes. Use when providing traffic operations technical assistance external to MnDOT. Use with

Source Code	Title	Description
1513	Traffic Management System (TMS) Integration	For tasks associated with the incorporation of new and existing TMS devices (cameras, loops, DMS, and other ITS devices) into existing infrastructure to ensure proper operation. Use with the Construction/Program Delivery Appropriation.
1500	Traffic Mgt System Maintenance	Used by staff to maintain various Intelligent Transportation System (ITS) devices such as dynamic message signs, ramp meters, cameras, detection, cables, RICWS, video wall monitors, switches, routers or modems. Used to record all costs for maintenance activities related to traffic management fiber optics. Not to be used for Lighting or Traffic Signal maintenance.
1721	Traffic Sign Work Orders	Use for work involved in preparing work orders for traffic signs. Use only with Maintenance Operations appropriation (T790081).
2863	Traffic Signal Inspection	Work related to cyclical structural and electrical inspection and preventive maintenance checks of traffic signal systems/structures. Includes labor, equipment, materials, and traffic control.
1870	Traffic Signal Maintenance	Work related to the structural repair and replacement of traffic signal system structures and all electrical maintenance for traffic signal systems including electrical power, labor, equipment materials, GSOC locates, traffic control and responses to public inquiries.
2834	Waterway Maintenance	All tasks related to waterway maintenance for deck bridges. Includes debris removal, waterway cleanup, channel repair, and channel protection repair that is not part of slope protection. Includes related traffic control.

AGENDA SECTION

CONSENT

MEETING DATE

APRIL 11, 2022

ITEM:	Capital Equipment Replacement: Public Works Wheeled Excavator		
DEPARTMENT: Public Works		BY/DATE: Kevin Hansen 4/4/2022	
CITY STRATEGY: <i>(please indicate areas that apply by adding a bold "X" in front of the selected text below)</i>			
_ Safe Community		_ Diverse, Welcoming "Small-Town" Feel	
_ Economic Strength		_ Excellent Housing/Neighborhoods	
__ Equity and Affordability		X Strong Infrastructure/Public Services	
_ Opportunities for Play and Learning		_ Engaged, Multi-Generational, Multi-Cultural Population	

BACKGROUND: Existing Unit #128 is a 2000 CAT Tractor Backhoe with a projected life expectancy of 20 years. Unit #128 primary uses are for Utilities emergency repair operations in water, storm and sewer infrastructure. As of February 2022, 6,841 engine hours were recorded on Unit #128. It was purchased new in 2000 for \$69,692.17. As of February 2022, maintenance records indicate \$78,910 has been spent on repairs. The Vehicle Maintenance Supervisor rated Unit #128 condition as fair. The 2022 Public Works Capital Equipment Budget allocated \$200,000 for its replacement.

ANALYSIS/CONCLUSION: Public Works staff carefully reviewed past and projected use of Unit #128. A summary of the review is as follows: Unit #128 is 22 years old and has surpassed its useful life expectancy. Unit #128 is used for emergency response and maintenance and must be reliable for excavation and repair of water, sanitary, and storm infrastructure. By replacing Unit #128 with a wheeled excavator, a Volvo EWR130E, the ability to perform repairs will be enhanced and alternative uses within departments will ensure year-round utilization of the equipment. This machine can perform functions that current equipment does not. Specifically, an excavator can spin 360 degrees allowing work in narrow spaces and loading vehicles from behind the machine. This feature will be very useful when working in tight quarters in alleys or on street rights-of-way.

Public Works has not been able to test this machine to field verify that the features and functionality fit the needs of the department(s). Volvo will be sending an EWR130E Wheeled Excavator for us to demo in August 2022. Nuss Truck and Equipment in Burnsville, MN has guaranteed that if we decide we do not like the machine we will be able to cancel our order at no cost. Placing an order now allows us to get onto the waiting list, which is currently over one year, but also ensures we will not be stuck with a piece of equipment we are unfamiliar with.

\$200,000 was budgeted in the 2022 Capital Equipment for the replacement of the Tractor Backhoe--Funds 432 (Sewer), 433 (Water) and 438 (Storm)

STAFF RECOMMENDATION: Facilitated through the Office of State Procurement (OSP), staff recommends purchasing one (1) new 2022 Volvo EWR130E Wheeled Excavator with attachments from Nuss Truck and Equipment of Burnsville, MN, for \$208,675.00. (\$233,675.00 - \$25,000 trade-in).

RECOMMENDED MOTION(S):

MOTION: Move to authorize the purchase of one (1) new 2022 Volvo EWR130E Wheeled Excavator with attachments from Nuss Truck and Equipment in Burnsville, MN, for \$208,675.00 from the Water (433.9499.44999), Sewer (432.9499.44999) and Storm (438.9699.44999) funds.

AGENDA SECTION	CONSENT
MEETING DATE	APRIL 11, 2022

ITEM:	Capital Equipment Replacement: Public Works Patch Truck		
DEPARTMENT: Public Works		BY/DATE: Kevin Hansen 4/4/2022	
CITY STRATEGY: (please indicate areas that apply by adding a bold “X” in front of the selected text below)			
_Safe Community		_Diverse, Welcoming “Small-Town” Feel	
_Economic Strength		_Excellent Housing/Neighborhoods	
_Equity and Affordability		X Strong Infrastructure/Public Services	
_Opportunities for Play and Learning		_Engaged, Multi-Generational, Multi-Cultural Population	

BACKGROUND: Unit #37 is a 2001 Sterling SC 7000 ISB truck purchased new in 2001 from Boyer Ford for \$49,715. Unit #37 is equipped with a 2001 HD Industries TCM415-160 4.25-yard patch box fitted with a 150-gallon emulsion tank purchased for \$39,542 from Ruffridge Johnson Equipment Company in 2001.

The primary use of Unit #37 is for pothole and minor bituminous repairs. Unit #37 is designed to transport hot mix asphalt purchased from a commercial batch plant to the job site at a constant temperature inside a 4.25 cubic-yard insulated box.

ANALYSIS/CONCLUSIONS: Unit #37 has a suggested useful life expectancy of 15 years per the manufactory recommendations. It is 21 years old with 62,734 miles and 7,639 recorded engine hours, Maintenance records show \$25,522 spent on replacement parts and \$16,867 for shop labor. The Vehicle Maintenance Supervisor rated the overall condition of Unit #37 as "fair" to "poor." Staff recommendation is to dispose of Unit #37 via auction. \$215,000 was allocated in the 2022 Public Works Capital Equipment replacement fund.

STAFF RECOMMENDATION: Facilitated through the Office of State Procurement (OSP), staff recommends replacing Unit #37 with (1) new Western Star 47X cab and chassis through Boyer Ford Trucks, Inc. in Lauderdale, MN for the purchase price of \$100,953. The Western Star 47X will be equipped with (1) 4.0 cubic yard Stepp MFG STPH22-17 truck mounted asphalt pothole patcher from Stepp Manufacturing located in, North Branch MN for a purchase price of \$102,626.00.

RECOMMENDED MOTION(S):
MOTION: Move to authorize the purchase of (1) Western Star 47X Single Axle Cab & Chassis from Boyer Ford Trucks, Inc. of Lauderdale, MN for \$100,953 and (1) STPH22-17 asphalt pothole patcher from Stepp Manufacturing of North Branch MN for \$102,626 for a total amount of \$203,579 allocated from fund 431-3121.

ATTACHMENT(S): None

AGENDA SECTION	CONSENT
MEETING DATE	APRIL 11, 2022

ITEM:	Acquisition of Toyota Mini-Truck		
DEPARTMENT: Public Works		BY/DATE: Kevin Hansen 4/4/2022	
CITY STRATEGY: <i>(please indicate areas that apply by adding a bold “X” in front of the selected text below)</i>			
<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 checked="" 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: The Daihatsu Hijet (Toyota) model S510P Mini-Truck is an all-wheel-drive UTV with a hydraulic dump bed. The Toyota Min-Truck is both a versatile and capable small vehicle that can serve multiple departments and be used year-round.

ANALYSIS/CONCLUSION: Staff has identified the following key reasons for how a Daihatsu Hijet (Toyota) model S510P Mini-Truck would improve operations and efficiencies in Public Works:

- Low initial vehicle cost and low cost of operation.
- Strong, positive feedback from employees and multiple identified uses for the vehicle.
- The ability to accept special equipment designed specifically for emptying trash and recycling receptacles for the Park Department.
- The steering wheel is on the vehicle's right side, which offers an enhanced safety feature for performing various right of way activities. The driver can safely exit the vehicle on the roadway shoulder instead of into oncoming traffic.
- Support for plowing pathways, sidewalks and tight alleys.

In reviewing this vehicle with the MN dealer, vehicle trade-in(s) was discussed. Public Works has four vehicles that were slated for auction this year. Before pursuing the possibility of trade-in(s) with the dealer, staff reviewed this matter with the City Manager, Finance Director, and City Attorney. Provided that, the determination of accepted trade value was established, trading in more than one vehicle is acceptable from a legal and procedural perspective.

Using the KBB vehicle values, a no-cost trade for the vehicles of \$24,500 has been offered by the dealer for the purchase of a new Daihatsu Hijet (Toyota) model S510P Mini-Truck and a Western V Snowplow. Taxes and license will be paid by the city.

	A	B	C	D	E	F	G	H	I
1									
2	Vehicle	Year	Mileage	Trim	KBB Private Party Low	KBB Private Party High	KBB Trade- in low	KBB Trade- in high	
3	Ford Crown Victoria	2011	54,000	Interceptor	\$7,300.00	\$9,500.00	\$5,500.00	\$6,650.00	
4	Ford Crown Victoria	2011	71,400	Interceptor	\$6,500.00	\$8,400.00	\$4,700.00	\$5,900.00	
5	Ford E250	2001	72,400	Basic van	\$4,054.00	\$5,473.00	\$3,400.00	\$4,222.00	
6	Lincoln MKS	2009	129,000	AWD	\$6,200.00	\$8,600.00	\$3,907.00	\$5,528.00	
7									
8	Make	Year	Cost						
9	Daihatsu Hijet S510P	2021	\$20,500.00						
10	Western Snow Plow	2021	\$4,000.00						
11									
12	Total		\$24,500.00		\$24,054.00	\$31,973.00	\$17,507.00	\$22,300.00	
13									
14									
15									
16									
17									
18									

STAFF RECOMMENDATION: Staff is recommending the acquisition of a new Daihatsu Hijet (Toyota) model S510P Mini-Truck, and a Western V Snowplow from AR-MAR Service located in Bemidji, Minnesota at a net cost of \$0.00, plus tax and license.

RECOMMENDED MOTION(S):

MOTION: Move to authorize the acquisition of one (1) Daihatsu Hijet (Toyota) model S510P Mini-Truck, purchase cost \$20,500, and one 2022 Western V Snowplow, purchase cost \$4,000, for a net cost of \$0.00 after deducting for vehicle trade-ins, plus tax and license, from AR-MAR Service located in Bemidji, Minnesota.

ATTACHMENT(S): Mini-Truck Uses

Public Works Use of Mini Trucks:

Key Reasons:

- With the steering wheel on the vehicle's right side, the mini-truck offers an enhanced safety feature no other vehicles made in the United States can offer when setting up and taking down the various right of way activities. The driver can safely exit the vehicle on the roadway's shoulder instead of in oncoming traffic.
- Support for plowing pathways and tight alleys.

Parks Department:

Spring:

- A 4x4 truck is difficult to drive around park pathways. A mini-truck will reduce the number of accidents that frequently occur in the parks with our seasonal help due to driving a large vehicle along the pathways.
- The mini truck's lightweight footprint and low PSI tires reduce turf damage and enable crews to clean up parks in a more efficient manner.
- Other benefits from a light footprint:

Park event setup and takedown
 Snow fence installation
 Playground construction
 Shelter maintenance
 Irrigation repair
 Storm clean-up

Summer:

- Jamboree set up: the mini-truck is a better vehicle to post No Parking signs along Central and 40th Avenues due to its small size.
- Jamboree clean-up: the mini-truck will help the Park staff clean-up the parks after the event. The mini-truck will also aid in picking up No Parking signs and road cones.
- The mini-truck will help set up the beach swimming area by transporting the buoys, chains, and anchors down to the lake.
- The mini-truck's 4x4 capability will prevent the truck from getting stuck on the beach and rutting up the beach sand.
- The mini-truck's hydraulic dump box will aid in mulching trees off the pathway network, city-owned buildings, and transporting bare-root trees for planting.
- The hydraulic dump can be used in numerous ways for transporting materials around the park grounds without tearing up the grass.
- The mini-truck will help water the new trees planted in the TH47 medium safely. The mini-truck can drive down the center median, keeping crews out of the fast lane.
- The mini-truck is the perfect setup to maintain city flower beds along Central Ave, Wargo, JPM, and City Hall.
- The mini-truck's compact design enables the mini-truck to drive down the sidewalk, which helps support crews closer to the job site and keeps them off busy streets.
- The mini-truck will aid the parks with graffiti removal in tight, hard-to-reach areas when towing the trailer mounted pressure washer.
- The mini-truck offers an additional vehicle option for lining ballfields and maintaining the pools.

Fall

- With dump bed capabilities, cleaning up deadhead plants and shrubs for winter preparations can be done more efficiently.

Winter

- The mini-truck was ordered with a 4" inch lift, heavy-duty front coil springs, and all-terrain tires.
- In response to Public Works taking on additional pathways to maintain, the mini-truck offers Public Works an incredibly versatile snow plowing option.
- The Western snowplow offers a fully hydraulic UTV V-plow that could plow pathways in an affordable, efficient way compared to the cost of an additional Trackless MT. (note not a replacement for an MT but a supplemental option)
- The mini-truck could also support de-icing and anti-icing operations with many different combinations of readily available equipment.
- The mini-truck stands out in its ability to support sidewalk, alley, and road ice prevention.
- The mini-truck would also help a small crew carry snow blowers, shovels, and walk-behind spreaders for storm touch-ups without taking a large 4x4 off plowing operations.

Sign Department:Spring/ Summer/ Fall

- The only truck currently available for the Sign and Signal Department is a large F-450 bucket truck.
- The bucket truck is an expensive piece of equipment to own and maintain.
- A lot of daily tasks the Sign Department performs does not require the use of a bucket truck.
- To keep costs down, wear and tear to a minimum, and extend the life of the bucket truck, the Sign Department would use the mini-truck to tow the small aluminum trailer that carries the painter throughout the summer to touch up roadways.
- The mini-truck offers a more user-friendly way to set up and takedown type three barricades.

Street Department:Spring / Summer

- The mini-truck has been sent out to respond to numerous illegal dumping complaints. The mini-truck is a more comfortable way to load the items into the bed than a pickup truck.
- The mini-truck's low vehicle height and removable sides are unmatched.
- The mini-truck offers another vehicle option, which sometimes can be an issue due to the timing of the request and short notification of illegal dumping violations.

Winter

- The Street Department offers small size and incredible maneuverability to plow tight alleys hard for 4x4 trucks to do.
- The mini-truck could also salt those same alleys that are incredibly tight, steep, and dangerous for Public Works to send in a large class B truck.

**CITY COUNCIL MEETING**

Item 11.

AGENDA SECTION	CONSENT
MEETING DATE	APRIL 11, 2022

ITEM:	Rental Occupancy Licenses for Approval
DEPARTMENT: Fire	BY/DATE: Daniel O'Brien, 4/11/22
CITY STRATEGY: <i>(please indicate areas that apply by adding a bold "X" in front of the selected text below)</i>	
<input type="checkbox"/> Safe Community	<input type="checkbox"/> Diverse, Welcoming "Small-Town" Feel
<input type="checkbox"/> Economic Strength	<input checked="" type="checkbox"/> Excellent Housing/Neighborhoods
<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services
<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population

BACKGROUND: Consideration of approval of attached list of rental housing license applications

RECOMMENDED MOTION:
MOTION: Move to approve the items listed for rental housing license applications for April 11, 2022, in that they have met the requirements of the Property Maintenance Code.

ATTACHMENT:
Rental Licenses for Approval – 4-11-22



City Council Rental Occupancy Licenses for Approval.

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Ferris, Bradley 9445 Jennifer Ct Chisago City, MN 55013	411 40th Ave NE #Up	22-0004451 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Frlj, Nedim & Adisa 8401 Center Dr NE Spring Lake Park, MN 55432	3969 5th St NE	22-0004444 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Marget, Diane DJW Leasing, LLC 11674 Lakeview Ct Champlin, MN 55316	1011 41st Ave NE #213	22-0004397 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Parks, Brian 17351 88th Ave N Maple Grove, MN 55311	3713 Tyler St NE	22-0004423 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Urgessa, Gammada 1171 127th Ave NE Blaine, MN 55434	4040 Madison St NE	22-0004450 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Varughese, Meagan 3817 Hayes St NE Columbia Heights, MN 55421	3817 Hayes St NE #Up	22-0004430 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Zhagui, Jose 2526 Portland Ave S Minneapolis, MN 55404	4956 Jackson St NE	22-0004507 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00



CITY COUNCIL MEETING

Item 12.

AGENDA SECTION	CONSENT AGENDA
MEETING DATE	APRIL 11, 2022

ITEM:	LICENSE AGENDA	
DEPARTMENT:	COMMUNITY DEVELOPMENT	BY/DATE: Alicia Howe (April 6, 2022)
CITY STRATEGY: <i>(please indicate areas that apply by adding a bold "X" in front of the selected text below)</i>		
<input checked="" 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: Attached is the business license agenda for the April 11, 2022, City Council meeting. This agenda consists of applications for 2022 Contractor Licenses, 2022 Tree Contractor Licenses, and 2022 Temporary On-Sale Liquor Licenses. At the top of the license agenda there is a phrase stating "*Signed Waiver Form accompanied application", noting that the data privacy form has been submitted as required. If not submitted, certain information cannot be released to the public.

RECOMMENDED MOTION(S):
MOTION: Move to approve the items as listed on the business license agenda for April 11, 2022 as presented.

ATTACHMENT(S):

Contractor Licenses – 2022

Tree Contractor Licenses – 2022

Temporary On-Sale Liquor Licenses – 2022

TO CITY COUNCIL APR 11, 2022

*Signed Waiver Form accompanied application

Contractor Licenses – 2022

Renewal:

*LRP CONSTRUCTION CORP	5125 WOODRIDGE RD, MINNETONKA, MN	\$80.00
*PERFECTION HEATING & AIR COND.	1770 GERVAIS AVE, MAPLEWOOD, MN	\$80.00
*UNDERDAHL'S HEATING & AIR	7778 ARABIAN CIR, LINO LAKES, MN	\$80.00
*RICCAR HEATING & AIR COND.	2387 STATION PKWY, ANDOVER, MN	\$80.00
*SEASONAL CONTROL MECH. DIV.	6225 CAMBRIDGE ST #29 BOX A-2, ST LOUIS PARK, MN	\$80.00
*UNITED CONTRACTORS	2763 S COON CREEK DR, ANDOVER, MN	\$80.00

Tree Contractor Licenses – 2022

Renewals:

*CENTRAL MINNESOTA TREE SERV.	480 RICE CREEK BLVD, FRIDLEY, MN	\$80.00
*SORENSEN TREE SERV.	2500 W COUNTY RD B, ROSEVILLE, MN	\$80.00

Temporary On-Sale Liquor Licenses – 2022

New:

*CHURCH OF THE IMMACULATE CONCEPTION	4030 JACKSON ST, COLUMBIA HEIGHTS, MN	\$100.00
*CHURCH OF THE IMMACULATE CONCEPTION	4030 JACKSON ST, COLUMBIA HEIGHTS, MN	\$300.00

CITY OF COLUMBIA HEIGHTS

FINANCE DEPARTMENT

COUNCIL MEETING OF: April 11, 2022 .

STATE OF MINNESOTA

COUNTY OF ANOKA

CITY OF COLUMBIA HEIGHTS

Motion: Move that in accordance with Minnesota Statutes the City Council has reviewed the enclosed list of claims paid by check and by electronic funds transfer in the amount of \$1,425,656.16.

04/07/2022 12:22 PM
User: mchristensen
DB: Columbia Heights

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
CHECK DATE FROM 03/25/2022 - 04/07/2022

Page 1/22

Item 13.

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
03/31/2022	MAIN	190031	5617988	56 BREWING LLC	031622 INV	609.0000.14500	61.95
		190031	5617984		031622 INV	609.0000.14500	276.00
							337.95
03/31/2022	MAIN	190032	043821/R	ACE HARDWARE	RAKE	101.5200.42171	13.99
03/31/2022	MAIN	190033	69055	AID ELECTRIC SERVICE INC	ADD RECEIPT'S - TIRE BALANCER & CHAN	701.9950.44020	538.07
		190033	69057		REPLACE DAMAGED RECEP	701.9950.44020	172.77
							710.84
03/31/2022	MAIN	190034	031622	ALFERNES/DONNA M	TOTAL BODY CONDITIONING	101.5003.43050	420.00
03/31/2022	MAIN	190035	3562829682	AMERICAN BOTTLING COMPANY	031622 INV	609.0000.14500	395.15
		190035	3577415246		032322 INV	609.0000.14500	204.90
		190035	3577415247		032322 INV	609.0000.14500	(22.91)
							577.14
03/31/2022	MAIN	190036	263024140143	ANOKA COUNTY PROPERTY RECORDS	4950 CENT AVE FULL YEAR	603.9520.44390	155.54
		190036	263024210093		5225 UNIV AVE FULL YEAR	603.9520.44390	21.30
		190036	353024140151		825 41ST AVE FULL YEAR	603.9520.44390	545.16
		190036	353024310156		590 40TH AVE FULL YEAR	603.9520.44390	545.16
		190036	353024420117		530 MILL ST FULL YEAR	603.9520.44390	545.16
		190036	353024430008		637 38TH AVE FULL YEAR	603.9520.44390	819.08
		190036	353024430009		627 38TH AVE FULL YEAR	603.9520.44390	69.14
		190036	363024240025		1309 CIR TERR FULL YEAR	603.9520.44390	53.24
		190036	363024440025		2105 37TH AVE FULL YEAR	603.9520.44390	155.54
							2,909.32
03/31/2022	MAIN	190037	AR019607	ANOKA COUNTY TREASURER	LANGUAGE LINE 0222	101.2100.43250	356.38
03/31/2022	MAIN	190038	250000112186	ARAMARK UNIFORM & CAREER API	031522 MOPS,MATS,TOWELS	609.9791.44020	102.36
		190038	250000117099		032222 MOPS,MATS,TOWELS	609.9791.44020	130.22
		190038	250000113927		031722 MOPS,MATS,TOWELS	609.9792.44020	86.11
		190038	250000119247		032422 MOPS,MAS,TOWELS	609.9792.44020	89.33
		190038	250000114178		031722 MOPS,MATS,TOWELS	609.9793.44020	83.48
		190038	250000118679		032422 MOPS,MATS,TOWELS	609.9793.44020	86.70
							578.20
03/31/2022	MAIN	190039	3525903	ARTISAN BEER COMPANY	031722 INV	609.0000.14500	1,739.10
		190039	3525041		031122 INV	609.0000.14500	197.95
							1,937.05
03/31/2022	MAIN	190040	01P65094	ASTLEFORD INTERNATIONAL	HOSE KIT	701.0000.14120	5
		190040	01P65360		TUBE SLEEVES	701.0000.14120	57

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		190040	01P65771		MIRROR MOUNT	701.0000.14120	154.53
		190040	01P65837		RTN MODULE KIT	701.0000.14120	(44.50)
							673.18
03/31/2022	MAIN	190041	242855	BARNA GUZY & STEFFEN LTD	CIVIL CHGS 0222	101.1610.43041	4,209.00
		190041	242858		PROSECUTION 0222	101.1610.43042	9,318.00
		190041	242859		IN CUSTODY 0222	101.1610.43042	600.00
		190041	242772		PERSONNEL MATTERS 0222	101.1610.43045	225.00
							14,352.00
03/31/2022	MAIN	190042	0104896100	BELLBOY BAR SUPPLY	032322 INV	609.0000.14500	72.00
		190042	0104860000		031622 BAGS	609.9791.42171	468.50
							540.50
03/31/2022	MAIN	190043	0094047800	BELLBOY CORPORATION	031622 INV/DEL	609.0000.14500	225.00
		190043	0094045300		031622 INV/DEL	609.0000.14500	764.90
		190043	0094147500		032322 INV/DEL	609.0000.14500	1,441.00
		190043	0094045300		031622 INV/DEL	609.9791.42199	16.00
		190043	0094047800		031622 INV/DEL	609.9792.42199	10.00
		190043	0094147500		032322 INV/DEL	609.9792.42199	16.00
							2,472.90
03/31/2022	MAIN	190044	16680	BLACK STACK BREWING	031122 INV	609.0000.14500	154.00
		190044	16679		031122 INV	609.0000.14500	154.00
							308.00
03/31/2022	MAIN	190045	185454	BOURGET IMPORTS LLC	031722 INV/DEL	609.0000.14500	352.00
		190045	185454		031722 INV/DEL	609.9791.42199	8.75
							360.75
03/31/2022	MAIN	190046	343211159	BREAKTHRU BEVERAGE MN BEER	1030822 INV 700297717	609.0000.14500	1,515.00
		190046	343304633		031522 INV 700297736	609.0000.14500	50.60
		190046	343397918		032222 INV 700297717	609.0000.14500	140.60
		190046	343304631		031522 INV 700297717	609.0000.14500	65.00
							1,771.20
03/31/2022	MAIN	190047	343373432	BREAKTHRU BEVERAGE MN W&S LI	031822 INV/DEL 700297717	609.0000.14500	1,400.82
		190047	343373434		031822 INV/DEL 700297736	609.0000.14500	270.00
		190047	343373436		031822 INV/DEL 700297736	609.0000.14500	2,189.57
		190047	343373440		031822 INV/DEL 700297782	609.0000.14500	875.78
		190047	343373442		031822 INV/DEL 700297782	609.0000.14500	440.78
		190047	343464905		032522 INV/DEL 700297717	609.0000.14500	9
		190047	343464908		032522 INV/DEL 700297736	609.0000.14500	3

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		190047	343373441		031822 INV 700297782	609.0000.14500	63.00
		190047	343373435		031822 INV 700297736	609.0000.14500	63.00
		190047	343373432		031822 INV/DEL 700297717	609.9791.42199	31.05
		190047	343464905		032522 INV/DEL 700297717	609.9791.42199	17.25
		190047	343373434		031822 INV/DEL 700297736	609.9792.42199	3.45
		190047	343373436		031822 INV/DEL 700297736	609.9792.42199	28.94
		190047	343464908		032522 INV/DEL 700297736	609.9792.42199	9.20
		190047	343373440		031822 INV/DEL 700297782	609.9793.42199	17.25
		190047	343373442		031822 INV/DEL 700297782	609.9793.42199	2.30
							6,665.39
03/31/2022	MAIN	190048	6265	BROKEN CLOCK BREWING COOP	031622 INV	609.0000.14500	84.00
03/31/2022	MAIN	190049	2661827	CAPITOL BEVERAGE SALES LP	031422 INV	609.0000.14500	1,724.20
		190049	2663061		031622 INV	609.0000.14500	4,180.60
		190049	2663059		031622 INV	609.0000.14500	(126.47)
							5,778.33
03/31/2022	MAIN	190050	CHPD2022-3	CARDINAL INVESTIGATIONS	EMPLOYMENT BACKGROUND CHECKS	101.2100.43050	1,815.00
03/31/2022	MAIN	190051	14883	CARLSON COMMUNITY SOLAR LLC	032422 SOLAR GARDEN	101.1940.43810	129.95
		190051	14883		032422 SOLAR GARDEN	602.9600.43810	78.15
		190051	14883		032422 SOLAR GARDEN	701.9950.43810	733.53
							941.63
03/31/2022	MAIN	190052	8000014661-5	CENTER POINT ENERGY	031622 8000014661-5	101.1940.43830	1,773.41
		190052	8000014661-5		031622 8000014661-5	101.5129.43830	1,565.89
		190052	8000014661-5		031622 8000014661-5	101.5200.43830	1,171.58
		190052	8000014661-5		031622 8000014661-5	601.9600.43830	395.84
		190052	8000014661-5		031622 8000014661-5	609.9791.43830	1,440.34
		190052	8000014661-5		031622 8000014661-5	609.9792.43830	1,300.96
		190052	8000014661-5		031622 8000014661-5	609.9793.43830	245.86
		190052	8000014661-5		031622 8000014661-5	701.9950.43830	3,483.54
							11,377.42
03/31/2022	MAIN	190053	391304-00	CHAMBERLAIN OIL COMPANY INC	ATF, MOTOR OIL	701.0000.14120	874.33
		190053	391426-00		PURUS	701.0000.14120	1,713.89
		190053	391858-00		RTN OIL	701.0000.14120	(28.39)
							2,559.83
03/31/2022	MAIN	190054	5100491882	CINTAS FIRST AID-SAFETY	FIRST AID SUPPLIES	701.9950.42171	484.18
03/31/2022	MAIN	190055	4113209636	CINTAS INC	RUGS	101.1940.44020	
		190055	4113209764		MATS, TOWELS, AIR FRESH	101.2100.44020	

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		190055	4113209764		MATS, TOWELS, AIR FRESH	101.2200.44020	31.00
		190055	4113898439		UNIFORM RENTAL	701.9950.42172	30.79
							128.47
03/31/2022	MAIN	190056	142751449	COMCAST	031522 934571297	101.1110.43250	19.44
		190056	142751449		031522 934571297	101.1320.43250	29.16
		190056	142751449		031522 934571297	101.1510.43250	63.18
		190056	142751449		031522 934571297	101.1940.43250	4.86
		190056	142751449		031522 934571297	101.2100.43250	131.23
		190056	142751449		031522 934571297	101.2200.43250	121.50
		190056	142751449		031522 934571297	101.3100.43250	68.04
		190056	142751449		031522 934571297	101.3121.43250	9.72
		190056	142751449		031522 934571297	101.5000.43250	34.02
		190056	142751449		031522 934571297	101.5129.43250	9.72
		190056	142751449		031522 934571297	101.5200.43250	9.72
		190056	142751449		031522 934571297	201.2400.43250	14.58
		190056	142751449		031522 934571297	204.6314.43250	19.44
		190056	142751449		031522 934571297	225.9844.43250	14.58
		190056	142751449		031522 934571297	240.5500.43250	204.13
		190056	142751449		031522 934571297	601.9600.43250	4.86
		190056	142751449		031522 934571297	602.9600.43250	4.86
		190056	142751449		031522 934571297	609.9791.43250	653.61
		190056	142751449		031522 934571297	609.9792.43250	753.29
		190056	142751449		031522 934571297	609.9793.43250	614.73
		190056	142751449		031522 934571297	701.9950.43250	9.74
		190056	142751449		031522 934571297	720.9980.43250	131.23
							2,925.64
03/31/2022	MAIN	190057	Q476936	CORE & MAIN LP	OMNI3 C2 WATER METER, GASKETS	601.9600.42990	2,150.34
03/31/2022	MAIN	190058	14884	CORNILLIE 2 COMMUNITY SOLAR	032422 SOLAR GARDEN	101.5129.43810	765.37
		190058	14884		032422 SOLAR GARDEN	604.9600.43810	31.71
							797.08
03/31/2022	MAIN	190059	711601	CROCK'S PLUMBING INC	CAR WASH RPZ REPAIR	701.9950.44020	790.00
03/31/2022	MAIN	190060	2005585	CRYSTAL SPRINGS ICE LLC	032222 INV	609.0000.14500	81.52
		190060	2005582		032222 INV	609.0000.14500	89.43
							170.95
03/31/2022	MAIN	190061	879076	ECM PUBLISHERS INC	AD BIDS PROJECT 2202 & 2206	415.6400.43500.2202	129.38
		190061	883120		SEM MARCH 2022	609.9791.43420	1
		190061	883121		DIGITAL PROGRAMMATIC MARCH	609.9791.43420	3
		190061	883120		SEM MARCH 2022	609.9792.43420	148.00

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		190061	883121		DIGITAL PROGRAMMATIC MARCH	609.9792.43420	314.50
		190061	883120		SEM MARCH 2022	609.9793.43420	64.00
		190061	883121		DIGITAL PROGRAMMATIC MARCH	609.9793.43420	136.00
							1,379.38
03/31/2022	MAIN	190062	94931228	FLEETPRIDE INC	SHOES, DRUMS, KITS, SEALS	701.0000.14120	450.82
		190062	96911105		FILTERS	701.0000.14120	60.20
		190062	94789898		FILTERS	701.0000.14120	62.84
		190062	96523313		BATTERIES	701.0000.14120	193.36
		190062	94698514		RTN FILTER	701.0000.14120	(21.37)
		190062	94956172		RTN FILTER	701.0000.14120	(43.00)
							702.85
03/31/2022	MAIN	190063	976357	HARBOR FREIGHT TOOLS	WIRELESS WINCH	602.9600.42171	39.99
03/31/2022	MAIN	190064	E-3486	HEADFLYER BREWING	031022 INV	609.0000.14500	243.00
03/31/2022	MAIN	190065	SP-035-000086	HINTERLAND CSG, LLC	031622 SOLAR GARDEN	101.2100.43810	143.80
		190065	SP-035-000086		031622 SOLAR GARDEN	101.2200.43810	143.81
							287.61
03/31/2022	MAIN	190066	486959	HOHENSTEINS INC	031122 INV	609.0000.14500	866.40
		190066	486713		031122 INV	609.0000.14500	3,260.80
		190066	488647		031822 INV	609.0000.14500	221.30
		190066	486734		031122 INV	609.0000.14500	157.80
		190066	488685		031822 INV	609.0000.14500	1,721.30
		190066	488617		031822 INV	609.0000.14500	1,168.15
							7,395.75
03/31/2022	MAIN	190067	5610867	HOME DEPOT #2802	TORCH HEADS, CLAMPS	602.9600.42171	126.60
03/31/2022	MAIN	190068	IN3722751	INNOVATIVE OFFICE SOLUTIONS	CLEANER,WIPES, SPONGES,BAGS	609.9791.42171	22.99
		190068	IN3722751		CLEANER,WIPES, SPONGES,BAGS	609.9792.42171	13.83
		190068	IN3722751		CLEANER,WIPES, SPONGES,BAGS	609.9793.42171	2.30
							39.12
03/31/2022	MAIN	190069	3272490	JJ TAYLOR DIST OF MN	031022 INV/DEL	609.0000.14500	9,055.55
		190069	3272491		031022 INV/DEL	609.0000.14500	1,330.25
		190069	3272512		031622 INV/DEL	609.0000.14500	3,631.00
		190069	3272535		032322 INV/DEL	609.0000.14500	11,049.50
		190069	3272515		031722 INV/DEL	609.0000.14500	3,475.45
		190069	3272490		031022 INV/DEL	609.9791.42199	3.00
		190069	3272515		031722 INV/DEL	609.9791.42199	
		190069	3272512		031622 INV/DEL	609.9792.42199	

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		190069	3272535		032322 INV/DEL	609.9792.42199	3.00
		190069	3272491		031022 INV/DEL	609.9793.42199	3.00
							28,556.75
03/31/2022	MAIN	190070	2011622	JOHNSON BROS. LIQUOR CO.	031622 INV	609.0000.14500	140.30
		190070	2011625		031622 INV	609.0000.14500	213.10
		190070	2012718		031722 INV	609.0000.14500	112.00
		190070	2012716		031722 INV	609.0000.14500	266.85
		190070	2012714		031722 INV	609.0000.14500	454.33
		190070	2011614		031622 INV	609.0000.14500	492.00
		190070	2011610		031622 INV	609.0000.14500	492.00
		190070	2011628		031622 INV	609.0000.14500	419.64
		190070	2011621		031622 INV	609.0000.14500	1,080.00
		190070	2011613		031622 INV	609.0000.14500	135.00
		190070	2012723		031722 INV	609.0000.14500	184.00
		190070	2012725		031722 INV	609.0000.14500	365.02
		190070	2011629		031622 INV	609.0000.14500	414.14
		190070	2011627		031622 INV	609.0000.14500	269.96
		190070	2008116		031022 INV	609.0000.14500	80.00
		190070	2011609		031622 INV	609.0000.14500	72.00
		190070	2012726		031722 INV	609.0000.14500	261.20
		190070	2003719		030322 INV	609.0000.14500	789.00
		190070	2011612		031622 INV	609.0000.14500	492.00
		190070	2013790		031822 INV	609.0000.14500	570.00
		190070	2013789		031822 INV	609.0000.14500	320.00
		190070	2016163		032322 INV	609.0000.14500	76.00
		190070	2012721		031722 INV	609.0000.14500	254.10
		190070	2012724		031722 INV	609.0000.14500	289.93
		190070	2012722		031722 INV	609.0000.14500	661.50
		190070	2012715		031722 INV	609.0000.14500	181.71
		190070	2012712		031722 INV	609.0000.14500	1,140.00
		190070	2012713		031722 INV	609.0000.14500	47.00
		190070	2011619		031622 INV	609.0000.14500	389.25
		190070	2011618		031622 INV	609.0000.14500	1,712.50
		190070	2011617		031622 INV	609.0000.14500	339.64
		190070	2011616		031622 INV	609.0000.14500	431.92
		190070	2011615		031622 INV	609.0000.14500	269.96
		190070	2011611		031622 INV	609.0000.14500	135.00
		190070	2011623		031622 INV	609.0000.14500	414.14
		190070	2011626		031622 INV	609.0000.14500	457.21
		190070	2011624		031622 INV	609.0000.14500	4
		190070	2011620		031622 INV	609.0000.14500	1,6

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		190070	2012718		031722 INV	609.9791.42199	4.05
		190070	2012716		031722 INV	609.9791.42199	10.81
		190070	2012714		031722 INV	609.9791.42199	12.17
		190070	2011610		031622 INV	609.9791.42199	10.78
		190070	2008116		031022 INV	609.9791.42199	1.75
		190070	2003719		030322 INV	609.9791.42199	8.10
		190070	2016163		032322 INV	609.9791.42199	2.70
		190070	2012715		031722 INV	609.9791.42199	2.70
		190070	2012712		031722 INV	609.9791.42199	13.50
		190070	2012713		031722 INV	609.9791.42199	1.35
		190070	2011619		031622 INV	609.9791.42199	5.40
		190070	2011618		031622 INV	609.9791.42199	13.84
		190070	2011617		031622 INV	609.9791.42199	6.43
		190070	2011616		031622 INV	609.9791.42199	2.70
		190070	2011615		031622 INV	609.9791.42199	1.69
		190070	2011611		031622 INV	609.9791.42199	1.46
		190070	2011620		031622 INV	609.9791.42199	9.45
		190070	2011628		031622 INV	609.9792.42199	8.19
		190070	2011621		031622 INV	609.9792.42199	2.70
		190070	2011613		031622 INV	609.9792.42199	1.46
		190070	2012723		031722 INV	609.9792.42199	5.40
		190070	2012725		031722 INV	609.9792.42199	6.24
		190070	2011629		031622 INV	609.9792.42199	5.40
		190070	2011627		031622 INV	609.9792.42199	1.69
		190070	2011609		031622 INV	609.9792.42199	2.70
		190070	2012726		031722 INV	609.9792.42199	9.45
		190070	2011612		031622 INV	609.9792.42199	10.78
		190070	2012721		031722 INV	609.9792.42199	8.09
		190070	2012724		031722 INV	609.9792.42199	6.98
		190070	2012722		031722 INV	609.9792.42199	9.45
		190070	2011622		031622 INV	609.9793.42199	3.71
		190070	2011625		031622 INV	609.9793.42199	5.40
		190070	2011614		031622 INV	609.9793.42199	10.78
		190070	2013790		031822 INV	609.9793.42199	6.75
		190070	2013789		031822 INV	609.9793.42199	13.50
		190070	2011623		031622 INV	609.9793.42199	5.40
		190070	2011626		031622 INV	609.9793.42199	5.40
		190070	2011624		031622 INV	609.9793.42199	7.85

16,683.48

03/31/2022	MAIN	190071	23-10311-000-0000	LEO A DALY COMPANY INC	CITY HALL DESIGN THRU 122421	411.9999.43050.1911	22,9
		190071	23-10311-000-0000		CITY HALL DESIGN THRU 112621	411.9999.43050.1911	7,7

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							30,657.96
03/31/2022	MAIN	190072	13209	LUCID BREWING LLC	031522 INV	609.0000.14500	99.17
03/31/2022	MAIN	190073	020122	LUND/TIM	UNIFORM REIMBURSEMENT 2022	101.5200.42172	228.34
		190073	120624		BOOT REIMBURSEMENT 2022	101.5200.42173	200.00
							428.34
03/31/2022	MAIN	190074	43691	LUPULIN BREWING CO	031422 INV	609.0000.14500	147.50
		190074	992106		031522 INV	609.0000.14500	(36.99)
							110.51
03/31/2022	MAIN	190075	SP-151-000004	MADISON ENERGY INVESTMENTS	031822 SOLAR POWER	101.2100.43810	65.85
		190075	SP-151-000010		031822 SOLAR GARDEN	101.2100.43810	106.89
		190075	SP-150-000004		031822 SOLAR POWER	101.2100.43810	40.90
		190075	SP-150-000010		031822 SOLAR POWER	101.2100.43810	89.46
		190075	SP-151-000004		031822 SOLAR POWER	101.2200.43810	65.85
		190075	SP-151-000010		031822 SOLAR GARDEN	101.2200.43810	106.89
		190075	SP-150-000004		031822 SOLAR POWER	101.2200.43810	40.89
		190075	SP-150-000010		031822 SOLAR POWER	101.2200.43810	89.47
							606.20
03/31/2022	MAIN	190076	SP-001-000151	MADISON ENERGY INVESTMENTS	031622 SOLAR GARDEN	101.1940.43810	54.95
03/31/2022	MAIN	190077	622116	MCDONALD DISTRIBUTING CO	031122 INV	609.0000.14500	665.00
		190077	621498		031122 INV	609.0000.14500	325.00
		190077	623017		031822 INV	609.0000.14500	867.00
		190077	321515		031122 INV	609.0000.14500	(22.30)
		190077	622141		031122 INV	609.0000.14500	(85.00)
							1,749.70
03/31/2022	MAIN	190078	12947	MEGA BEER LLC	030922 INV	609.0000.14500	204.00
		190078	13127		031622 INV	609.0000.14500	273.00
							477.00
03/31/2022	MAIN	190079	65434	MENARDS CASHWAY LUMBER-FRIDLOCKS		101.2100.42171	11.99
		190079	65466		TRASH CAN,BAGS	101.2100.42171	47.95
		190079	65443		RETURN LOCKS, PURCHASE SHACKLE	101.2100.42171	(4.00)
		190079	65146		TOOL BOX LINERS	101.5200.42171	13.98
		190079	65084		PAINT BRUSHES	101.5200.42171	33.96
		190079	65125		PAINT BRUSHES	101.5200.42171	29.96
							133.84
03/31/2022	MAIN	190080	131247	MINNEAPOLIS SAW CO INC	SAWS	101.5200.42010	1

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03/31/2022	MAIN	190081	E-29649	MODIST BREWING CO LLC	031722 INV	609.0000.14500	98.00
		190081	E-29648		031722 INV	609.0000.14500	143.00
							241.00
03/31/2022	MAIN	190082	53730	NORTHERN SAFETY TECHNOLOGY	INSTALL TRACER LAMPS	101.2100.44000	333.04
03/31/2022	MAIN	190083	233613467001	OFFICE DEPOT	PENS	609.9791.42000	6.99
		190083	233606310001		TOWELS,CLEANER,BAGS,COPY PAPER	609.9791.42000	39.53
		190083	233606310001		TOWELS,CLEANER,BAGS,COPY PAPER	609.9791.42171	63.38
		190083	233606310001		TOWELS,CLEANER,BAGS,COPY PAPER	609.9792.42171	57.41
		190083	233613467001		PENS	609.9793.42000	3.49
							170.80
03/31/2022	MAIN	190084	158362	PAUSTIS & SONS WINE COMPANY	031022 INV/DEL	609.0000.14500	400.00
		190084	158356		031022 INV/DEL	609.0000.14500	400.00
		190084	159017		031622 INV/DEL	609.0000.14500	368.00
		190084	158356		031022 INV/DEL	609.9791.42199	7.00
		190084	159017		031622 INV/DEL	609.9791.42199	8.75
		190084	158362		031022 INV/DEL	609.9792.42199	7.00
							1,190.75
03/31/2022	MAIN	190085	6364810	PHILLIPS WINE & SPIRITS INC	031622 INV	609.0000.14500	732.00
		190085	6364813		031622 INV	609.0000.14500	429.75
		190085	6362010		031022 INV	609.0000.14500	180.00
		190085	6364815		031622 INV	609.0000.14500	358.50
		190085	6362008		031022 INV	609.0000.14500	696.00
		190085	6364809		031622 INV	609.0000.14500	122.00
		190085	6364814		031622 INV	609.0000.14500	366.00
		190085	6364816		031622 INV	609.0000.14500	282.50
		190085	6364812		031622 INV	609.0000.14500	409.20
		190085	6368330		032322 INV	609.0000.14500	52.75
		190085	6355999		022822 INV	609.0000.14500	288.00
		190085	6365711		031722 INV	609.0000.14500	270.00
		190085	6364808		031622 INV	609.0000.14500	540.00
		190085	6362008		031022 INV	609.9791.42199	4.05
		190085	6364809		031622 INV	609.9791.42199	1.35
		190085	6368330		032322 INV	609.9791.42199	2.70
		190085	6355999		022822 INV	609.9791.42199	12.15
		190085	6365711		031722 INV	609.9791.42199	1.35
		190085	6364808		031622 INV	609.9791.42199	4.05
		190085	6364813		031622 INV	609.9792.42199	
		190085	6362010		031022 INV	609.9792.42199	
		190085	6364815		031622 INV	609.9792.42199	5.41

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		190085	6364814		031622 INV	609.9792.42199	4.05
		190085	6364816		031622 INV	609.9792.42199	14.85
		190085	6364812		031622 INV	609.9792.42199	6.74
		190085	6364810		031622 INV	609.9793.42199	8.10
							<hr/> 4,796.90
03/31/2022	MAIN	190086	INV827631	PIONEER ATHLETICS	BALLFIELD BASES	101.5200.42010	2,119.65
03/31/2022	MAIN	190087	318686141	PREMIUM WATERS INC	032222 WATER	609.9791.42171	9.00
		190087	318683295		032122 WATER	609.9792.42171	13.50
		190087	318554984		010722 WATER	609.9793.42171	3.00
		190087	318665564		030822 WATER	609.9793.42171	13.50
		190087	318605798		020722 WATER	609.9793.42171	8.70
							<hr/> 47.70
03/31/2022	MAIN	190088	W-34039	PRYES BREWING COMPANY LLC	031522 INV	609.0000.14500	342.00
03/31/2022	MAIN	190089	2001813287	RED BULL DISTRIBUTION CO INC	031722 INV	609.0000.14500	270.75
		190089	2001813285		031722 INV	609.0000.14500	952.00
		190089	5001263170		032122 INV	609.0000.14500	510.00
							<hr/> 1,732.75
03/31/2022	MAIN	190090	421702	SHORT ELLIOT HENDRICKSON INC	37TH AVE WM REHAB	651.9999.43050.2203	2,758.32
03/31/2022	MAIN	190091	121921	SILVERDAHL/STEVE	CELL PHONE REIMB DEC 2021	720.9980.43211	60.00
03/31/2022	MAIN	190092	MN51041	SMALL LOT MN	031622 INV/DEL	609.0000.14500	288.00
		190092	MN51041		031622 INV/DEL	609.9791.42199	5.00
							<hr/> 293.00
03/31/2022	MAIN	190093	2190367	SOUTHERN GLAZER'S	031722 INV/DEL	609.0000.14500	98.50
		190093	2190365		031722 INV/DEL	609.0000.14500	67.75
		190093	2190363		031722 INV/DEL	609.0000.14500	192.00
		190093	2190364		031722 INV/DEL	609.0000.14500	881.65
		190093	2190368		031722 INV/DEL	609.0000.14500	447.50
		190093	2190370		031722 INV/DEL	609.0000.14500	896.47
		190093	2190369		031722 INV/DEL	609.0000.14500	514.60
		190093	2190358		031722 INV/DEL	609.0000.14500	3,013.50
		190093	2190357		031722 INV/DEL	609.0000.14500	204.40
		190093	2190360		031722 INV/DEL	609.0000.14500	447.50
		190093	2190361		031722 INV/DEL	609.0000.14500	457.77
		190093	2190497		031722 INV/DEL	609.0000.14500	292.40
		190093	2192774		032422 INV/DEL	609.0000.14500	
		190093	2192771		032422 INV/DEL	609.0000.14500	
		190093	2192767		032422 INV/DEL	609.0000.14500	
							<hr/> 1,510.00

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		190093	2192768		032422 INV/DEL	609.0000.14500	80.00
		190093	2192773		032422 INV/DEL	609.0000.14500	1,080.00
		190093	2190366		031722 INV/DEL	609.0000.14500	1,115.40
		190093	2180106		021722 INV/DEL	609.0000.14500	1,464.30
		190093	2192769		032422 INV/DEL	609.0000.14500	1,175.44
		190093	2190358		031722 INV/DEL	609.9791.42199	37.76
		190093	2190357		031722 INV/DEL	609.9791.42199	3.84
		190093	2190360		031722 INV/DEL	609.9791.42199	7.68
		190093	2190361		031722 INV/DEL	609.9791.42199	4.05
		190093	2192767		032422 INV/DEL	609.9791.42199	25.60
		190093	2192768		032422 INV/DEL	609.9791.42199	1.28
		190093	2190367		031722 INV/DEL	609.9792.42199	1.92
		190093	2190365		031722 INV/DEL	609.9792.42199	1.28
		190093	2190363		031722 INV/DEL	609.9792.42199	2.56
		190093	2190364		031722 INV/DEL	609.9792.42199	8.96
		190093	2190368		031722 INV/DEL	609.9792.42199	7.68
		190093	2190370		031722 INV/DEL	609.9792.42199	4.05
		190093	2190369		031722 INV/DEL	609.9792.42199	8.96
		190093	2192774		032422 INV/DEL	609.9792.42199	1.28
		190093	2192771		032422 INV/DEL	609.9792.42199	1.28
		190093	2192773		032422 INV/DEL	609.9792.42199	8.96
		190093	2192770		032422 DEL	609.9792.42199	10.24
		190093	2190366		031722 INV/DEL	609.9792.42199	15.36
		190093	2180106		021722 INV/DEL	609.9792.42199	34.56
		190093	2192769		032422 INV/DEL	609.9792.42199	16.64
		190093	2190497		031722 INV/DEL	609.9793.42199	5.12
							14,260.24
03/31/2022	MAIN	190094	306482	STARWIND SOFTWARE	VIRTUAL SAN ENTERPRISE LICENSES, PR437.9980.45180		8,400.00
03/31/2022	MAIN	190095	I1556382	STREICHER'S GUN'S INC/DON	BOLWRAP HOLSTERS, U-MOUNT MOLLE ATT101.2100.42172		1,318.80
03/31/2022	MAIN	190096	E-1537	URSA MINOR BREWING LLC	031522 INV	609.0000.14500	106.10
03/31/2022	MAIN	190097	9901576126	VERIZON WIRELESS	031022 742128747-00001	101.2100.43250	743.13
		190097	9900746580		030122 342019817-00001	101.3100.43211	240.09
		190097	9900746580		030122 342019817-00001	101.3121.43211	123.13
		190097	9900746580		030122 342019817-00001	101.5200.43211	123.12
		190097	9900746580		030122 342019817-00001	101.6102.43211	51.27
		190097	9900746580		030122 342019817-00001	601.9600.43211	219.04
		190097	9900746580		030122 342019817-00001	602.9600.43211	219.04
		190097	9900746580		030122 342019817-00001	604.9600.43211	61.27
		190097	9900746580		030122 342019817-00001	701.9950.43211	
		190097	9900746580		030122 342019817-00001	705.9970.43211	

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							1,882.63
03/31/2022	MAIN	190098	0300605-IN	VINOCOPIA INC	032422 INV/DEL	609.0000.14500	2,934.50
		190098	0300605-IN		032422 INV/DEL	609.9791.42199	46.25
							2,980.75
03/31/2022	MAIN	190099	CH-03182022	VIRIDI INVESTMENTS LLC	031822 SOLAR POWER	609.9791.43810	348.90
03/31/2022	MAIN	190100	227332	WARNING LITES OF MINNESOTA	600 LINEAR FEET OF 10' CONCRETE BAR	101.2100.42010	19,500.00
03/31/2022	MAIN	190101	9111043	WASTE MANAGEMENT OF WI-MN	IREFUSE AND RECYCLING 0222	603.9510.42910	98,827.64
		190101	9036695		REFUSE AND RECYCLING 1121	603.9510.42910	102,193.28
		190101	9111043		REFUSE AND RECYCLING 0222	603.9510.42920	22,580.46
		190101	9036695		REFUSE AND RECYCLING 1121	603.9510.42920	22,737.99
		190101	9111043		REFUSE AND RECYCLING 0222	603.9510.42930	24,524.68
		190101	9036695		REFUSE AND RECYCLING 1121	603.9510.42930	23,768.63
		190101	9111043		REFUSE AND RECYCLING 0222	603.9540.43050	134.40
		190101	9036695		REFUSE AND RECYCLING 1121	603.9540.43050	773.61
							295,540.69
03/31/2022	MAIN	190102	7372228	WINE MERCHANTS	031722 INV	609.0000.14500	115.00
		190102	7372228		031722 INV	609.9791.42199	8.10
							123.10
03/31/2022	MAIN	190103	IV51589	WINTER EQUIPMENT COMPANY INC	PLOW FLAGS	701.0000.14120	409.44
03/31/2022	MAIN	190104	R-019494-000-2	WSB & ASSOCIATES INC	MS4 SVCS 010122-013122	604.9600.43050	1,204.00
03/31/2022	MAIN	190105	51-4159573-1	XCEL ENERGY (N S P)	031422 51-4159573-1	101.3121.43810	67.34
		190105	954183562		030922 51-4159573-1	101.3160.43810	451.86
		190105	51-4159573-1		031422 51-4159573-1	101.3160.43810	13,120.76
		190105	0954506768		031022 INV	101.3160.43810	31.89
		190105	0954508331		031022 51-7867659-8	101.3160.43810	207.59
		190105	0956588496		032122 51-4350334-8	101.5129.43810	1,031.11
		190105	0954511386		031022 51-8042065-3	101.5200.43810	14.10
		190105	0954529868		031022 51-9597586-9	101.5200.43810	16.76
		190105	0954561281		031022 51-0012266105-3	101.5200.43810	105.17
		190105	0954529963		031022 51-0010057576-7	101.5200.43810	131.95
		190105	0955113217		031422 51-5950185-0	101.5200.43810	153.46
		190105	0955467765		031522 51-7654903-4	101.5200.43810	219.18
		190105	51-4159573-1		031422 51-4159573-1	101.5200.43810	896.53
		190105	0954543568		031022 51-0011039127-7	101.5200.43810	38.07
		190105	0954528226		031022 51-9893848-4	212.3190.43810	5
		190105	51-4159573-1		031422 51-4159573-1	212.3190.43810	5
		190105	0954554942		031022 51-0011980129-4	212.3190.43810	201.95

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		190105	0954577763		031022 51-0013059132-8	228.6317.43810	1,279.54
		190105	0954576561		031022 51-0012469064-3	408.6414.43810	27.76
		190105	51-4159573-1		031422 51-4159573-1	601.9600.43810	1,050.03
		190105	51-4159573-1		031422 51-4159573-1	602.9600.43810	234.82
		190105	0954580478		031022 51-0013099828-3	602.9600.43810	283.78
		190105	51-4159573-1		031422 51-4159573-1	603.9530.43810	120.85
		190105	51-4159573-1		031422 51-4159573-1	604.9600.43810	46.68
		190105	304506262		031022 51-0010836533-8	604.9600.43810	91.59
		190105	0954825328		031122 51-8335212-3	609.9792.43810	588.82
		190105	0954484509		031022 51-4436024-5	609.9793.43810	426.30
		190105	51-4159573-1		031422 51-4159573-1	701.9950.43810	671.96
							22,117.11
03/31/2022	MAIN	190106	0188350-IN	ZARNOTH BRUSH WORKS, INC	POLY BROOM	701.0000.14120	435.20
04/07/2022	MAIN	190107	69056	AID ELECTRIC SERVICE INC	REPLACE BALLAST	101.1940.44020	150.26
		190107	69017		LIGHTING RETROFIT VAN BUREN PARKING	420.6317.44000.1915	10,000.00
		190107	69058		TROUBLESHOOT CONVEYOR	609.9793.44020	2,152.50
							12,302.76
04/07/2022	MAIN	190108	B220316G	ANOKA COUNTY	BROADBAND CONN 0422	101.2100.43250	37.50
		190108	B220316G		BROADBAND CONN 0422	101.2200.43250	37.50
		190108	B220316G		BROADBAND CONN 0422	101.3100.43250	18.75
		190108	B220316G		BROADBAND CONN 0422	101.3121.43250	3.75
		190108	B220316G		BROADBAND CONN 0422	101.5200.43250	3.75
		190108	B220316G		BROADBAND CONN 0422	601.9600.43250	3.75
		190108	B220316G		BROADBAND CONN 0422	602.9600.43250	3.75
		190108	B220316G		BROADBAND CONN 0422	701.9950.43250	3.75
							112.50
04/07/2022	MAIN	190109	250000121823	ARAMARK UNIFORM & CAREER API	032922 MOPS,MATS,TOWELS	609.9791.44020	105.58
		190109	250000124420		033122 MOPS,MATS,TOWELS	609.9792.44020	89.33
		190109	250000123904		033122 MOPS,MATS,TOWELS	609.9793.42199	86.70
							281.61
04/07/2022	MAIN	190110	3526261	ARTISAN BEER COMPANY	031822 INV	609.0000.14500	40.00
		190110	3526260		031822 INV	609.0000.14500	1,952.80
		190110	3527059		032422 INV	609.0000.14500	544.75
		190110	3527339		032522 INV	609.0000.14500	456.25
		190110	328135		031522 INV	609.0000.14500	(333.68)
		190110	3521340		021722 INV	609.0000.14500	(120.00)
							2,5

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04/07/2022	MAIN	190111	2036564765	BAKER & TAYLOR	BOOK ORDER	240.5500.42180	440.45
		190111	2036571856		BOOK ORDER	240.5500.42180	460.04
		190111	2036575083		BOOK ORDER	240.5500.42180	343.92
		190111	2036600247		BOOK ORDER	240.5500.42180	190.82
		190111	2036563701		BOOK ORDER	240.5500.42180	14.28
							<hr/> 1,449.51
04/07/2022	MAIN	190112	242857	BARNA GUZY & STEFFEN LTD	3989 CENTRAL LEGAL SERVICES	408.6314.43050	420.00
04/07/2022	MAIN	190113	0104900000	BELLBOY BAR SUPPLY	032322 C-FOLD TOWELS	101.0000.20815	(2.47)
		190113	0104929300		033022 INV	609.0000.14500	178.42
		190113	0104923800		033022 BAGS	609.0000.14500	221.70
		190113	0104895800		032322 BAGS	609.9792.42171	138.00
		190113	0104900000		032322 C-FOLD TOWELS	609.9792.42171	38.47
							<hr/> 574.12
04/07/2022	MAIN	190114	0093958100	BELLBOY CORPORATION	030922 INV/DEL	609.0000.14500	2,236.39
		190114	0094052600		031622 INV/DEL	609.0000.14500	367.00
		190114	0094050200		031622 INV/DEL	609.0000.14500	2,249.50
		190114	0094053400		031622 INV/DEL	609.0000.14500	124.50
		190114	0094053300		031622 INV/DEL	609.0000.14500	124.50
		190114	0094103500		031722 INV/DEL	609.0000.14500	(420.00)
		190114	0094193100		032422 INV/DEL	609.0000.14500	(80.00)
		190114	0094110800		031822 INV	609.0000.14500	(800.00)
		190114	0093958100		030922 INV/DEL	609.9791.42199	34.00
		190114	0094052600		031622 INV/DEL	609.9791.42199	8.00
		190114	0094053300		031622 INV/DEL	609.9791.42199	8.00
		190114	0094103500		031722 INV/DEL	609.9791.42199	(8.25)
		190114	0094050200		031622 INV/DEL	609.9792.42199	30.00
		190114	0094053400		031622 INV/DEL	609.9792.42199	8.00
		190114	0094193100		032422 INV/DEL	609.9792.42199	(1.65)
							<hr/> 3,879.99
04/07/2022	MAIN	190115	16848	BLACK STACK BREWING	032422 INV	609.0000.14500	72.00
04/07/2022	MAIN	190116	INV-011141	BLUME BRAUHAUS LLC	032922 INV	609.0000.14500	48.84
04/07/2022	MAIN	190117	0285737	BOLTON & MENK, INC	MANHOLE RECONSTRUCTION IMPROVEMENTS	652.9999.43050.2204	6,028.50
04/07/2022	MAIN	190118	343487535	BREAKTHRU BEVERAGE MN BEER	1032922 INV 700297736	609.0000.14500	28.20
		190118	343487533		032922 INV 700297717	609.0000.14500	38.40
		190118	342874141		020922 INV 700297782	609.0000.14500	1,209.00
		190118	342940304		021522 INV 700297736	609.0000.14500	2,7
		190118	342940302		021522 INV 700297717	609.0000.14500	8,1

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		190118	343397920		032222 INV 700297736	609.0000.14500	26.60
		190118	343211160		030822 INV 700297736	609.0000.14500	3,527.40
		190118	343234301		030922 INV 700297782	609.0000.14500	722.60
		190118	343146392		030222 INV 700297736	609.0000.14500	4,530.75
		190118	343128580		030122 INV 700297717	609.0000.14500	8,900.05
		190118	343023186		022222 INV 700297717	609.0000.14500	11,777.05
		190118	343023188		022222 INV 700297736	609.0000.14500	9,618.75
		190118	409497443		030422 INV 700297736	609.0000.14500	(40.80)
		190118	409497440		030422 INV 700297736	609.0000.14500	(23.65)
		190118	409431929		021322 INV 700297782	609.0000.14500	(27.00)
		190118	409497445		030422 INV 700297736	609.0000.14500	(12.36)
		190118	409497441		030422 INV 700297736	609.0000.14500	(153.78)
		190118	409497430		030422 INV 700297717	609.0000.14500	(46.00)
		190118	409497433		030422 INV 700297717	609.0000.14500	(28.80)
		190118	409497431		030422 INV 700297717	609.0000.14500	(55.96)
		190118	409497437		030422 INV 700297717	609.0000.14500	(23.65)
		190118	409497435		030422 INV 700297717	609.0000.14500	(57.60)
		190118	409501652		030722 INV 700297736	609.0000.14500	(27.70)
		190118	409452215		021822 INV 700297736	609.0000.14500	(623.40)
		190118	409497295		030422 INV 700297717	609.0000.14500	(500.00)
		190118	409517193		031122 INV 700297736	609.0000.14500	(71.60)
		190118	409534449		031622 INV 700297782	609.0000.14500	(24.00)
		190118	409496746		030422 INV 700297736	609.0000.14500	(20.00)
		190118	409485277		030222 INV 700297717	609.0000.14500	(522.20)
		190118	409465236		022322 INV 700297717	609.0000.14500	(73.80)
		190118	409465237		022322 INV 700297736	609.0000.14500	(297.10)
							48,592.52
04/07/2022	MAIN	190119	343464906	BREAKTHRU BEVERAGE MN W&S	LJ032522 INV/DEL 700297717	609.0000.14500	852.70
		190119	343464904		032522 INV/DEL 700297717	609.0000.14500	79.22
		190119	343464906		032522 INV/DEL 700297717	609.9791.42199	11.50
		190119	343464904		032522 INV/DEL 700297717	609.9791.42199	0.38
							943.80
04/07/2022	MAIN	190120	2665927	CAPITOL BEVERAGE SALES LP	032322 INV	609.0000.14500	9,126.78
		190120	2664149		032122 INV	609.0000.14500	662.78
		190120	2667051		032822 INV	609.0000.14500	1,609.31
		190120	2665926		032322 INV	609.0000.14500	(13.30)
		190120	2664147		032122 INV	609.0000.14500	(10.63)
		190120	2667050		032822 INV	609.0000.14500	(18.03)
		190120	2666544		032322 INV	609.0000.14500	
							11,3

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04/07/2022	MAIN	190121	391734-00	CHAMBERLAIN OIL COMPANY INC	OIL	701.0000.14120	36.11
04/07/2022	MAIN	190122	4114769794	CINTAS INC	MOPS JPM 032922	101.5129.44020	30.10
		190122	4114086521		MOPS, MATS JPM 032222	101.5129.44020	91.33
		190122	4114586232		UNIFORM RENTAL 032522	701.9950.42172	30.79
							152.22
04/07/2022	MAIN	190123	964048	COMPASS MINERALS AMERICA INC	DE-ICING SALT	101.3121.42161	15,154.87
04/07/2022	MAIN	190124	P0517	CONCRETE LIFTING INC	MUDJACKING VOID 45TH AVE NE	601.9600.44000	2,000.00
04/07/2022	MAIN	190125	P195719	CORE & MAIN LP	OMNI REGISTER	601.9600.42010	320.00
04/07/2022	MAIN	190126	883426	ECM PUBLISHERS INC	BOARD OF APPEAL & EQUALIZATION 0325	101.1110.43500	67.50
		190126	883427		LIQ FINANCIAL STATMENTS 032522	101.1510.43500	196.88
							264.38
04/07/2022	MAIN	190127	89959	EHLERS & ASSOCIATES INC	REUTER WALTON TIF	408.6314.43050	1,650.00
		190127	89958		REUTER WALTON TIF	408.6314.43050	925.00
							2,575.00
04/07/2022	MAIN	190128	22061	ENVIRONMENTAL EQUIP & SVCS	CURTAINS, LINER, CAULK, SCREWS	701.0000.14120	1,080.00
04/07/2022	MAIN	190129	97588232	FLEETPRIDE INC	FILTER	701.0000.14120	71.84
		190129	97565198		HYDRAULIC HOSE	701.0000.14120	116.89
		190129	96910941		FILTERS	701.0000.14120	142.56
							331.29
04/07/2022	MAIN	190130	4342-860338	GENUINE PARTS/NAPA AUTO	HEADLAMP BULB	701.0000.14120	44.73
		190130	4342-860441		SPARK PLUGS	701.0000.14120	71.20
		190130	4342-860421		U-BOLTS	701.0000.14120	4.58
							120.51
04/07/2022	MAIN	190131	01164461-00	GOODIN CO INC	GJ UNION, TEE, MALL CAP, ADPT, CORE	101.5200.42171	21.60
		190131	01163391-00		COP TUBES, SOLDER, BALL VALVES	101.5200.42171	347.68
		190131	01163806-00		TEE, COUPLERS, SAND CLOTH	101.5200.42171	44.20
							413.48
04/07/2022	MAIN	190132	E-3514	HEADFLYER BREWING	032422 INV	609.0000.14500	289.00
04/07/2022	MAIN	190133	59530	HIGH PROFILE GROUNDS MAINT	VAN BUREN RAMP MAINTINANCE	228.6317.44000	939.75
04/07/2022	MAIN	190134	700496957	HILLYARD INC	VACUUM REPAIR	240.5500.44000	213.85
04/07/2022	MAIN	190135	490912	HOHENSTEINS INC	032522 INV	609.0000.14500	4,7
		190135	490629		032522 INV	609.0000.14500	2,9
		190135	490660		032522 INV	609.0000.14500	433.80

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							8,121.75
04/07/2022	MAIN	190136	3010723	HOME DEPOT #2802	GREASE GUN	101.3121.42010	199.00
		190136	7015636		TOOL BOX, PIPE CUTTER, MARKING WAND	101.3121.42171	96.91
		190136	12084		WRENCHES, PLIERS	101.3121.42171	220.29
		190136	7015636		TOOL BOX, PIPE CUTTER, MARKING WAND	101.5200.42171	147.02
		190136	1021556		BALL VALVE, ROD, CEILING PLATE	101.5200.42171	25.72
		190136	7014576		ROUTER BITS, FILTER, SANDING DISCS	101.5200.42171	80.91
		190136	9241419		RETURN GRINDER DISK	601.9600.42171	(26.91)
							742.94
04/07/2022	MAIN	190137	W60940	HORWITZ INC	HEATER REPAIR	101.5200.44000	582.25
		190137	W60931		BOILER REPAIR	240.5500.44020	2,849.02
		190137	W60936		ENTRYWAY HEATER REPAIR	609.9791.44020	438.03
		190137	W60938		COMPRESSOR REPAIR	609.9792.44020	646.30
		190137	W60935		ENTRYWAY HEATER REPAIR	609.9792.44020	257.10
							4,772.70
04/07/2022	MAIN	190138	14779	INTEGRATED LOSS CONTROL INC	0422 SAFETY SERVICES	101.3121.43105	75.66
		190138	14779		0422 SAFETY SERVICES	101.5200.43105	75.67
		190138	14779		0422 SAFETY SERVICES	601.9600.43105	75.66
		190138	14779		0422 SAFETY SERVICES	602.9600.43105	75.67
		190138	14779		0422 SAFETY SERVICES	604.9600.43105	75.67
		190138	14779		0422 SAFETY SERVICES	701.9950.43105	75.67
							454.00
04/07/2022	MAIN	190139	ORDUS137975	J.D. POWER AND ASSOCIATES	NADA USED CAR BOOKS	240.5500.42181	119.00
04/07/2022	MAIN	190140	3272538	JJ TAYLOR DIST OF MN	032422 INV/DEL	609.0000.14500	3,459.60
		190140	3272537		032422 INV/DEL	609.0000.14500	1,760.65
		190140	3272538		032422 INV/DEL	609.9791.42199	3.00
		190140	3272537		032422 INV/DEL	609.9793.42199	3.00
							5,226.25
04/07/2022	MAIN	190141	2016166	JOHNSON BROS. LIQUOR CO.	032322 INV	609.0000.14500	666.00
		190141	2016158		032322 INV	609.0000.14500	387.00
		190141	2017310		032522 INV	609.0000.14500	47.00
		190141	2017300		032522 INV	609.0000.14500	235.00
		190141	2017314		032522 INV	609.0000.14500	463.00
		190141	2014123		032122 INV	609.0000.14500	263.16
		190141	2014156		032122 INV	609.0000.14500	263.16
		190141	2016173		032322 INV	609.0000.14500	2
		190141	2017312		032522 INV	609.0000.14500	8

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		190141	2014124		032122 INV	609.0000.14500	300.84
		190141	2014155		032122 INV	609.0000.14500	4,101.84
		190141	2016171		032322 INV	609.0000.14500	1,012.00
		190141	2016169		032322 INV	609.0000.14500	181.20
		190141	2016157		032322 INV	609.0000.14500	2,569.50
		190141	2016170		032322 INV	609.0000.14500	124.20
		190141	2017313		032522 INV	609.0000.14500	196.00
		190141	2017311		032522 INV	609.0000.14500	80.00
		190141	2017209		032522 INV	609.0000.14500	360.80
		190141	2017308		032522 INV	609.0000.14500	84.00
		190141	2017304		032322 INV	609.0000.14500	80.00
		190141	2017302		032322 INV	609.0000.14500	395.33
		190141	2017306		032322 INV	609.0000.14500	428.85
		190141	2018210		032622 INV	609.0000.14500	100.00
		190141	2018209		032622 INV	609.0000.14500	300.80
		190141	2018208		032622 INV	609.0000.14500	402.50
		190141	2016167		032322 INV	609.0000.14500	36.00
		190141	2016168		032322 INV	609.0000.14500	128.00
		190141	2014157		032122 INV	609.0000.14500	2,624.28
		190141	2014154		032122 INV	609.0000.14500	263.16
		190141	2016156		032322 INV	609.0000.14500	2,776.50
		190141	2016160		032322 INV	609.0000.14500	228.00
		190141	2016161		032322 INV	609.0000.14500	1,682.00
		190141	2016162		032322 INV	609.0000.14500	200.00
		190141	2016164		032322 INV	609.0000.14500	1,780.00
		190141	2017301		032322 INV	609.0000.14500	47.00
		190141	2017299		032322 INV	609.0000.14500	282.00
		190141	2017298		032322 INV	609.0000.14500	600.00
		190141	2017296		032322 INV	609.0000.14500	320.00
		190141	2017297		032322 INV	609.0000.14500	629.00
		190141	2017303		032322 INV	609.0000.14500	76.00
		190141	2017305		032322 INV	609.0000.14500	181.71
		190141	2014155		032122 INV	609.9791.42199	91.80
		190141	2017304		032322 INV	609.9791.42199	1.35
		190141	2017302		032322 INV	609.9791.42199	10.80
		190141	2017306		032322 INV	609.9791.42199	16.20
		190141	2018210		032622 INV	609.9791.42199	1.35
		190141	2018209		032622 INV	609.9791.42199	9.48
		190141	2018208		032622 INV	609.9791.42199	5.41
		190141	2014154		032122 INV	609.9791.42199	4.05
		190141	2016156		032322 INV	609.9791.42199	
		190141	2016160		032322 INV	609.9791.42199	

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		190141	2016161		032322 INV	609.9791.42199	22.94
		190141	2016162		032322 INV	609.9791.42199	1.35
		190141	2016164		032322 INV	609.9791.42199	8.78
		190141	2017301		032322 INV	609.9791.42199	1.35
		190141	2017299		032322 INV	609.9791.42199	8.10
		190141	2017298		032322 INV	609.9791.42199	8.10
		190141	2017296		032322 INV	609.9791.42199	13.50
		190141	2017297		032322 INV	609.9791.42199	5.40
		190141	2017303		032322 INV	609.9791.42199	2.70
		190141	2017305		032322 INV	609.9791.42199	2.70
		190141	2017310		032522 INV	609.9792.42199	1.35
		190141	2017300		032522 INV	609.9792.42199	6.75
		190141	2017314		032522 INV	609.9792.42199	8.10
		190141	2014156		032122 INV	609.9792.42199	4.05
		190141	2016173		032322 INV	609.9792.42199	1.35
		190141	2017312		032522 INV	609.9792.42199	10.81
		190141	2016171		032322 INV	609.9792.42199	9.45
		190141	2016169		032322 INV	609.9792.42199	4.05
		190141	2016157		032322 INV	609.9792.42199	9.45
		190141	2016170		032322 INV	609.9792.42199	4.05
		190141	2017313		032522 INV	609.9792.42199	8.10
		190141	2017311		032522 INV	609.9792.42199	1.35
		190141	2017209		032522 INV	609.9792.42199	12.15
		190141	2017308		032522 INV	609.9792.42199	1.35
		190141	2014157		032122 INV	609.9792.42199	51.30
		190141	2016166		032322 INV	609.9793.42199	5.41
		190141	2016158		032322 INV	609.9793.42199	1.35
		190141	2014123		032122 INV	609.9793.42199	4.05
		190141	2014124		032122 INV	609.9793.42199	6.75
		190141	2016167		032322 INV	609.9793.42199	1.35
		190141	2016168		032322 INV	609.9793.42199	2.70
							26,311.31
04/07/2022	MAIN	190142	166137	KENNEDY & GRAVEN	REUTER WALTON TIF	408.6314.43050	161.25
		190142	166302		HUSET PARK DEV & REUTER WALTON TIF	408.6314.43050	813.00
		190142	166520		PREPARE PURCHASE AGREEMENT	609.9794.45120	285.00
							1,259.25
04/07/2022	MAIN	190143	021022	LEAGUE OF MN CITIES INS TRU	2022 WORKERS COMP	884.9940.41510	201,416.00
04/07/2022	MAIN	190144	43896	LUPULIN BREWING CO	032322 INV	609.0000.14500	231.00
04/07/2022	MAIN	190145	INV9742236	MARCO, INC	PRINTER MAINT SERVICES	240.5500.44000	

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		190145	INV9769143		COPY MAINT SERVICES	240.5500.44000	168.21
							211.42
04/07/2022	MAIN	190146	624011	MCDONALD DISTRIBUTING CO	032522 INV	609.0000.14500	988.00
		190146	623497		032522 INV	609.0000.14500	381.00
							1,369.00
04/07/2022	MAIN	190147	65101	MENARDS CASHWAY LUMBER-FRIDIHOSE NOZZLES, HACKSAW, REFLECTIVE S	101.2200.42171		34.25
		190147	64032		SPRAY PAINT, RATCHET STRAP	101.3121.42171	29.85
		190147	64051		SPRAY PAINT	101.3121.42171	23.38
		190147	65321		TAPE, WASHERS, CLEANERS	101.3170.42171	33.75
		190147	65100		LIGHT BULBS	701.9950.42171	14.97
		190147	65025		LIGHT BULBS	701.9950.42171	34.99
		190147	65098		RETURN LIGHT BULBS	701.9950.42171	(34.99)
							136.20
04/07/2022	MAIN	190148	0001137727	METROPOLITAN COUNCIL WASTEW	MAY 2022 WASTEWATER	602.9480.42900	107,400.61
04/07/2022	MAIN	190149	501819025	MIDWEST TAPE	DVD ORDER	240.5500.42189	42.22
		190149	501796209		DVD ORDER	240.5500.42189	63.69
							105.91
04/07/2022	MAIN	190150	E-29839	MODIST BREWING CO LLC	032422 INV	609.0000.14500	185.25
04/07/2022	MAIN	190151	804458941	NEW YORK TIMES/THE	ONE YEAR SUBSCRIPTION - SUNDAYS	240.5500.42181	520.00
04/07/2022	MAIN	190152	231266535001	OFFICE DEPOT	STICKERS, TAPE, PAPER, MASKS	240.5500.42000	189.65
04/07/2022	MAIN	190153	0001299397	ON SITE SANITATION INC	SATELLITE RENT	101.5200.44100	199.00
		190153	0001299398		SATELLITE RENT	101.5200.44100	113.00
		190153	0001299399		SATELLITE RENT	101.5200.44100	130.00
		190153	0001299400		SATELLITE RENT	101.5200.44100	58.00
		190153	0001299401		SATELLITE RENT	101.5200.44100	58.00
							558.00
04/07/2022	MAIN	190154	189217	PAPER ROLL PRODUCTS	RECEIPT PAPER ROLLS	240.5500.42171	255.44
04/07/2022	MAIN	190155	5096133	PARAGON DEVELOPMENT SYSTMS	MICROSOFT OFFICE 365 MIGRATION	720.9980.43050	1,222.50
04/07/2022	MAIN	190156	6356000	PHILLIPS WINE & SPIRITS INC	022822 INV	609.0000.14500	288.00
		190156	6369247		032522 INV	609.0000.14500	150.00
		190156	6368334		032322 INV	609.0000.14500	391.50
		190156	6368332		032322 INV	609.0000.14500	303.95
		190156	6368333		032322 INV	609.0000.14500	
		190156	6368328		032322 INV	609.0000.14500	
		190156	6368329		032322 INV	609.0000.14500	1,065.00

04/07/2022 12:22 PM
User: mchristensen
DB: Columbia Heights

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
CHECK DATE FROM 03/25/2022 - 04/07/2022

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Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		190156	6369249		032322 INV	609.0000.14500	287.00
		190156	6369248		032322 INV	609.0000.14500	292.50
		190156	6368328		032322 INV	609.9791.42199	1.35
		190156	6368329		032322 INV	609.9791.42199	14.86
		190156	6369249		032322 INV	609.9791.42199	5.40
		190156	6369248		032322 INV	609.9791.42199	2.70
		190156	6356000		022822 INV	609.9792.42199	12.15
		190156	6369247		032522 INV	609.9792.42199	2.70
		190156	6368334		032322 INV	609.9792.42199	4.05
		190156	6368332		032322 INV	609.9792.42199	5.39
		190156	6368333		032322 INV	609.9792.42199	1.35
							2,937.90
04/07/2022	MAIN	190157	W-34629	PRYES BREWING COMPANY LLC	032922 INV	609.0000.14500	396.16
04/07/2022	MAIN	190158	571031	ROHN INDUSTRIES INC	SHREDDING 031422	101.1410.44000	15.00
04/07/2022	MAIN	190159	0000051180	ROSENBAUER MINNESOTA LLC	GAUGE REPLACEMENTS E2	101.2200.42171	326.76
04/07/2022	MAIN	190160	B14308930	SHI INC	WINDOWS REMOTE DESKTOP LICENSES	720.9980.44330	2,846.70
04/07/2022	MAIN	190161	0108	SHINE MUSIC STUDIO	MINI MUSICIANS WINTER 2022	101.5004.43050	139.20
04/07/2022	MAIN	190162	2192764	SOUTHERN GLAZER'S	032422 INV/DEL	609.0000.14500	315.00
		190162	2192765		032422 INV/DEL	609.0000.14500	224.95
		190162	2192766		032422 INV/DEL	609.0000.14500	5,371.50
		190162	2190359		031722 INV/DEL	609.0000.14500	1,130.70
		190162	2192762		032422 DEL	609.9791.42199	2.56
		190162	2192764		032422 INV/DEL	609.9791.42199	4.48
		190162	2192765		032422 INV/DEL	609.9791.42199	1.28
		190162	2192766		032422 INV/DEL	609.9791.42199	37.12
		190162	2190359		031722 INV/DEL	609.9791.42199	15.36
							7,102.95
04/07/2022	MAIN	190163	3502963656	STAPLES ADVANTAGE	COPY PAPER	101.5000.42000	26.04
		190163	3503496031		CLEANING SUPPLIES	609.9791.42000	17.82
		190163	3503496031		CLEANING SUPPLIES	609.9791.42171	33.13
		190163	3503496031		CLEANING SUPPLIES	609.9792.42171	20.94
		190163	3503496031		CLEANING SUPPLIES	609.9793.42171	6.61
							104.54
04/07/2022	MAIN	190164	44936	STEEL TOE BREWING LLC	032222 INV	609.0000.14500	212.00
04/07/2022	MAIN	190165	53740	SUBURBAN AUTO BODY INC	REPAIR #8211 CA112881	884.2200.42281	2,2
04/07/2022	MAIN	190166	M27083	TIMESAVER OFF SITE SECRETR	CC MTG 022822, PLANNING COMM MTNG 0101.1410.43050		1

77

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User: mchristensen
DB: Columbia Heights

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
CHECK DATE FROM 03/25/2022 - 04/07/2022

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Item 13.

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		190166	M27083		CC MTG 022822, PLANNING COMM MTNG	0201.2400.43050	154.00
							308.00
04/07/2022	MAIN	190167	750787	TRIO SUPPLY COMPANY INC	CLEANING SUPPLIES	101.5129.42171	1,823.12
04/07/2022	MAIN	190168	93726	TRUST IN US, LLC.	DRUG SCREEN COLL FEE	101.1320.43050	29.00
04/07/2022	MAIN	190169	607879	UNIQUE MANAGEMENT SERVICES	:1121 PLACEMENTS	240.5500.43050	26.85
04/07/2022	MAIN	190170	200168	WINE COMPANY/THE	033022 INV/DEL	609.0000.14500	548.00
		190170	200168		033022 INV/DEL	609.9791.42199	12.00
							560.00
04/07/2022	MAIN	190171	0956617061	XCEL ENERGY (N S P)	032122 51-7085831-0	101.1940.43810	1,661.25
		190171	51-4217828-3		031022 51-4217828-3	101.2200.43810	63.71
							1,724.96
TOTAL - ALL FUNDS					TOTAL OF 141 CHECKS		1,031,749.62

Check Register Report For City Of Columbia Heights
For Check Dates 03/25/2022 to 04/07/2022

Item 13.

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
03/25/2022	PR	90390	UNION 49	595.00	595.00	0.00	Open
03/25/2022	PR	90391	DELTA DENTAL OF MINNESOTA	9,039.46	9,039.46	0.00	Open
03/25/2022	PR	90392	SUN LIFE FINANCIAL	1,952.65	1,952.65	0.00	Open
03/25/2022	PR	90393	SUN LIFE FINANCIAL	1,730.38	1,730.38	0.00	Open
03/25/2022	PR	90394	MEDICA HEALTH PLANS	2,392.00	2,392.00	0.00	Open
03/25/2022	PR	90395	MEDICA	126,911.85	126,911.85	0.00	Open
03/25/2022	PR	90396	MEDICA	299.00	299.00	0.00	Open
03/25/2022	PR	90397	NCPERS GROUP LIFE INS MBR BEN	400.00	400.00	0.00	Open
03/25/2022	PR	90398	FIDELITY SECURITY LIFE INSURANCE COMPANY	384.32	384.32	0.00	Open
03/25/2022	PR	90399	SUN LIFE FINANCIAL	893.23	893.23	0.00	Open
03/25/2022	PR	EFT542	COL HTS LOCAL 1216	200.00	200.00	0.00	Open
03/25/2022	PR	EFT543	COLHTS FIREFIGHTER ASSN	220.00	220.00	0.00	Open
03/25/2022	PR	EFT544	MSRS MNDCP PLAN 650251	3,405.57	3,405.57	0.00	Open
03/25/2022	PR	EFT545	HSA BANK	8,047.09	8,047.09	0.00	Open
03/25/2022	PR	EFT546	VANTAGEPOINT TRANSFER 457	22,851.54	22,851.54	0.00	Open
03/25/2022	PR	EFT547	IRS	102,969.59	102,969.59	0.00	Open
03/25/2022	PR	EFT548	PERA 397400	87,699.09	87,699.09	0.00	Open
03/25/2022	PR	EFT549	COL HGTS POLICE ASSN	138.50	138.50	0.00	Open
03/25/2022	PR	EFT550	VANTAGEPOINT TRANSFER AGENTS	724.81	724.81	0.00	Open
03/25/2022	PR	EFT551	VANTAGEPOINT TRANSFER -401	2,052.23	2,052.23	0.00	Open
03/25/2022	PR	EFT552	STATE OF MN TAX	20,513.95	20,513.95	0.00	Open
03/25/2022	PR	EFT553	AFSCME COUNCIL 5	486.28	486.28	0.00	Open
Totals:			Number of Checks: 022	393,906.54	393,906.54	0.00	
Total Physical Checks:			10				
Total Check Stubs:			12				

AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	4/11/2022

ITEM:	Adopt Provisional Rental License.										
DEPARTMENT: Fire		BY/DATE: Dan O'Brien 4/11/2022									
<p>CITY STRATEGY: <i>(please indicate areas that apply by adding a bold "X" in front of the selected text below)</i></p> <table border="0"> <tr> <td><input type="checkbox"/> Safe Community</td> <td><input type="checkbox"/> Diverse, Welcoming "Small-Town" Feel</td> </tr> <tr> <td><input type="checkbox"/> Economic Strength</td> <td><input checked="" type="checkbox"/> Excellent Housing/Neighborhoods</td> </tr> <tr> <td><input type="checkbox"/> Equity and Affordability</td> <td><input type="checkbox"/> Strong Infrastructure/Public Services</td> </tr> <tr> <td><input type="checkbox"/> Opportunities for Play and Learning</td> <td><input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>				<input type="checkbox"/> Safe Community	<input type="checkbox"/> Diverse, Welcoming "Small-Town" Feel	<input type="checkbox"/> Economic Strength	<input checked="" type="checkbox"/> Excellent Housing/Neighborhoods	<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services	<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population
<input type="checkbox"/> Safe Community	<input type="checkbox"/> Diverse, Welcoming "Small-Town" Feel										
<input type="checkbox"/> Economic Strength	<input checked="" type="checkbox"/> Excellent Housing/Neighborhoods										
<input type="checkbox"/> Equity and Affordability	<input type="checkbox"/> Strong Infrastructure/Public Services										
<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population										

BACKGROUND:

Consideration of conversion of the rental housing license to operate a multi-rental unit within the City of Columbia Heights to a one-unit provisional license until 9/30/2022 for the property located at 3947 Tyler St NE.

RECOMMENDED MOTION(S):
<p>MOTION: Move to close the public hearing and to waive the reading of Resolution Number 2022-51, being ample copies available to the public.</p> <p>MOTION: Move to adopt Resolution Number 2022-51, being Resolution of the City Council of the City of Columbia Heights approving a provisional rental housing license until 9/30/2022 pursuant to City Code of the rental license listed.</p>

ATTACHMENT(S):

Res. 2022-51 – Provisional License – 3947 Tyler St

Resolution of the City Council for the City of Columbia Heights approving a provisional rental license until 9/30/2022 for the property rental Licensee Toni Crockett (Hereinafter "Licensee").

Whereas, Licensee is the legal representative/owner of the real property located at 3947 Tyler St NE, Columbia Heights, Minnesota,

Whereas, pursuant to City Code, written notice setting forth the causes and reasons for the proposed Council action contained herein was given to the License Holder on January 6th, 2022, of a public hearing to be held on April 11th, 2022.

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 12/1/2021, the city concluded an investigation of the property that revealed the structure is in violation of city code/zoning ordinances and the Minnesota State Building code due to an illegal conversion to a triplex. The city sent a Violation Notice to the Licensee detailing the violations and required corrective actions, which included submission of a mitigation plan to the city prior to 1/18/2022 for the transition of the property back to a single-family residence as well as a Notice of a Public Hearing on 1/24/2022 for the consideration of conversion of the rental license to a single unit Provisional Rental Occupancy license attached to the mitigation plan.
2. That on 1/5/2022, an attorney representing the Licensee requested, and was granted, an extension of the deadline for the mitigation plan until 3/31/2022. The Public Hearing date was changed to 4/11/2022 and notice was sent to the License Holder and any occupants or tenants.
3. That on 3/20/2022, the Licensee submitted a mitigation plan to the city stating that there is only one renter (a family) at the property because the Licensee has not filled two vacancies since being made aware of the violation and that the interior locks would be removed by April 30, 2022.
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.

ORDER OF COUNCIL

1. The rental license belonging to the License Holder described herein and identified by license number 22-0004143 is hereby granted a provisional rental license with conditions through 9/30/2022.
2. The City will allow renewal of a single-unit license if all conditions are met by License Holder.
3. Council may revoke license at any time during provisional period if conditions are not met.

Passed this _____ day of _____, 2022

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary



ORDINANCE NO. 1673

**BEING AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 1 OF THE COLUMBIA
HEIGHTS CITY CODE RELATING TO ANIMALS**

The City of Columbia Heights does ordain:

Section 1:

Sections § 8.101 of the Columbia Heights City Code as they currently read are amended as follows:

ARTICLE I: ANIMALS

Section

- 8.101 Regulations
- 8.102 Impoundment
- 8.103 Destruction
- 8.104 Quarantine
- 8.105 Penalty

§ 8.101 REGULATIONS.

(A) Rabies vaccination required. A person who owns, harbors, or keeps a dog over six months old within the city must have the dog vaccinated by a licensed veterinarian with an anti-rabies vaccine that is currently effective. A vaccination certificate is valid only for the dog and owner to which it is issued. A person must not use a rabies vaccination certificate for a different dog than the one for which it was issued.

(B) Tags. A person who owns, harbors, or keeps a dog over six months old within the city must securely attach an identification tag or plate to the dog's collar so that it can be readily seen. The tag or plate must contain the name and telephone number of the owner or other person who is keeping the dog. The identification tag or plate must be worn by the dog at all times when it is off the owner's or keeper's property.

(C) Limit on number of cats and dogs. Because the keeping of four or more dogs or four or more cats in the family dwelling unit or on the family premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard, and general aesthetic depreciation, and because the irresponsible maintenance of four or more dogs or four or more cats within a residential area has been the source of a variety of complaints, no family or family member shall keep, harbor, or have custody of more than three dogs, or more than three cats, or a combination of more than five animals exceeding six months in age in the family dwelling unit or on the family premises.

(D) The owner or custodian of any animal permanently or temporarily in the city shall have the obligation and responsibility to prevent such animal from committing any act which constitutes a public nuisance, which shall include, but not be limited to, the following acts:

(1) Habitually or frequently bark or cry to the annoyance of neighbors or the general public.

(2) Molest or annoy any person if such person is not on the property of the owner or custodian of such animal.

(3) Molest, defile, or destroy any public or private property not belonging to the owner or custodian of such animal.

(4) Defecate upon public property without immediately removing the excrement and disposing of it in a sanitary manner.

(54) Chase vehicles or otherwise run at large within the city.

(E) (1) The City of Columbia Heights will follow the provisions of M.S. Chapter 347 as it relates to dangerous and potentially dangerous dogs.

—(2) The City of Columbia Heights may impose additional requirements to the owners of potentially dangerous dogs, including all requirements listed for dangerous dogs.

(F) No person who is the owner or has custody of any animal shall beat, treat cruelly, torment or otherwise abuse or abandon such animal. No person who is the owner or has custody of any animal shall fail to provide such animal with sufficient, good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, or with humane care and treatment.

(G) Exceptions. The provisions of § 8.101.(D)(4) do not apply to a guide dog accompanying a blind person, a service dog accompanying a disabled person, or a dog while engaged in police or rescue activity.

(77 Code, § 8.102) (Am. Ord. 1005, passed 7-12-82; Am. Ord. 1658, passed 1-27-20) Penalty, see § 8.105

§ 8.102 IMPOUNDMENT.

(A) The city shall have the authority to impound any animal in such manner and under such conditions and circumstances as prescribed by this section:

(1) The Council may enter into a contract with any qualified person, firm or corporation to be designated as the City Poundmaster, whose duties shall be to enforce the provisions of this section.

(2) The city shall provide an adequate facility within or in close proximity to the city, where all animals taken into custody shall be kept and cared for until disposed of according to the provisions of this section.

(B) The City Poundmaster may impound any animal where there is reasonable cause to believe said animal:

(1) Exhibits ferocious or vicious tendencies;

(2) Constitutes a public nuisance as defined in § 8.101(D);

(3) Has bitten a person; or

(4) Is not displaying the proper tag listed in the provisions of § 8.101.

(C) When the ownership of the animal is known, or can be determined, the Poundmaster shall provide notice to the owner within 24 hours of the impoundment by the means available to them.

(D) Any animal impounded pursuant to the provisions of this section shall be kept for not less than five regular business days unless reclaimed prior to that time by their owner as provided hereafter. The owner of any impounded animal may reclaim the same upon payment to the Treasurer or Poundmaster of an impounding fee as set by resolution of the Council, and the payment of such daily boarding fees as shall be determined by the Council for such time as the animal has been confined. The Poundmaster shall not release any animal subject to the vaccination requirement in § 8.101 without proof of current anti-rabies vaccination.

(E) Any animal which is unclaimed by the rightful owner within the prescribed time may be sold to anyone desiring to purchase said animal, if not requested by a licensed educational or scientific institution under state law.

(1) All sums received in excess of costs shall be held by the Treasurer for the benefit of the owner. If not claimed within one year, such funds shall be placed in the general fund of the city.

(2) Any animal which is not disposed of as provided above shall be painlessly killed and buried by the Poundmaster.

(F) Nothing in this code shall prevent the Poundmaster from disposing of any animal in less than the prescribed time if such animal is injured and, in the opinion of the Poundmaster, the only humane act would be disposing of the animal.

(77 Code, § 8.103) (Am. Ord. 1535, passed 9-8-08; Am. Ord. 1658, passed 1-27-20)

§ 8.103 DESTRUCTION.

(A) A court of proper jurisdiction may order the destruction of any animal, or may order the owner or custodian to keep said animal confined to a designated place, upon a hearing as hereinafter provided.

(1) A summons shall be issued to the owner of said animal commanding him to appear before said court and show cause why said animal should not be seized by the Poundmaster or otherwise disposed of in the manner authorized by this chapter. Said summons shall issue upon sworn complaint that any of the following facts exist:

(a) That the animal has destroyed property or habitually trespassed in a damaging manner on the property of persons other than the owner.

(b) That the animal has attacked or bitten a person outside the owner's or custodian's premises.

(c) That the animal is vicious or exhibits vicious or ferocious tendencies, or molests pedestrians, or interferes with vehicles on public streets or highways.

(d) That the animal is a public nuisance as heretofore defined; or

(e) That the animal is running at large in violation of this chapter.

(2) Such summons shall be returnable not less than two, nor more than six days from the date thereof and shall be served at least two days before the time of appearance mentioned therein.

(3) The court shall make findings of fact regarding the allegations of the sworn complaint.

(B) The costs of any proceeding brought pursuant to this section shall be assessed against the prevailing party. The remedies provided by this section are supplemental to other provisions of this chapter.

(C) Any animal which presents a clear and immediate danger to city residents because it is infected with rabies (hydrophobin) or because it is of a clearly demonstrated vicious or ferocious nature, may be summarily destroyed after the Poundmaster has made reasonable attempts to impound such animal.

(77 Code, § 8.104) (Am. Ord. 1658, passed 1-27-20)

§ 8.104 QUARANTINE.

(A) No person shall own, keep, harbor or have custody of any animal over six months of age within the city which does not have a current anti-rabies vaccine provided by a qualified veterinarian.

(B) (1) The City may quarantine any animal which bites a person for such time as is directed. During the quarantine, the animal shall be securely confined and kept from contact with any other animal.

(2) The place of quarantine may be on the premises of the owner in the discretion of the Chief of Police or designee. Confinement shall otherwise be at an animal shelter or a veterinary hospital, at the expense of the owner of such animal.

(77 Code, § 8.105) (Am. Ord. 1658, passed 1-27-20) Penalty, see § 8.105

§ 8.105 PENALTY.

Any person, firm, or corporation who violates the provisions of this article shall be punished as provided in § 1.999.

(77 Code, § 8.106) (Am. Ord. 1658, passed 1-27-20)

First Reading: April 11, 2022

Offered by:

Seconded by:

Roll Call:

Second Reading: April 25, 2022

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Mayor Amáda Márquez Simula

Attest:

Sara Ion, City Clerk

AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	APRIL 11, 2022

ITEM:	First Reading of Ordinance No. 1674 Amending Chapter 8 Article VII of the City Code										
DEPARTMENT: Public Works		BY/DATE: Kevin Hansen 4/5/2022									
<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>X_Safe Community</td> <td>_Diverse, Welcoming "Small-Town" Feel</td> </tr> <tr> <td>_Economic Strength</td> <td>_Excellent Housing/Neighborhoods</td> </tr> <tr> <td>_Equity and Affordability</td> <td>_Strong Infrastructure/Public Services</td> </tr> <tr> <td>_Opportunities for Play and Learning</td> <td>_Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>				X_Safe Community	_Diverse, Welcoming "Small-Town" Feel	_Economic Strength	_Excellent Housing/Neighborhoods	_Equity and Affordability	_Strong Infrastructure/Public Services	_Opportunities for Play and Learning	_Engaged, Multi-Generational, Multi-Cultural Population
X_Safe Community	_Diverse, Welcoming "Small-Town" Feel										
_Economic Strength	_Excellent Housing/Neighborhoods										
_Equity and Affordability	_Strong Infrastructure/Public Services										
_Opportunities for Play and Learning	_Engaged, Multi-Generational, Multi-Cultural Population										

BACKGROUND: The City of Columbia Heights has been a MS4 (Municipal Separate Storm Sewer System) City since 2003. As an MS4, we are required to submit a permit for the operation of our storm sewer system to the Minnesota Pollution Control Agency (MPCA), which includes a Storm Water Pollution Prevention Program, or SWPPP. Permits are valid for 5-year periods and must be renewed prior to or at the end of the permit cycle. We submitted the 4th generation of our MS4 permit in 2020. A copy of our Storm Water Plan and SWPPP is on the City website at:

https://www.columbiaheightsmn.gov/departments/public_works/swppp.php

As noted in recent budget reviews with the City Council and in past work sessions, each cycle of the MS4 permitting process has become more involved requiring a higher level of effort by staff to meet the requirements of the permit. This new cycle again has additional requirements and is more involved related to staff effort. As indicated in the June 2021 update to the Council and the February 2022 work session, the new permit requires several ordinance changes. To meet the requirements of the new statewide permit, the following ordinance amendments to update the city code are recommended:

ARTICLE VII: SURFACE DRAINAGE CONNECTIONS AND DISCHARGES

Article 7 is attached with the recommended change identified in red. The introduction of salt storage facilities and how salt is stored and used, and where facilities may be located in the city is now a requirement of the new permit. This applies to all industrial/commercial/institutional facilities, including the City.

STAFF RECOMMENDATION: Staff recommends scheduling the second reading of ordinance amendments amending Chapter 8, Article VII: Surface Drainage Connections and Discharges of the City Code for April 25, 2022.

RECOMMENDED MOTION(S):
MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1674 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1674 being an Ordinances Amending Chapter 8 of City Code for April 25, 2022.

ATTACHMENT: Ordinance 1674: City Code Section Chapter 8, Article VII

ORDINANCE NO. 1674

BEING AN ORDINANCE AMENDING CHAPTER 8, ARTICLE VII OF THE COLUMBIA HEIGHTS CITY CODE RELATING TO SURFACE DRAINAGE CONNECTIONS AND DISCHARGES

The City of Columbia Heights does ordain:

Section 7:

Sections § 8.704, of the Columbia Heights City Code as they currently read are amended as follows:

ARTICLE VII: SURFACE DRAINAGE CONNECTIONS AND DISCHARGES

Section

- 8.701 Purpose
- 8.702 Definitions
- 8.703 Compliance
- 8.704 Prohibited discharges
- 8.705 Inspections

§ 8.701 PURPOSE.

The purpose of this article is to implement regulations that will aid the city in limiting and reducing the inflow of rainwater (or clear water) into the sanitary sewer system. The article will be utilized to minimize the overflow problem resulting from the lack of capacity of the sanitary sewer system to handle large amounts of rainwater. Other sources of inflow and infiltration are discharges of water from rooftops; surface water, groundwater sump pumps, footing tiles, swimming pools, or other natural precipitation sources that may flow into the city sewer system and potentially cause flooding or overloading of the city's sewage system. When clear water is discharged into the sanitary sewer system it is treated at the sewage treatment plant. This results in added expenses for the city. The City of Columbia Heights, therefore, finds it in the best interest of the city to prohibit such discharges into the sanitary sewer system in order to protect and maintain the health and property of its residents.

(Ord. 1472, passed 7-12-04)

§ 8.702 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AREA DRAIN. A receptacle designed to collect and convey surface or storm water to the drainage system.

BEST MANAGEMENT PRACTICES (BMPs). The schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm

water conveyance systems that are identified and adopted by the city. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEARWATER. Any surface flow, runoff, and drainage that does not contain any hazardous substance or sewage. This includes, but is not limited to, NPDES permitted discharges, storm water and water from foundation and footing drains and basement sump pumps.

COMBINED SEWER. A sewer that must handle flow of both sanitary wastewater and storm water in a single pipeline.

COMBINED SEWER OVERFLOW (CSO). Occurs when excessive amounts of rainfall enter a sanitary sewer system. The result is a volume of rainwater and sanitary wastewater, which exceeds the system's capacity. Combined rainwater and sewage is forced to overflow into area streams and rivers through outfalls.

HAZARDOUS SUBSTANCES. Materials which may cause or contribute to a substantial hazard to human health, safety, property or the environment based upon its quantity, concentration, physical, chemical, or infectious nature. These may include:

(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(2) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters or the wastewater treatment plant.

(3) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.

ILLICIT CONNECTION. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including but not limited to, any conveyances which allow any non-storm-water discharge, including sewage, process wastewater, and wash water, to enter the storm drain system, and any connections to the storm drain system from indoor drains and sinks, regardless of whether the drain or connection had been previously allowed, permitted, or approved by the city; or any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the city.

ILLICIT DISCHARGE. Any direct or indirect non-storm-water discharge to the storm drain system, except exempted in § 8.704.

LIQUID WASTE. The discharge from any fixture, appliance, or appurtenance that does not receive fecal matter.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4). The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) owned and operated by the city, and designed or used for collecting or conveying storm water, and is not used for collecting or conveying sewage.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT. A permit issued by the Environmental Protection Agency (or by a state under authority delegated pursuant to 33 U.S.C. § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area.

NON-STORM-WATER DISCHARGE. Any discharge to the storm drain system that is not composed entirely of storm water.

OWNER. The person who is listed as property owner or taxpayer by Anoka County.

POLLUTANT. Anything which causes or contributes to pollution. **POLLUTANTS** may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

RUNOFF. Precipitation and other surface drainage that is not infiltrated into or otherwise retained by the soil, concrete, asphalt, or other surface upon which it falls.

SANITARY SEWER SYSTEM. Pipelines, pumping stations, force mains, and all other construction devices, and mechanical devices used for conveying sewage or industrial waste or other wastes to a point of ultimate disposal.

STORM DRAIN SYSTEM. The publicly-owned facilities by which storm water is collected or conveyed, including but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site, and the actions to eliminate or reduce pollutant discharges to storm water, storm water conveyance systems, and/or receiving waters to the maximum extent practicable.

WASTEWATER. Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

STORM WATER. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation.

(Ord. 1472, passed 7-12-04; Am. Ord. 1618, passed 2-9-15)

§ 8.703 COMPLIANCE.

(A) Compliance with other codes and laws. Compliance with the provisions of this article does not release a person from any responsibility to comply with any other law or regulation, whether federal, state, or local.

(B) Conflict. In the event that the provisions of the chapter shall conflict with any Minnesota statute or any federal statute, the Minnesota statute or federal statute shall govern to the extent of any direct conflict.

(C) Violations. Any person who violates any provision of this article shall be guilty of an ordinance violation and subject to punishment and penalties as set forth in § 8.705(E). (Ord. 1472, passed 7-12-04)

§ 8.704 PROHIBITED DISCHARGES.

(A) Prohibited discharges.

(1) Sanitary sewer. No clear water from any roof, surface, groundwater, sump pump, footing tile, swimming pool, or other buildings or structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system. No person shall discharge, or cause to be discharged, hazardous substances to any public sewers.

(2) Storm drain system.

(a) No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the storm drain system any pollutants or waters containing any pollutants, other than storm water.

(b) The following discharges are exempt from discharge prohibitions established by this article:

1. Water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water;

2. Discharges or flow from firefighting, and other discharges, authorized by the city in writing, that are necessary to protect public health and safety;

3. Discharges associated with dye testing; however, this activity requires verbal notification to the city prior to the time of the test;

4. The prohibition shall not apply to any non-storm-water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and further provided that written approval has been granted for any discharges to the storm drain system.

(B) Illicit connections.

(1) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under the law or practices applicable or prevailing at the time of the connection.

(3) A person is considered to be in violation of this chapter if the person connects a line conveying sewage to the storm drain system, or allows that connection to continue.

(4) Improper connections in violation of this article must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the city.

(5) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property, upon receipt of written notice of violation from the city requiring that such locating be completed. The notice will specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the city.

(C) Disconnection.

(1) Before August 1, 2004, any person having a yard drain, roof surface, tile, or swimming pool now connected and/or discharging into the sanitary sewer system shall be disconnected or removed. Any disconnections or openings in the sanitary sewer system shall be closed or repaired in an effective, workmanlike manner, as approved by the Public Works Director or his or her designated agent.

(2) Sump pumps shall not be connected to the sanitary sewer. Prior to the closing of the sale of a dwelling, the seller must request that the sump pumps and drain tiles be inspected by the city visually and/or by smoking, to ensure that they are not connected in any manner to the sanitary sewer system. If the city determines that the sump pump or drain tile is illegally connected to the sanitary sewer system, the situation must be corrected before the unit is considered in compliance to be sold.

(D) Manner of disconnection.

(1) The disconnection shall be accomplished by a complete and permanent method and performed in a competent manner. Any disconnection, plugging, capping, rerouting, altering, or modifying must be done in accordance with all applicable state and city building codes.

(2) A permanent installation shall be one which provides for year-round discharge capability to either the outside of the dwelling, building, or structure, or is connected to city storm sewer or discharge through the curb and gutter to the street. It shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge, and if connected to the city storm sewer line, shall include a check valve and air gap located in a small diameter structure.

(E) Industrial or construction activity discharges.

(1) Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with the permit may be required in a form acceptable to the city prior to the allowing of discharges to the MS4.

(2) The operator of a facility, including construction sites, required to have an NPDES permit to discharge storm water associated with industrial activity shall submit a copy of the notice of intent (NOI) to the city at the same time the operator submits the original notice of intent to the Environmental Protection Agency as applicable.

(3) The copy of the notice of intent may be delivered to the city, either in person or by mailing it to:

Notice of Intent to Discharge Storm Water
 City of Columbia Heights
 590 40th Avenue NE
 Columbia Heights, MN 55421

(4) A person commits an offense if the person operates a facility that is discharging storm water associated with industrial activity, without having submitted a copy of the notice of intent to do so to the city.

(F) Salt storage at commercial, industrial, and institutional facilities.

(1) Indoor operations for the storage of deicing materials must be provided whenever possible in order to prevent such material from being affected by rain, snow, or melt water.

(2) All salt, sand, and other deicing materials stored outdoors must be covered at all times. When not using a permanent roof, a waterproof impermeable, flexible cover must be placed over all storage piles. The cover must prevent runoff and leachate from being generated by the outdoor storage piles. The cover must be secured to prevent removal by wind or other storm events. Piles must be formed in a conical shape and covered as necessary to prevent leaching.

(3) Facility siting.

(a) The facility must be in close proximity to the area in which the deicing materials are to be used, if practical.

(b) Each facility must be located outside of floodplains and follow the Shoreline Ordinance for specified [distances] from lakes, rivers, streams, ditches, storm drains, manholes, catch basins, wetlands, and any other areas likely to absorb runoff. A facility must not be located in close proximity to surface water features, water supplies, wells or drywells.

(c) A facility must be located on impermeable surfaces.

(d) The property's slope must be away from the facility's salt, deicer, and sand storage area.

(e) Salt vulnerable natural areas should be avoided as storage facilities to the extent possible. Where they cannot be avoided, specific measures should be instituted to protect vulnerable areas. Salt vulnerable areas include, but are not limited to:

(i) Areas with salt sensitive vegetation

(ii.) Areas serving as a source of drinking water (surface water and groundwater)

(iii.) Areas with bodies of water with low dilution, low volume, or salt sensitive species

(iv.) Areas associated with groundwater recharge zones or shallow water table, with medium to high permeable soils.

(4) Snow Piles. Snow piles must be located downslope from salt and deicer storage areas to prevent the snow melt from flowing through storage areas and carrying material to the nearest drainage system or waterway.

(6) **Transfer of materials. Practices must be implemented in order to reduce exposure (e.g., sweeping, diversions, and/or containment) when transferring salt or other deicing material.**

(G) **Watercourse protection.** Every person owning or occupying premises through which a watercourse passes, shall keep and maintain that part of the watercourse within the premises free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or occupant shall maintain existing privately owned structures within or adjacent to a watercourse so that they will not become a hazard to the use, function, or physical integrity of the watercourse.

(H) **Notification of spills.**

(1) Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials resulting in, or that may result in, illegal discharges or pollutants discharging into storm water, the storm drain system, or waters of the state, that person shall take all necessary steps to ensure the discovery, containment, and cleanup of that release. In the event of the release of hazardous materials, that person must immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, that person shall notify the city no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the city within three business days of the personal or phone notice. If the discharge of prohibited materials originates from an industrial establishment, the owner or operator of the establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. These records must be retained for at least four years.

(Ord. 1472, passed 7-12-04; Am. Ord. 1618, passed 2-9-15)

§ 8.705 INSPECTIONS.

(A) **Inspection.**

(1) **Sanitary sewer.**

(a) Every person owning improved real estate that discharges into the city's sanitary sewer system shall allow a city employee, or a designated representative of the city, to inspect the building to confirm that there is no sump pump or other prohibited discharges into the sanitary system. In lieu of having the city inspect their property before the sale of a dwelling, the property owner may furnish a certificate from a licensed plumber, certifying that the property is in compliance with this section.

(b) Any person refusing to allow their property to be inspected, or refusing to furnish a plumber's certificate within 21 days of the date city employee(s), or their designated representatives, are denied admittance to the property, shall immediately become subject to the surcharge hereinafter provided for. Any property found to violate this article shall make the necessary changes to comply with the article, and furnish proof of the changes to the city.

(2) Storm drain system. The city shall be permitted to enter and inspect facilities subject to regulation under this article, as often as may be necessary to determine compliance with this article.

(a) The owner or party responsible shall allow the city ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law. Any temporary or permanent obstruction to safe and easy access to the area to be inspected or sampled shall be promptly removed by the discharger at the request of the city, and shall not be replaced.

(b) If the city employee or representative of the city has been refused access to any part of the premises from which storm water is discharged, and he or she is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample, as part of a routine inspection and sampling program designed to verify compliance with this article, or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the city employee or representative of the city may seek issuance of a search warrant from any court of competent jurisdiction.

(c) The city may require the discharger to install monitoring equipment or other such devices as are necessary, in the opinion of the city, to conduct monitoring or sampling of the premises storm water discharge. The monitoring equipment must be maintained by the discharger in a safe and proper operating condition at all times. All devices used to measure storm water flow and quality must be calibrated to ensure their accuracy.

(B) New construction. All new dwellings that are permitted to install a sump pump after June 1, 2004, shall have a pump that is piped to the outside of the dwelling before a certificate of occupancy is issued. New homes will be required to have their sump pump system inspected within 30 days of occupancy, and a certificate of compliance must be completed before the property owner may occupy the property.

(1) Incentives. Property owner reimbursement and fees related to the program will be set by resolution.

(2) Surcharge. A surcharge of \$100 per month is hereby imposed on every utility bill accrued on or after January 1, 2005, to property owners who are not found to be in compliance with this section, or who have refused to allow the city to inspect the property. The surcharge will be added to the property owner's utility billing until the property is found to be in compliance.

(C) Warning notice. When the city finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, the city may serve upon that person a written warning notice, specifying the particular violation believed to have occurred, and requesting the discharger to immediately investigate the matter, and to seek a resolution whereby any offending discharge will cease. Investigation and/or resolution of the matter in response to the warning notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the warning notice. Nothing in this division shall limit the authority of the city to take any action, including emergency action or any other enforcement action, without first issuing a warning notice.

(D) Notice of violation.

(1) Whenever the city finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the authorized enforcement agency may order compliance by written notice of violation to the responsible person.

(2) The notice of violation shall contain:

- (a) The name and address of the alleged violator;
- (b) The address when available, or a description of the building, structure or land upon which the violation is occurring, or has occurred;
- (c) A statement specifying the nature of the violation;
- (d) A description of the remedial measures necessary to restore compliance with this article and a time schedule for the completion of the remedial action;
- (e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
- (f) A statement that the determination of violation may be appealed to the city by filing a written notice of appeal within three days of service of notice of violation; and
- (g) A statement specifying that, should the violator fail to restore compliance within the established time schedule, the work will be done by a designated governmental agency or a contractor, and the expense thereof shall be charged to the violator.

(3) The notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- (e) Payment of a fine to cover administrative and remediation costs; and
- (f) The implementation of source control or treatment BMPs.

(E) Suspension of MS4 access.

(1) When the city finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s) has (have) caused or contributed to an actual or threatened discharge to the MS4 or waters of the United States, which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the city may issue an order to the violator, directing it immediately to cease and desist all such violations, and directing the violator to:

- (a) Immediately comply with all article requirements; and
- (b) Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and/or terminating the discharge.

(2) Any person notified of an emergency order directed to it under this division shall immediately comply and stop or eliminate its endangering discharge. In the event of a discharger's failure to immediately comply voluntarily with the emergency order, the city may take such steps as deemed necessary to prevent or minimize harm to the MS4 or waters of the United States, and/or endangerment to persons or to the environment,

including immediate termination of a facility's water supply, sewer connection, or other municipal utility services.

(F) Penalties.

(1) Any person found to be violating any provision of this article shall be served by the city with written notice, stating the nature of the violation, and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations.

(2) In the event that the owner fails to correct the situation within the given time period, the city may correct it and collect all costs, together with reasonable attorneys' fees, or in the alternative, by certifying the costs of correction as any other special assessment upon the land from which the correction of the violation was made.

(3) Any person that has violated or continues to violate this chapter shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of \$1,000 per violation per day and/or imprisonment for a period of time not to exceed 90 days. The authorized enforcement agency may recover all attorneys' fees, court costs, and other expenses associated with enforcement of this chapter, including sampling and monitoring expenses.

(G) Winter discharge.

(1) The Director of Public Works, and his or her designee, shall issue a permit to allow a property owner to discharge surface water into the sanitary sewer system. The permit shall authorize the discharge only from November 1 to March 30 of each year, and a property owner is required to meet at least one of the following criteria in order to obtain a permit:

(a) The freezing of the surface water discharge from sump pump or footing drain is causing a dangerous condition, such as ice buildup or flooding, on public or private property.

(b) The property owner has demonstrated that there is a danger that the sump pump or footing drain pipes will freeze up and result in either failure or damage to sump pump unit of the footing drain and cause basement flooding.

(c) The water being discharged from the sump pump or footing drain cannot be readily discharged into a storm drain or other acceptable drainage system.

(2) Following ten days' written notice and an opportunity to be heard, the City Manager may require a property to discharge its sump pump into the sanitary sewer from November 1 to March 30, if surface water discharge is causing an icy condition on streets.

(H) Disclaimer. The city does not guarantee or imply that areas will be free from flooding or flood damages caused by inflow and infiltration. The city does not assume a specific duty as to individual property owners to enforce this article, but is enacting the article as a general regulation. This article shall not create liability on the part of the city or its offices or employees for any flood damage that may result from failure to comply with any portion of this article, or any administrative decisions made pursuant thereto, whatever the cause.

(Ord. 1472, passed 7-12-04; Am. Ord. 1538, passed 3-10-08; Am. Ord. 1618, passed 2-9-15)

First Reading: April 11, 2022

Offered by:

Seconded by:

Roll Call:

Second Reading: April 25, 2022

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Mayor Amáda Márquez Simula

Attest:

Sara Ion, City Clerk

AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	APRIL 11, 2022

ITEM:	First Reading of Ordinance No. 1675 Amending Chapter 9 of the City Code									
DEPARTMENT: Public Works	BY/DATE: Kevin Hansen 4/5/2022									
<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>X_Safe Community</td> <td>_Diverse, Welcoming "Small-Town" Feel</td> </tr> <tr> <td>_Economic Strength</td> <td>_Excellent Housing/Neighborhoods</td> </tr> <tr> <td>_Equity and Affordability</td> <td>_Strong Infrastructure/Public Services</td> </tr> <tr> <td>_Opportunities for Play and Learning</td> <td>_Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>			X_Safe Community	_Diverse, Welcoming "Small-Town" Feel	_Economic Strength	_Excellent Housing/Neighborhoods	_Equity and Affordability	_Strong Infrastructure/Public Services	_Opportunities for Play and Learning	_Engaged, Multi-Generational, Multi-Cultural Population
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_Equity and Affordability	_Strong Infrastructure/Public Services									
_Opportunities for Play and Learning	_Engaged, Multi-Generational, Multi-Cultural Population									

BACKGROUND: The City of Columbia Heights has been a MS4 (Municipal Separate Storm Sewer System) City since 2003. As an MS4, we are required to submit a permit for the operation of our storm sewer system to the Minnesota Pollution Control Agency (MPCA), which includes a Storm Water Pollution Prevention Program, or SWPPP. Permits are valid for 5-year periods and must be renewed prior to or at the end of the permit cycle. We submitted the 4th generation of our MS4 permit in 2020. A copy of our Storm Water Plan and SWPPP is on the City website at:

https://www.columbiaheightsmn.gov/departments/public_works/swppp.php

As noted in recent budget reviews with the City Council and in past work sessions, each cycle of the MS4 permitting process has become more involved requiring a higher level of effort by staff to meet the requirements of the permit. This new cycle again has additional requirements and is more involved related to staff effort. As indicated in the June 2021 update to the Council and the February 2022 work session, the new permit requires several ordinance changes. To meet the requirements of the new statewide permit, the following ordinance amendments to update the city code are recommended:

CHAPTER 9: LAND USE

ARTICLE I: ZONING AND LAND DEVELOPMENT

Article 1 is attached with the recommended change identified in red. Clarifying descriptions were added to define which type of storm water permit is referred to or discussed in the code language. The definition of the threshold for a storm water management plan was also updated. The section on erosion control was also changed to add 'waste control' within the storm water management plan.

STAFF RECOMMENDATION: Staff recommends scheduling the second reading of ordinance amendment amending Chapter 9: Land Use, Article 1: Zoning and Land Development of the City Code for April 25, 2022.

RECOMMENDED MOTION(S):
MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1675 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1675 being an Ordinances Amending Chapter 9 of City Code for April 25, 2022.

ATTACHMENT: Ordinance 1675: City Code Section Chapter 9, Article I

ORDINANCE NO. 1675

BEING AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 1 OF THE COLUMBIA HEIGHTS CITY CODE RELATING TO ZONING AND LAND DEVELOPMENT

The City of Columbia Heights does ordain:

Section 1:

Sections § 9.106, and § 9.116, of the Columbia Heights City Code as they currently read are amended as follows:

CHAPTER 9: LAND USE

Article

I. ZONING AND LAND DEVELOPMENT

ARTICLE I: ZONING AND LAND DEVELOPMENT

Section

- 9.101 Purpose, authority and jurisdiction
- 9.102 Rules of construction
- 9.103 Definitions
- 9.104 Administration and enforcement
- 9.105 Nonconformities
- 9.106 General development standards
- 9.107 Specific development standards
- 9.108 General district provisions
- 9.109 Residential districts
- 9.110 Commercial districts
- 9.111 Industrial districts
- 9.112 Mixed-use development district
- 9.113 Planned Unit Development District
- 9.114 Overlay districts
- 9.115 Public and Open Space District
- 9.116 Subdivision regulations

§ 9.106 GENERAL DEVELOPMENT STANDARDS.

(I) Storm water management.

(1) Purpose. The purpose of this division is to promote, preserve and enhance the natural resources within the city and protect them from adverse effects occasioned by poorly sited development or incompatible activities by regulating land alterations or development activities that would have an adverse and potentially irreversible impact on water quality and unique and fragile environmentally sensitive land; by minimizing conflicts and encouraging compatibility between land alterations and development

activities and water quality and environmentally sensitive lands; and by requiring detailed review standards and procedures for land alterations or development activities proposed for such areas, thereby achieving a balance between urban growth and development and protection of water quality and natural areas.

(2) Definitions. For the purposes of this section, the following terms, phrases, words, and their derivatives shall have the meaning stated below. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directive.

APPLICANT. Any person who wishes to obtain a building permit, preliminary plat approval or an excavation permit.

CONTROL MEASURE. A practice or combination of practices to control erosion and attendant pollution.

DETENTION FACILITY. A permanent natural or man-made structure, including wetlands, for the temporary storage of runoff which contains a permanent pool of water.

EXCAVATION ACTIVITIES. Any excavation or filling activity as regulated by § 9.106(J).

FLOOD FRINGE. The portion of the floodplain outside of the floodway.

FLOODPLAIN. The areas adjoining a watercourse or water basin that have been or may be covered by a regional flood.

FLOODWAY. The channel of the watercourse, the bed of water basins, and those portions of the adjoining floodplain that are reasonably required to carry and discharge floodwater and provide water storage during a regional flood.

HYDRIC SOILS. Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part.

HYDROPHYTIC VEGETATION. Macrophytic plantlife growing in water, soil or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content.

LAND ALTERATION. Any change of the land surface including, but not limited to, removing vegetative cover, excavating, filling, grading, and the construction of utilities, roadways, parking areas and structures.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). The program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Sections 301, 318, 402, and 405) and United States Code of Federal Regulations Title 33, Sections 1317, 1328, 1342, and 1345.

PERSON. Any individual, firm, corporation, partnership, franchisee, association or governmental entity.

PUBLIC WATERS. Waters of the state as defined in M.S. § 1036.005, subd. 15, as it may be amended from time to time.

REGIONAL FLOOD. A flood that is representative of large floods known to have occurred generally in the state and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of a 100-year recurrence interval.

RETENTION FACILITY. A permanent natural or man-made structure that provides for the storage of storm water runoff by means of a permanent pool of water.

SEDIMENT. Solid matter carried by water, sewage, or other liquids.

STRUCTURE. Any manufactured, constructed or erected building including portable structures and earthen structures.

SURFACE WATER MANAGEMENT DESIGN STANDARDS (SWMDS). Document stating the design criteria and specifications for the city's storm water management program.

WETLANDS. Lands transitional between terrestrial and aquatic: systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following attributes:

1. Have a predominance of hydric soils;
2. Are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and
3. Under normal circumstances support a prevalence of such vegetation.

(3) Scope and effect.

(a) Applicability. This section shall apply to any land alteration requiring any of the following permits or approvals:

1. A building permit for new multiple-family residential (three or more attached dwelling units), commercial, industrial, or institutional development;
2. A preliminary plat;
3. Land alteration permit as regulated by § 9.106 (J);
4. A building permit for a single-family or two-family residential dwelling except that only subdivisions (3) through (7) of this division shall apply; or
5. Public improvement projects.
6. No building permit, preliminary plat, excavation permit or public improvement project shall be approved until approval of a storm water management plan has been obtained in strict conformance with the provisions of this section.

7. All projects ~~either creating or~~ disturbing one acre or greater of ~~new impervious land~~ will require the submittal of a storm water management plan.

(b) Exemptions. The provisions of this section do not apply to:

1. Construction of a single-family or two-family dwelling or any structure or land alteration accessory thereto except that the provisions of subdivisions (3) through (7) of this division shall apply;
2. Any currently valid building permit, preliminary plat, excavation permit, or public improvement project approved prior to the effective date of this article;
3. Construction of agricultural structures or land alterations associated with agricultural uses unless an excavation permit is required by § 9.106(J);
4. Installation of a fence, sign, telephone, and electric poles and other kinds of posts or poles; or
5. Emergency work to protect life, limb, or property.

(4) Submission requirements—storm water management plan. A storm water management plan shall be submitted with all permit applications identified in § 9.106(I)(3). Storm water management plan submittal requirements are outlined in the city's SWMDS. No building or land disturbing activity will be approved unless it includes a

storm water management plan, detailing how runoff and associated water quality impacts resulting from development will be controlled or managed.

(5) Plan review procedure.

(a) Process. Storm water management plans meeting the requirements of § 9.106(I) and the city's SWMDS shall be reviewed by the Engineering Division in accordance with the standards of § 9.106(I)(6) and the city's SWMDS. The Director of Public Works, or designee, shall approve, approve with conditions, or deny the storm water management plan.

(b) Duration. A storm water plan approved in accordance with this section shall become void if the corresponding building permit, excavation permit, preliminary plat, or public improvement project expires or becomes invalid.

(c) Conditions. A storm water management plan may be approved, subject to compliance with conditions reasonable and necessary to insure that the requirements contained in this article are met. Such conditions may, among other matters, limit the size, kind or character of the proposed development, require the construction of structures, drainage facilities, storage basins and other facilities, require replacement of vegetation, establish required monitoring procedures, stage the work over time, require alteration of the site design to insure buffering, and require the conveyance, for storm water management purposes, to the city or other public entity of certain lands or interests therein.

(d) Letter of credit. Prior to approval of any storm water management plan, the applicant shall submit a letter of credit or cash escrow to cover the estimated cost of site restoration. The letter of credit or cash escrow amount shall be in the amount specified by the current city SWMDS.

(e) Amendment. A storm water management plan may be revised in the same manner as originally approved.

(6) Approval standards. No storm water management plan which fails to meet the standards contained in this section shall be approved by the city.

(a) General criteria for storm water management plans.

1. An applicant shall install or construct all storm water management facilities according the criteria outlined in the city's SWMDS.

2. The applicant shall give consideration to reducing the need for storm water management facilities by incorporating the use of natural topography and land cover, such as wetlands, ponds, natural swales and depressions, as they exist before development, to the degree that they can accommodate the additional flow of water without compromising the integrity or quality of the wetland or pond.

3. The following storm water management practices shall be investigated in developing a storm water management plan in the following descending order of preference:

- a. Infiltration of runoff on-site, if suitable soil conditions are available for use;
- b. Flow attenuation by use of open vegetated swales and natural depressions;
- c. Storm water retention facilities; and
- d. Storm water detention facilities.

4. A combination of successive practices may be used to achieve the applicable minimum control requirements specified in subdivision 3. above. Justification shall be provided by the applicant for the method selected.

(b) Specifications. At a minimum, applicants shall comply with all of the NPDES general construction storm water permit requirements.

(c) Wetlands. Existing wetlands may be used for storm water management purposes, provided the following criteria are met:

1. The wetland shall not be classified as a Group I or II water within the City Water Resource Management Plan.

2. A protective buffer strip of natural vegetation, at least ten feet in width, shall surround all wetlands.

3. A sediment trapping device or area that is designed to trap sediments 0.5 millimeters in size or greater, with a trap volume size based upon a prescribed maintenance schedule, shall be installed prior to discharge of storm water into the wetlands.

4. The natural outlet control elevation of the wetlands, if it is not a DNR public water, shall not be changed, except when either i) the outlet is intended to restore the wetland to its original elevation, ii) the wetland basin is landlocked and the artificial outlet control is placed no lower than 1.5 feet below the ordinary high water mark, iii) the proposed level control is identified in the City Water Resource Management Plan, or iv) the level change is approved by a technical evaluation panel convened pursuant to the state Wetland Conservation Act of 1991 (WCA).

5. The water fluctuation from storm water shall not be increased over what occurs naturally, except as provided in subdivision 4.c. above.

6. The wetland shall not be a protected fen.

7. Wetlands shall not be drained or filled, wholly or partially, unless replaced by restoring or creating wetland areas in accordance with the WCA. When wetland replacement is required, it shall be guided by the following principles in descending order of priority:

a. Avoiding the direct or indirect impact of the activity that may destroy or diminish the wetland;

b. Minimizing the impact by limiting the degree or magnitude of the wetland activity and its implementation;

c. Rectifying the impact by repairing, rehabilitating, or restoring the affected wetland environment;

d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the activity; and

e. Compensating for the impact by replacing or providing substitute wetland resources or environments.

8. If the wetland is a DNR public water, all necessary permits from the DNR shall be obtained.

(d) Models/methodologies/computations. Hydrologic models and design methodologies used for the determination of runoff and analysis of storm water management structures shall be approved by the Director of Public Works. Plans,

specifications and computations for storm water management facilities submitted for review shall be sealed and signed by a registered professional engineer. All computations shall appear on the plans submitted for review, unless otherwise approved by the Director of Public Works.

(e) Watershed management plans/groundwater management plans. Storm water management plans shall be consistent with adopted watershed management plans and groundwater management plans prepared in accordance with M.S. §§ 103B.231 and 103B.255, respectively, as they may be amended from time to time, and as approved by the Minnesota Board of Water and Soil Resources in accordance with the state law.

(7) Storm water management fee.

(a) When required. In lieu of the storm water management facilities required in § 9.106(I), the city may allow an applicant to make a monetary contribution to the development and maintenance of community storm water management facilities, designed to serve multiple land disturbing and development activities, when consistent with the City's Water Resource Management Plan.

(b) Calculation of fee. The amount of monetary contribution shall be found in the SWMDS. For preliminary plats, an estimated impervious coverage per lot, subject to the approval of the Director of Public Works, shall be included in the total impervious surface area calculation.

(c) Payment of fee. Payment of a monetary contribution shall occur as follows:

1. Building permit—upon issuance of building permit.
2. Excavation permit—upon issuance of excavation permit.
3. Preliminary plat—upon approval of final plat or commencement of land alteration,

whichever occurs first.

(8) Inspection and maintenance. All storm water management facilities shall be designed to minimize the need for maintenance, to provide access for maintenance purposes, and to be structurally sound. In addition, the following maintenance standards shall apply:

(a) All storm water detention periods shall be maintained to ensure continued effective removal of pollutants from storm water runoff. In addition, upon 50% of the pond's original design volume being filled with sediment, the sediment shall be removed and the pond restored to its original design.

(b) The Director of Public Works, or designated representative, shall inspect all storm water management facilities during construction, during the first year of operation, and at least once every five years thereafter.

(c) All permanent storm water management facilities must provide a maintenance agreement with the city that documents all responsibilities for operation and maintenance of long-term storm water management facilities. Such responsibilities shall be documented in a maintenance plan and executed through a maintenance agreement. All maintenance agreements must be approved by the city and recorded at the County Recorder's office prior to final plan approval. At a minimum, the maintenance agreement shall describe the inspection and maintenance obligations:

1. The responsible party who is permanently responsible for inspection and maintenance of the structural and nonstructural measures.

2. Pass responsibilities for such maintenance to successors in title.
3. Allow the city and its representatives the right of entry for the purposes of inspecting all permanent storm water management systems.
4. Allow the city the right to repair and maintain the facility, if necessary maintenance is not performed after proper and reasonable notice to the responsible party of the permanent storm water management system.
5. Include a maintenance plan that contains, but is not limited to, the following:
 - a. Identification of all structural permanent storm water management systems.
 - b. A schedule for regular inspections, monitoring, and maintenance for each practice. Monitoring shall verify whether the practice is functioning as designed and may include, but is not limited to, quality, temperature, and quantity of runoff.
 - c. Identification of the responsible party for conducting the inspection, monitoring and maintenance for each practice.
 - d. Include a schedule and format for reporting compliance with the maintenance agreement to the city.
 - e. Right of entry. The issuance of a permit constitutes a right of entry for the city or its contractor to enter upon the construction site. The applicant shall allow the city and its authorized representatives, upon presentation of credentials, to:
 - i. Enter upon the permitted site for the purpose of obtaining information, examining records, conducting investigations or surveys.
 - ii. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations.
 - iii. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permit.
 - iv. Inspect the storm water pollution control measures.
 - v. Sample and monitor any items or activities pertaining to storm water pollution control measures.
 - vi. Correct deficiencies in storm water, erosion and sediment control measures.
- (d) Storm water management facilities serving a single-family residential area or subdivision, but more than one single-family lot, shall be maintained by the city. The cost incurred by the city for maintenance of said facilities shall be assessed, levied through a special storm water taxing district against the properties contributing storm water runoff to or through the facility, or by the city's storm water utility.
- (e) Storm water management facilities serving a multiple-family residential building or development; a commercial, industrial or institutional building or development; or an individual parcel shall be maintained by the property owner on which the facility is located, unless it is determined by the Director of Public Works that it is in the best interests of the city for the city to maintain such facilities. If the city is to maintain the storm water management facilities, the cost incurred by the city for the maintenance may be assessed or levied as described in subsection (d) above.
- (9) Penalty. Any person, firm or corporation violating any provision of this section shall be fined not less than deemed committed on each day during or on which a violation occurs or continues.

(10) Other controls. In the event of any conflict between the provisions of this section and the provisions of the city code, the more restrictive standard prevails.

(j) Land alterations.

(1) Purpose. The purpose of this section is to manage land alterations within the city and provide for the review and approval of proposed grades prior to land alteration activities.

(2) In general. No person, firm or corporation may engage in any excavation, grading or filling of any land in the city without first having secured a permit from the Public Works Director in accordance with this section.

(3) Exemption. The removal of material for the purpose of constructing a basement or placement of footings is exempt from the provisions of this section, provided a grading plan was submitted and approved as part of the review and approval process. Grading of new subdivisions or developments is also exempt from the provisions of this section, provided a grading plan was submitted and approved as part of the review and approval process.

(4) Land alteration permit required. A land alteration permit from the Public Works Director is required for any of the following activities:

(a) Placement, removal or grading of more than ten cubic yards of earthen material on steep slopes adjacent to a lake or wetland, or within the shore or bluff impact zone of a lake or wetland.

(b) Placement, removal or grading of more than 50 cubic yards of earthen material anywhere in the city.

(c) Placement, removal or grading of earthen material within ten feet of any property line, or when such activity alters the drainage patterns of adjacent property.

(5) Conditional use permit required. A conditional use permit is required for any of the following activities:

(a) Placement, removal or grading of more than 500 cubic yards of earthen material on developed property zoned R-1 or R-2.

(b) Placement, removal or grading of more than 1,000 cubic yards of earthen material on undeveloped property zoned R-1 or R-2.

(c) Placement, removal or grading of more than 1,500 cubic yards of earthen material on property zoned R-3, R-4 or LB.

(d) Placement, removal or grading of more than 2,000 cubic yards of earthen material on property zoned GB, CBD, I-1, I-2, or MXD.

(6) Submittal requirements. An application for a land alteration permit shall include the following:

(a) A legal description of the land to be altered.

(b) The nature of the proposed alteration and future use of the property.

(c) The starting date and completion date of the land alteration.

(d) The names and addresses of all the owners of all the land to be altered.

(e) Scaled plans, showing the existing and proposed topography with two- foot contour intervals, and signed by a registered surveyor or engineer in the State of Minnesota.

(f) A scaled plan, showing existing and proposed vegetation and ground cover.

(g) An erosion and sedimentation control plan.

(Q) Erosion and sediment control.

(1) Purpose.

(a) During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes.

(b) As a result, the purpose of this local regulation is to safeguard persons, protect property, and prevent damage to the environment in the city. This division will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land in the city. This division is to be used in supplement to the City Zoning Code, § 9.106 and to any other regulations as required by state agencies.

(2) Definitions. For the purpose of this division, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AS-BUILT PLANS. Record drawings of approved and as-constructed improvements.

BEST MANAGEMENT PRACTICES (BMPs). Erosion and sediment control and water quality management practices that are the most effective and practicable means of controlling, preventing, and minimizing degradation of surface water, including avoidance of impacts, construction phasing, minimizing the length of time soil areas are exposed, prohibitions, and other management practices published by state or designated area-wide planning agencies.

CLEARING. Any activity that removes the vegetative surface cover.

CONSERVATION EASEMENT. Legal land preservation agreement between a landowner and a municipality or a qualified land protection organization. The easement confers the transfer of usage rights from one party to another.

CONSTRUCTION ACTIVITY. A disturbance to the land that results in a change in the topography, or the existing soil cover (both vegetative and non-vegetative). Examples of construction activity may include clearing, grading, filling and excavating.

CONTRACTOR. The party who signs the construction contract. Where the construction project involves more than one contractor, the general contractor shall be the contractor that is responsible pursuant to the obligations set forth in this division.

DEVELOPER. The party who signs the development agreement with the city to construct a project.

DEWATERING. The removal of water for construction activity. It can be a discharge of appropriated surface or groundwater to dry and/or solidify a construction site. Minnesota Department of Natural Resources permits are required to be appropriated, and if contaminated, may require other MPCA permits to be discharged.

EROSION. The wearing away of the ground surface as a result of movement of wind, water, ice and/or land disturbance activities.

EROSION CONTROL. A measure that prevents erosion, including, but not limited to: soil stabilization practices, limited grading, mulch, temporary or permanent cover, and construction phasing.

EROSION CONTROL INSPECTOR. A designated agent given authority by the city to inspect and maintain erosion and sediment control practices.

FINAL GRADE. Excavation or fill of material to final plan elevation. Final grade completed as part of individual site development.

FINAL STABILIZATION. All soil disturbing activities at the site have been completed and a uniform (evenly distributed, without large bare areas) perennial vegetative cover, with a density of 70% of approved vegetative cover, for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures have been employed.

GRADING. Excavation or fill of material, including the resulting conditions thereof.

GRADING, DRAINAGE AND EROSION CONTROL PERMIT. A permit issued by the municipality for the construction or alteration of the ground and for the improvements and structures for the control of erosion, runoff, and grading. Hereinafter referred to as GRADING PERMIT.

GRADING, DRAINAGE AND EROSION CONTROL PLANS. A set of plans prepared by or under the direction of a licensed professional engineer. Plans are required to indicate the specific measures and sequencing to be used to control grading, sediment and erosion on a development site during and after construction as detailed in the "Zoning Ordinance" and City SWPPP.

IMPERVIOUS SURFACE. A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads.

LAND DISTURBING ACTIVITY. Any land change that may result in soil erosion from water or wind and the movement of sediments into or upon waters or lands within the city's jurisdiction, including, but not limited to, clearing, grubbing, grading, excavating, transporting and filling.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). The program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Sections 301, 318, 402, and 405) and United States Code of Federal Regulations Title 33, Sections 1317, 1328, 1342, and 1345.

PERIMETER SEDIMENT CONTROL. A barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

PERMANENT COVER. Final site stabilization. Examples include turf, gravel, asphalt, and concrete.

PHASING. Clearing a parcel of land in distinct phases, with the stabilization of each phase completed before the clearing of the next.

PUBLIC WATERWAY. Any body of water, including, but not limited to, lakes, ponds, rivers, streams, and bodies of water delineated by the city or other state or federal agency.

PUBLIC WORKS DIRECTOR. A registered professional engineer with the State of Minnesota who has received training and is given authority by the city to review, authorize, approve, inspect, and maintain erosion and sediment control plans and practices.

ROUGH GRADE. Excavation or fill of material to a condition suitable for general maintenance.

SEDIMENT. The product of an erosion process; solid material, both mineral and organic, that is in suspension, is being transported, or has been moved by water, air, or ice, and has come to rest on the earth's surface, either above or below water level.

SEDIMENT CONTROL. Measures and methods employed to prevent sediment from leaving the site. Sediment control practices may include, but are not limited to, silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins.

SITE. A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation.

STABILIZED. The exposed ground surface has been covered by appropriate materials such as mulch, staked sod, riprap, wood fiber blanket, or other material that prevents erosion from occurring. Grass seeding is not stabilization.

STANDARD PLATES. General drawings having or showing similar characteristics or qualities that are representative of a construction practice or activity.

START OF CONSTRUCTION. The first land-disturbing activity associated with a development, including land preparation such as clearing, grading, excavation and filling.

STORM WATER. Defined under Minn. Rules, part 7077.0105, subp. 41(b), and includes precipitation runoff, storm water runoff, snow melt runoff, and any other surface runoff and drainage.

STORM WATER POLLUTION PREVENTION PROGRAM (SWPPP). A program for managing and reducing storm water discharge that includes erosion prevention measures and sediment controls that, when implemented, will decrease soil erosion on a parcel of land and decrease off-site nonpoint pollution.

SURFACE WATER or WATERS. All streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems, whether natural or artificial, public or private.

TEMPORARY EROSION CONTROL. Methods employed to prevent erosion. Examples of temporary cover include: straw, wood fiber blanket, wood chips, and erosion netting.

WATERWAY. A channel that directs surface runoff to a watercourse or to the public storm drain.

WATER CONVEYANCE SYSTEM. Any channel that conveys surface runoff throughout the site.

WETLAND or WETLANDS. Defined in Minn. Rules, part 7050.0130, subp. F, and includes those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state.

ZONING ORDINANCE. City code detailing city specifications for all plan requirements.

(3) Permits.

(a) Approval. No person shall be granted a grading permit for land-disturbing activity that would require the uncovering or distributing of material in excess of any of the following measurements without the approval of a Grading, Erosion and Sediment Control, and Storm Water Management Plan by the city.

1. Ten thousand square feet.
2. Five hundred cubic yards undeveloped land, or 50 cubic yards developed land.
3. Within 1,000 feet of a waterway.

(b) Exception. No grading permit is required for land disturbances under the amounts specified above, or for the following activities:

1. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
2. General establishment of new construction lawns, or the addition of four or fewer inches of topsoil.
3. Existing nursery and agricultural operations conducted as a permitted main or accessory use.

(c) Application requirements.

1. Each application shall bear the name(s) and address(es) of the owner or developer of the site, and of any consulting firm retained by the applicant, together with the name of the applicant's principal contact at such firm.

2. A filing fee and security as outlined by the city's Zoning Ordinance and subdivision (d) below.

3. A Grading, Erosion and Sediment Control, and Storm Water Management Plan meeting the requirements of this division. Each application shall include the required number of plans and other required materials as specified on the application form.

4. The application form shall include a statement by the applicant that any land clearing, construction, or development involving the movement of earth shall be in accordance with the approved Grading, Erosion and Sediment Control, and Storm Water Management Plan.

(d) Security.

1. The permittee will be required to file with the city an irrevocable, automatically renewing letter of credit, or other improvement security in the amount specified by the current city SWMDS for fee schedule.

a. The security shall cover all costs of engineering and inspection, site improvements, street sweeping, repairs to erosion control measures, and maintenance of improvements for such period as specified by the city. Such deposit shall be provided prior to the release of the grading permit.

b. Deposit shall be released after final stabilization is complete, erosion control measures have been removed, and their removal area inspected.

2. Individual lot developers shall be required to provide a bond with a building permit application.

a. The security shall cover city costs for street sweeping, installation, maintenance and repairs to erosion control measures. The bond will be in an amount as specified by the current city SWMDS for fee schedule.

b. The security shall be released after turf is established as specified in the City Zoning Ordinance.

(e) Procedure. The city will review each application for grading permit to determine its conformance with the provisions of this regulation and other applicable requirements. The city requires complete application no less than 15 working days in advance of the desired grading permit date. Upon complete application, the city shall, in writing:

1. Approve the permit application;
2. Approve the permit application, subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
3. Disapprove the permit application, indicating the reason(s) and procedure for submitting a revised application and/or submission;
4. Appeals of denial of permit shall be processed in accordance with appeal to the City Zoning Ordinance.

(4) Grading, Erosion and Sediment Control, and Storm Water Management Plan requirements.

(a) Plan requirements. Grading, erosion control practices, sediment control practices, storm water management practices, and waterway crossings shall meet the design criteria set forth in the Grading, Erosion and Sediment Control, and Storm Water Management Plan, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the city. No land shall be disturbed until the plan is approved by the Public Works Director, and conforms to the standards set forth herein.

(b) The Grading, Erosion and Sediment Control, and Storm Water Management Plan shall comply with all of the NPDES general construction storm water permit requirements and the city's SWMDS for temporary erosion and sediment control, waste control, final stabilization and permanent water quality.

(5) Construction requirements. Construction specifications, waterway and watercourse protections requirements, and pollution prevention management measures shall comply, at a minimum, with all of the NPDES general construction storm water permit requirements, in addition to the city's SWMDS.

(6) Inspection. Notification, procedures, material requirements, permittee inspection, authorization, and record keeping shall comply, at a minimum, with all of the NPDES general construction storm water permit requirements, in addition to the city's SWMDS.

(7) Site maintenance. Responsibilities, maintenance requirements, and lapses regarding site maintenance shall comply, at a minimum, with all of the NPDES general construction storm water permit requirements, in addition to the city's SWMDS.

(8) Final stabilization requirements. Final stabilization is not complete until the criteria laid out in the NPDES general construction storm water permit and the city's SWMDS are met.

(9) Post-construction storm water management. All post-construction storm water management plans must be submitted to the Public Works Director prior to the start of

construction activity. Standards for post-construction storm water management shall be as follows:

(a) Specifications. At a minimum, applicants shall comply with all of the NPDES general construction storm water permit requirements.

(b) Design criteria. Permanent storm water management systems shall meet the design criteria as provided in the city's SWMDS.

(c) Maintenance agreement. The applicant shall enter into a maintenance agreement with the city that documents all responsibilities for operation and maintenance of long-term storm water treatment BMPs. Such responsibilities shall be documented in a maintenance plan and executed through a maintenance agreement. All maintenance agreements must be approved by the city and recorded at the County Recorder's office prior to final plan approval. At a minimum, the maintenance agreement shall describe the following inspection and maintenance obligations:

1. The responsible party who is permanently responsible for inspection and maintenance of the structural and nonstructural measures.
2. Pass responsibilities for such maintenance to successors in title.
3. Allow the city and its representatives the right of entry for the purposes of inspecting all permanent storm water management systems.
4. Allow the city the right to repair and maintain the facility, if necessary maintenance is not performed, after proper and reasonable notice to the responsible party of the permanent storm water management system.
5. Include a maintenance plan that contains, but is not limited to, the following:
 - a. Identification of all structural permanent storm water management systems.
 - b. A schedule for regular inspections, monitoring, and maintenance for each practice. Monitoring shall verify whether the practice is functioning as designed and may include, but is not limited to, quality, temperature, and quantity of runoff.
 - c. Identification of the responsible party for conducting the inspection, monitoring, and maintenance for each practice.
 - d. Include a schedule and format for reporting to the city compliance with the maintenance agreement.
6. The issuance of a permit constitutes a right of entry for the city or its contractor to enter upon the construction site. The applicant shall allow the city and its authorized representatives, upon presentation of credentials, to:
 - a. Enter upon the permitted site for the purpose of obtaining information, examining records, conducting investigations or surveys.
 - b. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations.
 - c. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permit.
 - d. Inspect the storm water pollution control measures.
 - e. Sample and monitor any items or activities pertaining to storm water pollution control measures.
 - f. Correct deficiencies in storm water and erosion and sediment control measures.

(10) Certification.

(a) Approved Grading, Erosion and Sediment Control, and Storm Water Management Plan. Plans for grading, stripping, excavating, and filling work, bearing the approval of the Public Works Director, shall be maintained at the site during the progress of the work.

(b) Procedure. The city will withhold issuance of building permits until the approved certified Grading Plan and Site Development Plan are on file with the city, all securities as required by this division are received, conservation posts are installed, and all erosion control measures are in place as determined by the Public Works Director.

(c) As-built Grading Plan and Development Plan. Within 60 days after completion of site development, as per the approved Grading, Erosion and Sediment, and Storm Water Management Plan, the developer shall provide the city with an As-built Grading Plan and Development Plan as defined in the City Zoning Ordinance.

(d) Removal of erosion control measures. The above-specified requirements will be authorized for removal upon the sodding of the rear yards, completion of punch list items involving ponds and slopes, final stabilization, completion of proper turf establishment, and placement of the proper conservation easement posts and signs as specified. Inspection is required after the removal of erosion control measures to verify proper restoration. Please refer to City Zoning Ordinance for specifications.

(11) Enforcement.

(a) Notice of violation.

1. In the event that any work on the site does not conform to the approved erosion and sediment control plan, or any of the requirements listed in the provisions of this article, the Public Works Director, or his or her designee, shall issue a written notice of violation to the applicant, detailing the corrective actions necessary for compliance.

2. The applicant shall conduct the corrective actions within the time period determined by the city and stated in the notice.

3. If an imminent hazard exists, the city may require that the corrective work begin immediately.

(b) Stop work order/revocation of site development permit.

1. In the event that any person holding a site development permit pursuant to this article violates the terms of the permit or implements site development in such a manner as to materially adversely affect the health, welfare, environment, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the city may suspend or revoke the site development permit through the issuance of a stop work order, or the revocation of the site development or building permit.

2. The city may draw down on the grading permit security, with 30 days written notice to developer, for any violation of the terms of this contract related to landscaping, if the violation is not cured within such 30-day period, or if the security is allowed to lapse prior to the end of the required term. If the security is drawn down, the proceeds shall be used to cure the default.

3. No development, utility or street construction will be allowed and no building permits will be issued unless the development is in full compliance with the requirements of this subdivision.

(c) Violation and penalties.

1. No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this division. Any person violating any of the provisions of this division shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this division is committed, continued, or permitted, shall constitute a separate offense.

2. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine as specified by the city ordinance for fee schedule for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this division shall be required to bear the expense of such restoration.

§ 9.116 SUBDIVISION REGULATIONS.

(A) Purpose. The purpose of this section is to provide for the orderly and economic development of land and urban facilities, and to promote the public health, safety and general welfare of the community by establishing physical standards and procedures for the subdivision of land.

(B) Authority. The Council hereby established the following rules and regulations pursuant to the authority provided in Minnesota Statutes, to regulate, control and maintain streets and provide for platting of property.

(C) Plats and data.

(1) Sketch plans. Sketch plans shall contain as a minimum, the following information:

- (a) Tract boundaries.
- (b) North point.
- (c) Streets on and adjacent to the tract.
- (d) Significant topographical and physical features.
- (e) Proposed general street layout.
- (f) Proposed general land use.
- (g) Name of owner and/or developer.
- (h) Zoning on and adjacent to tract.

(2) Preliminary plat. A preliminary plat shall contain the following information:

(a) Identification and description.

1. Proposed name of subdivision, which name shall not duplicate or be similar to the name of any other plant.

2. Location by section, town, range or by other legal description.

3. Names and addresses of the owner, subdivider, surveyor and designer of the plan.

4. Graphic scale.

5. North point.

6. Date of preparation.

7. Certification by surveyor certifying to accuracy of survey.

(b) Existing conditions.

1. Boundary line of proposed subdivision clearly indicated.
 2. Existing zoning classification, if any.
 3. Total acreage, including greenspace percentage.
 4. Location, widths and names of all existing or previously platted streets or other public way, showing type, width and also condition of improvements, if any, railroad and utility rights-of-way, parks and other public spaces, permanent buildings and structures, easements and section and corporate line within the tract, and to a distance of 100 feet beyond the tract. Such data as grades, invert elevations and locations of catch basins, manholes and hydrants, if any, shall also be known.
 5. Boundary lines of adjoining unsubdivided or subdivided land within 100 feet, identifying by name and ownership.
 6. Topographical data, including contours at vertical intervals of not more than 2 feet, except that contour lines shall be no more than 100 feet apart. Watercourses, marshes, wooded areas, rock outcrops, power transmission poles and lines, buildings and other significant features shall also be shown.
 7. All elevations, topography and vertical control data shall be tied to sea level datum, 1929 General Adjustments. Temporary benchmarks shall be established within the boundaries of the subdivision. Descriptions, reference ties and elevations of the benchmarks shall be furnished to the City Engineer.
 8. Reference to recorded subdivision plat or adjoining platted land by record, name, date and number.
 9. The location and size of all existing sanitary sewer, water or storm sewer, trunks, laterals or services on or adjacent to the property.
- (c) Design features.
1. Primary control points, with descriptions and "ties" to such control points to which all dimensions, angles, bearings and similar data on the plan shall be referred.
 2. Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way and property lines of residential lots and other sites; with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves.
 3. Name and right-of-way width of each street or other right-of-way.
 4. Location, dimensions and purpose of any easements.
 5. An identification system for all lots and blocks.
 6. Site data including number of residential lots, typical lot size, and acres in park, and the like.
 7. Sites, if any, to be reserved for parks or other public uses.
 8. Sites, if any, for multi-family dwellings, shopping centers, churches, industry or other non-public uses exclusive of single-family dwellings.
 9. Minimum building setback line on all lots and other sites with the width of lot shown at setback line.
 10. Location and description of monuments.
- (d) Preliminary grading and drainage plan. Including earthwork quantities, final grades (4:1 maximum slopes), building pad elevations, existing and proposed topography at two-foot intervals, drainage calculations, 10-year storm pipe design, 100-year storm

level of protection, direction of drainage around each building pad location, appropriate easements as required.

(e) Preliminary erosion control plan. Including method, location and detail of erosion control measures, consistent with § 9.106(I)(6)(g), where applicable.

(f) Preliminary utility and/or on-site sewage treatment plan.

1. Plan and profile showing existing utilities, proposed utilities, connection with existing utilities (watermain, sanitary sewer, storm sewer) appropriate easements as required.

2. Note whether utilities will be publicly or privately constructed, owned and maintained.

(g) Preliminary street plan. Plan and profile showing internal roads, grades, lengths of cul-de-sacs, curb data (horizontal and vertical), connection to existing streets or platted right-of-way, provisions for future extensions or connections to adjacent land, appropriate easements of right-of-way.

(h) Preliminary wetland plan. Plan showing fill or draining of any wetland including sequencing justification and proposed mitigation. All wetlands must be delineated in accordance with 1989 Federal Manual for Identifying and Delineating Wetlands.

(i) Preliminary landscape plan. Landscaping required by city landscape policy. Plan must identify location, size species and quantity of plant materials.

(j) Right-of-way requirements. Letter from Anoka County and/or MN/DOT containing recommendations and/or regulations on access or right-of-way requirements, if the property abuts county or state roads or right-of-way, or proposes access to a state of county road.

(k) Supplementary data to be supplied with preliminary plat

1. Names or record owners of adjoining unplatted land.

2. Protective covenants in form of recording, if any.

3. Other information such as certificates, affidavits, endorsements, photographs, traffic studies or other information as may be required by the City Council and/or the Planning Commission and/or the city staff in the enforcement of these regulations.

4. Soil borings and analysis, if required by the City Engineer or Chief Building Official.

5. Evidence that ground water control is at least ten feet below the level of finished grades or plan for solving ground water problems, if required by the City Engineer.

6. The size and dimension of all lots.

7. Notarized certification by owner and by any mortgage holder of record, of the adoption of the plat and the dedication of streets and other public area.

(3) Final plat. The final plat shall be on sheets 20 inches wide by 30 inches long and shall be at a scale of 100 feet equals 1 inch or such other standard scale as approved by the City Engineer and in all other respects shall comply with Minnesota Statutes. Where necessary, plat or final plat may be on several sheets accompanied by a key map showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in contiguous sections satisfactory to the City Council.

(a) The final plat shall contain the following information:

Commented [ML1]: Ordinance reference

1. Certifications showing that all taxes due on the property to be subdivided have been paid in full.
2. An attorney's opinion of title showing title or control of the property to be subdivided in the application.
3. Name of the subdivision, which shall not duplicate or too closely approximate the name of any existing subdivision.
4. Location of section, township, range, county and state, and including descriptive boundaries of the subdivision, based on an accurate traverse, giving angular and linear dimensions, which must mathematically close. The allowable error closure of any portion of a final plat shall be 1 in 7,500.
5. The location of monuments shall be shown and described on the final plat. Locations of such monuments shall be shown in reference to existing official monuments on the nearest established street lines, including true angles and distances to such reference points or monuments.
6. Location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet, with the length of radii and/or arcs of all curbs, and with all other information necessary to reproduce the plat on the ground shall be shown. Dimensions shall be shown from all angle points of curb to lot lines.
7. Lots shall be numbered clearly. Blocks are to be numbered with numbers shown clearly in the center of the block.
8. The exact locations, widths and names of all streets.
9. Location and width of all easements.
10. Name and address of surveyor making the plat.
11. Scale of plat (the scale to be shown graphically on the bar scale), date and north arrow.
12. Statement dedicating all easements as follows and drainage facilities are reserved over, under, and along the strips marked "utility easements."
13. Statement dedicating all streets, alleys and other public areas not previously dedicated as follows: Streets, alleys and other public areas shown on this plat and not heretofore dedicated to public use are hereby so dedicated.
14. Certification by registered surveyor in the form required by M.S. § 505.03, as amended.
15. Execution of all owners of any interest in the land and any holders of an mortgage thereon of the certificates required by M.S. § 505.03, as amended, and which certificate shall include a dedication of the utility easements and other public areas in such form as approved by the City Council.
16. Space for certificates of approval and review to be filled in by the signatures of the City Engineer, City Clerk and Anoka County Surveyor.
 - (b) Additional plans to be submitted with the final plat include the following:
 1. Final utility plan. Plan and profile showing existing utilities, proposed utilities, connection with existing utilities (watermain, sanitary sewer, storm sewer) appropriate easements as required. Note whether utilities will be publicly or privately constructed, owned and maintained.

2. Final wetland plan. Plan showing fill or draining of any wetland including sequencing justification and proposed mitigation. All wetlands must be delineated in accordance with 1989 Federal Manual for Identifying and Delineating Wetlands.

3. Landscape plan. Plan showing reforestation required by this article and landscaping required by city landscape policy. Plan must identify location, size, species and quantity of plant materials.

4. Final street plans for requirements established in § 9.116(D).

5. Park dedication. It is deemed necessary and consistent with sound city planning to provide in each new proposed plat or subdivision, areas for future development of park and recreational purposes. Each plat shall hereafter provide for a dedication to the municipality, an area not less than 10% of the total proposed area to be subdivided.

a. Such area shall consist of developable and usable land and shall be located so as to serve the present and future needs of the community for recreational or park purposes.

b. The Planning Commission and the Council shall consider the proposed location in relation to existing or contemplated recreational and park sites in other parts of the community and as to the suitability in meeting the requirements of the city's comprehensive plan.

c. The following properties shall not be accepted for purposes of the owner's compliance with divisions (C)(3)(b)5.a. or b. above: Land dedicated or obtained as easements for storm water retention, drainage, roadway and other utility purposes.

d. This requirement may be waived and/or modified by the Council after recommendation by the Planning Commission for one of the following reasons:

i. The enforcement of this provision would act as an extreme hardship to the property owner, because of the size of the tract involved, the topography of the land (zoning areas involved) or the owner has already dedicated comparable areas in other subdivisions in the city.

ii. The owner contributes the cash equivalent to the city for the Parks Capital Improvement Fund of the city. A cash equivalent shall be a sum mutually agreed upon representing 10% of the market value of the tract in an underdeveloped state on the date the preliminary plat is presented to the city.

e. The city, at its sole discretion, may consider a combination of an area dedication and cash contribution to total the 10% park dedication contribution.

(D) Design standards.

(1) The following design standards are to be followed unless the City Council shall permit a variance because of unusual circumstances due to the topography, placement of buildings or other factors making it reasonable to vary the standards set forth without nullifying the intent and purpose of the comprehensive plan or this section.

(2) Streets.

(a) The arrangement, character, extent, width, grade and location of all streets shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

(b) Where such is not shown in the comprehensive plan, the arrangement of streets in the subdivision shall either:

1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

2. Conform to a plan for the neighborhood approved or adopted by the City Council to meet a particular situation where topography or other conditions make continuance or conformance to existing streets impractical.

(Ord. 1428, passed 5-29-01; Am. Ord. 1470, passed 6-28-04; Am. Ord. 1537, passed 3-10-08)

First Reading: April 11, 2022

Offered by:

Seconded by:

Roll Call:

Second Reading: April 25, 2022

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Mayor Amáda Márquez Simula

Attest:

Sara Ion, City Clerk

AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	APRIL 11, 2022

ITEM:	First Reading of Ordinance No. 1676 Amending Chapter 4 Article II of the City Code									
DEPARTMENT: Public Works	BY/DATE: Kevin Hansen 4/4/2022									
<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>X_Safe Community</td> <td>_Diverse, Welcoming "Small-Town" Feel</td> </tr> <tr> <td>_Economic Strength</td> <td>_Excellent Housing/Neighborhoods</td> </tr> <tr> <td>_Equity and Affordability</td> <td>X_Strong Infrastructure/Public Services</td> </tr> <tr> <td>_Opportunities for Play and Learning</td> <td>_Engaged, Multi-Generational, Multi-Cultural Population</td> </tr> </table>			X_Safe Community	_Diverse, Welcoming "Small-Town" Feel	_Economic Strength	_Excellent Housing/Neighborhoods	_Equity and Affordability	X _Strong Infrastructure/Public Services	_Opportunities for Play and Learning	_Engaged, Multi-Generational, Multi-Cultural Population
X_Safe Community	_Diverse, Welcoming "Small-Town" Feel									
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_Equity and Affordability	X _Strong Infrastructure/Public Services									
_Opportunities for Play and Learning	_Engaged, Multi-Generational, Multi-Cultural Population									

BACKGROUND: The City of Columbia Heights adopted the current Tree and Weed Services ordinance in 1977. It has been amended twice, the most recent in 2010. Since the adoption of the ordinance and subsequent amendments, new challenges and diseases and pests have emerged, and the best practices for managing them has changed. To align our practices, procedures and current enforcement of the ordinance, an amendment to the Tree and Weed Services ordinance is necessary. Also, throughout this chapter all gender specific pronouns have been replaced, the term Forester has been added to recognize the new title of our Urban Forestry Specialist and scientific names have been updated where necessary. To meet the challenges facing our urban forest and provide clarification and enforcement measures the following ordinance amendments to update the city code are recommended:

CHAPTER 4: MUNICIPAL SERVICES

ARTICLE II: TREE AND WEED SERVICES

Chapter 4, Article II is attached with the recommended changes identified in red.

SECTION 1: REMOVAL OF DISEASED, DEAD OR HAZARDOUS TREES.

Item E.6 is added in total to include parts of trees within the authority of the City to inspect and require remediation or removal. Item E.7 increases the minimum distance a tree must be pruned above streets and sidewalks within the public right-of-way. It is also amended to provide authority for the removal of parts deemed to be an immediate threat to the public. Item J establishes the requirement for all tree removal companies to be licensed through the City annually. Item K is amended to clarify the process and procedure of abatement and provide authority for the City to trim trees within the right-of-way during regularly scheduled activities without first notifying the property owner.

SECTION 2: DISEASE CONTROL, PLANTING AND ROUTINE REMOVAL.

This section is amended to restrict planting trees with a mature height taller than 25' within 25' of overhead utilities and allow for a process for citizens to request an exemption to the stump removal requirement.

SECTION 3: WEED REMOVAL.

Section 3 is amended to include the term "managed natural landscape". This term is included to recognize the desire of the public to reduce the maintenance requirements of their lawn and provide natural growth for insect

habitat. The process for deciding if an area is managed will fall to the City and residents must comply with City requirements.

Staff recommends scheduling the second reading of ordinance amendments amending Chapter 4: Municipal Services, Article II: Tree and Weed Services of the City Code for April 25, 2022.

RECOMMENDED MOTION(S):

MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1676 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1676 being an Ordinance Amending Chapter 4 of City Code for April 25, 2022.

ATTACHMENT(S): Ordinance 1676: City Code Section Chapter 4: Municipal Services, Article II

ORDINANCE NO. 1676

BEING AN ORDINANCE AMENDING CHAPTER 4, ARTICLE II, OF THE COLUMBIA HEIGHTS CITY CODE RELATING TO TREE AND WEED SERVICES

The City of Columbia Heights does ordain:

Section 2:

Sections § 4.201, § 4.202 and § 4.203 of the Columbia Heights City Code as they currently read are amended as follows:

ARTICLE II: TREE AND WEED SERVICES

Section

4.201 Removal of diseased, dead or hazardous trees

4.202 Disease control, planting and routine removal

4.203 Weed removal

§ 4.201 REMOVAL OF DISEASED, DEAD OR HAZARDOUS TREES.

(A) Declaration of policy. The health of the trees in the city is threatened by shade tree pests, and the loss or ill health of trees growing upon public and private property substantially depreciates the value of property within the city and impairs the safety, good order, general welfare and convenience of the public. In addition to and in accordance with M.S. §§ 89.001, 89.01, and 89.51-64, as they may be amended from time to time, the provisions of this section are adopted as an effort to control and prevent the spread of these shade tree pests.

(B) Declaration of shade tree pest. The Council may by ordinance declare any vertebrate or invertebrate animal, plant pathogen, or plant in the community threatening to cause significant damage to a shade tree or community forest, as defined by M.S. § 89.001, as it may be amended from time to time, to be a shade tree pest and prescribe control measures to effectively eradicate, control, or manage the shade tree pest, including necessary timelines for action.

(C) City Forester/Tree Inspector. The Council may appoint a Forester and/or Tree Inspector to coordinate the activities of the city relating to the control and prevention of damage by shade tree pests. The Forester and/or Tree Inspector will recommend to the Council the details of any program for the declaration, control, and prevention of shade tree pests. The Forester and/or Tree Inspector is authorized to enforce or cause to be enforced the tasks incident to such a program adopted by the Council. The term "Tree Inspector" includes person designated by the Council or the Forester to carry out the activities authorized in this section.

(D) Public nuisances declared. The Forester or their official representative has the authority to enter onto private property for inspection purposes. The Forester shall inspect all premises and places, both public and private, within the city for the presence of any of the below-described conditions and declare them a public nuisance:
~~The following are public nuisances whenever they may be found within the city.~~

~~—(E) The Forester or his their official representative has the authority to enter onto private property for inspection purposes. The Forester shall inspect all premises and places, both public and private, within the city for the presence of any of the below-described conditions:~~

(1) Living or standing elm (*Ulmus spp.*) trees or parts thereof which are infected with the Dutch ~~e~~Elm disease ~~fungus-fungi~~ *Ophiostoma ulmi* or *Ophiostoma novo-ulmi*, ~~Ceratocystis Elmi (Buisman) Moreau~~ or which harbors any of the elm bark beetles *Scolytus multistriatus* ~~Scolytus Multis Triatus (Eichh)~~ or *Hylurgopinus Rufipes* ~~(Marsh)~~ *Hylurgopinus rufipes*.

(2) Living or standing oak (*Quercus spp.*) trees or parts thereof which are infected with ~~the Oak-oak w~~Wilt Disease ~~disease~~ fungus *Bretziella fagacearum* (*syn. Ceratocystis fagacearum*) ~~Ceratocyrstris Fagacearum~~.

(3) Any living or dead ash (*Fraxinus spp.*) tree or part thereof infected to any degree with the insect Emerald Ash Borer, *Agrilus planipennis* ~~Agrilus planipennis Fairmaire (Coleoptera: Buprestidae)~~.

(4) Any other living or standing tree or part thereof infected with tree disease as determined by the Forester or any destructive or communicable disease or insect infestations.

(5) Any diseased dead tree or part thereof, including limbs, branches, stumps, firewood, or other oak, elm, ash or wooden material which has not been removed and burned or otherwise effectively treated so as to destroy and prevent as fully as possible the spread of communicable disease or insect infestation.

~~—~~ (6) Any dead trees or parts of trees, standing or fallen, including limbs, branches, and stumps.

~~(67)~~ Any tree, limb or shrub that obstructs street lights, view of intersections, traffic signs, the free passage of pedestrians or vehicles, or a tree or any part thereof that is less than ~~eight sixteen~~ feet above the surface of the street, ~~sidewalk~~ or alley, or less than ten feet above a sidewalk, or a tree or part thereof that poses an immediate threat to public safety, or public property, as determined by the Forester.

~~(FE)~~ It is unlawful for any person to permit any public nuisance as defined herein on any premises owned or controlled by ~~him-them~~ within the city. Such nuisances shall be abated in the manner prescribed by this section.

~~(GF)~~ Inspections and application of control measures.

(1) The Forester or ~~his-their~~ official representative may enter upon private premises at reasonable times and reasonable hours for the purpose of carrying out any of the duties assigned to them under this chapter.

(2) All premises and places within the city shall be inspected as often as practicable to determine whether any condition declared in this section to be a public nuisance, exists thereon. All reported incidents of infection by Dutch ~~e~~Elm ~~fungius~~, the presence of elm bark beetles, of infection by the ~~o~~Oak ~~w~~Wilt fungus or the presence of Emerald Ash Borer shall be promptly investigated. Diagnosis may be by the presence of commonly recognized symptoms, by tests as may be recommended by the commissioner of the Minnesota Department of Agriculture or the commissioner of the Minnesota Department of Natural Resources, or other reliable means.

(3) No person, firm, or corporation shall interfere with the Forester/Tree Inspector or with anyone acting under the Forester/Tree Inspector's authority while engaged in activities authorized by this section.

(~~H~~G) Abatement of shade tree pest nuisances. In abating a nuisance, defined by ordinance herein, the organism, condition, plant, tree, wood, or material identified as injurious to the health of shade trees shall be removed or effectively treated so as to destroy and prevent as fully as possible the spread of the shade tree pest. Such abatement procedures shall be carried out in accordance with the control measures and areas prescribed herein.

(~~H~~I) Reporting discovery of shade tree pest. Any owner or occupier of land or any person engaged in tree trimming or removal who becomes aware of the existence of a public nuisance caused by a shade tree pest as defined herein, shall report the same to the city.

(~~J~~I) Registration of tree care firms. Any person, firm, or corporation that provides tree care, tree trimming, or removal of trees, limbs, branches, brush, or shrubs for hire must be registered with the Minnesota Commissioner of Agriculture under M.S. § 18G.07, as it may be amended from time to time, and must also be licensed by the City on an annual basis.

(~~K~~J) Standard abatement procedure. Except as provided herein, whenever a Forester/Tree Inspector determines with reasonable certainty that a public nuisance, as described by this section is being maintained or exists on premises in the city, the Tree Inspector~~Forester~~ is authorized to abate a public nuisance according to the procedures in this division.

(1) The nuisance shall be clearly physically marked by the Forester wherever possible. The Forester will notify in writing the owner of record or occupant of the premises that a public nuisance exists and order that the nuisance be terminated or abated. The notice may be given in person or by mail. Failure of any party to receive the mail does not invalidate the service of the notice. A copy of the notice shall be filed with the City Clerk. The notice shall require abatement of all identified public nuisances and shall clearly state the time by which the abatement must be completed.

~~—(2) The notification shall require abatement of such condition within 20 days from the date of the mailing of the notice.~~

(~~2~~3) Abatement procedures shall be carried out in accordance with the current technical and expert methods and plans as may be designated by the Commissioner of Agriculture of the State of Minnesota or by the Commissioner of Natural Resources of the State of Minnesota.

(a) The notice of abatement shall state that unless the public nuisance is abated by the owner, it will be abated by the city at the expense of the owner. The notice shall specify the control measures to be taken to abate the nuisance, and provide a reasonable amount of time to abate the nuisance. The notice will also state that the owner has the right to appeal the determination that a public nuisance exists by submitting a request in writing to the City Clerk prior to the expiration of the date by which the nuisance must be abated as set forth in the notice.

(b) If no timely appeal is submitted, and the control measures prescribed in the notice of abatement are not complied with within the time provided by the notice or any

additional time granted, the Forester or designated person shall have the authority to obtain permission or an administrative search warrant, enter the property, and carry out abatement in accordance with the notice of abatement.

(3) Limbs or parts of trees or shrubs encroaching upon the public right of way, signs, lights, or otherwise obstructing or interfering with public infrastructure and its intended uses, may be removed or abated by City staff or contractors during regularly scheduled tree maintenance activities without first providing notice to the tree owner.

~~(L)~~(K) High-cost abatement. If the Tree Inspector determines that the cost of abating a nuisance will exceed \$5,000 based on a reasonable, good faith estimate, the written notice referred to in division (K) must provide that if the nuisance is not abated within the reasonable amount of time provided, the matter will be referred to the City Council for a hearing. The date, time, and location of the hearing must be provided in the notice.

~~(M)~~(L) Appeal procedure. If the City Clerk receives a written request for a hearing on the question of whether a public nuisance exists, prior to the expiration of the date by which the nuisance must be abated as set forth in the notice, the City Council shall hold a hearing. At least three days notice of the hearing shall be given to the individual who made the written request for the hearing. The Council may modify the abatement notice or extend the time by which abatement must be completed. Each owner, agent of the owner, occupant, and lien holder of the subject property of properties in attendance, if any, shall be given the opportunity to present evidence at the hearing. After holding the hearing, the City Council may issue an order requiring abatement of the nuisance.

~~(N)~~(M) Abatement procedure in event of imminent danger.

(1) If the Forester/Tree Inspector determines that the danger of infestation to other shade trees, or danger to public safety or infrastructure is imminent, and delay in control measures may put public health, safety, or welfare in immediate danger, the Forester/ Tree Inspector may provide for abatement without following the procedures described herein. The Tree Inspector must reasonably attempt to notify the owner or occupant of the affected property of the intended action and the right to appeal the abatement and any cost recovery at the next regularly scheduled City Council meeting.

(2) Nothing in this section shall prevent the city, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety.

~~(O)~~(N) Recovery of cost of abatement; liability and assessment.

(1) The owner of premises on which a nuisance has been abated by the city shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Clerk or other official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Clerk.

(2) After notice and hearing, as provided in M.S. § 429.061, which may be amended from time to time, the City Clerk shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges as well as other charges for current services to be assessed under M.S. § 429.101, as it may be amended from time to time, against each separate lot or parcel to which the charges are attributable. The City Council may then certify the charges against the property to the County Auditor for collection along with

current taxes the following year or in annual installments as the city may determine in each case.

(~~PQ~~) Penalty.

(1) Any person, firm, or corporation that violates any provision of this section shall, upon conviction, be guilty of a misdemeanor. The penalty, which may be imposed for any crime that is a misdemeanor under this section, including Minnesota Statutes specifically adopted by reference, shall be a sentence of not more than 90 days, or a fine of not more than \$1,000 or both.

(2) Upon conviction of a misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(3) The failure of any officer or employee of the city to perform any official duty imposed by this section shall not subject the officer or employee to the penalty imposed for a violation.

(4) In addition to any penalties provided for in this section, if any person, firm, or corporation fails to comply with any provision of this section, the City Council or any official designated by it may institute appropriate proceedings at law or equity to restrain, correct, or abate the violation.

(77 Code, § 4.201) (Am. Ord. 1248, passed 7-13-92; Am. Ord. 1579, passed 4-12-10)

§ 4.202 DISEASE CONTROL, PLANTING AND ROUTINE REMOVAL.

(A) Whenever the Forester determines that any tree or wood within the city is infected with disease, ~~he they~~ may use appropriate disease control methods on all the nearby high value trees, in accordance with methods and procedures prescribed by the Commissioner of Agriculture of the State of Minnesota or the Commissioner of Natural Resources of the State of Minnesota. Notice shall be provided under this section in the manner prescribed for abatement.

(B) The Forester shall maintain trees on public streets, parks, boulevards and other public properties to facilitate the safe passage of pedestrian and vehicular traffic.

(C) No person shall plant, remove, cut above the ground, or disturb any tree on any public place without first obtaining written permission from the City Forester. The City Forester shall consider all requests by property owners for the planting or routine removal of public trees in accordance with the following standards:

(1) No more than one tree shall be planted for each ~~3040~~ feet of property frontage.

(2) No trees may be planted under or within ~~twenty fiveten~~ lateral feet of any overhead utility wire except tree varieties that reach a mature height of 25 feet or less. No trees may be planted over or within five lateral feet of any underground water line or gas line, or over or within five lateral feet of any sewer line, transmission line or other utility.

(3) No trees may be planted midway between the existing curb and sidewalk without the approval of the City Forester. In areas where curb and sidewalk do not exist, no tree may be planted closer than three feet from the projected curb line.

(4) No tree shall be planted closer than 30 feet of any street corner, measured from the point of nearest intersecting curbs, or curb lines. No tree shall be planted closer than ten feet of any fire hydrant.

(5) No person, firm, or city department shall top any public tree. Topping is defined as the severe cutting back of limbs to stubs within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this subdivision at the determination of the City Forester.

(6) No tree stumps shall remain on any property. All stumps of trees shall be removed or buried to ~~a minimum of four inches below the level of~~ the surface of the ground ~~including root extension to at least two feet from the outer edge of surrounding~~ the stump. Residents may request in writing an exception from the City Forester. The request must clearly state the reason the exception is being requested, and why allowing the stump to remain should be considered. If at any time thereafter, the stump is found to be a nuisance, the City Forester may rescind the exception and require the removal of the stump.

(D) The City Forester shall locate, select and identify any trees which qualify as "Landmark Trees." A tree may qualify as a Landmark Tree if it meets one or more of the following criteria: species rarity, old age, association with a historical event or person, abnormality, or scenic enhancement.

(E) The city shall have the exclusive right to plant, prune, maintain and remove public trees as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds and rights-of-way.

(F) No person except the City Forester, ~~his-their~~ agent, or a contractor hired by the city may plant, remove, prune, trim, spray or otherwise treat public trees without first obtaining written permission from the City Forester. The removal of basal suckers, also called water sprouts, is exempted from this clause. The person obtaining the written permission shall abide by the standards set forth in this section.

~~(G) The City Tree Board shall have the power to promulgate and enforce rules, regulations and specifications concerning the trimming, spraying, removal, planting, pruning and protection of public trees and shall have full power and authority over all public and private trees that constitute a hazard or threat as described herein.~~

~~(H)~~ When the development of private and/or commercial property occurs, the Planning and Zoning Commission, City Engineer, and City Forester shall review landscaping plans and may require trees to be planted in any of the streets, parking lots, parks or other public places abutting lands henceforth developed and/or subdivided.

~~(I)~~ A person, partnership, corporation or other entity who violates or refuses to comply with any of the provisions of this article, upon conviction thereof, shall be punished as provided in § 1.999. Each day that a violation exists shall constitute a separate offense. If, as the result of the violation of any provision of this section, the injury, mutilation or death of a public tree located on city owned property is caused, the cost of repair or replacement of such tree, shrub, or other plant shall be borne by the party in violation. The replacement value of trees and shrubs shall be determined in accordance with the latest revision of "A Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs, and Evergreens," as published by the International Society of Arboriculture.

(77 Code, § 4.202) (Am. Ord. 1248, passed 7-13-92; Am. Ord. 1579, passed 4-12-10)

§ 4.203 WEED REMOVAL.

(A) The weed inspector or delegated assistant may inspect all premises and places within the city for the presence of weeds, as defined below:

WEEDS. As used in this code shall include:

(a) Noxious weeds enumerated by Minn. Rules, part 1505.0730, as it may be amended from time to time.

(b) Any other uncultivated or uncontrolled weed growth, which have gone or are about to go to seed, such as secondary weeds enumerated by Minn. Rules, part 1505.0740, as it may be amended from time to time.

(c) Any tall weeds or grass growing upon any lot or parcel of land in the city to a height greater than nine inches. The weed inspector may grant exceptions for wildlife areas, areas bordering ponds, wildflower areas, ornamental grasses and other ~~such areas~~ managed natural landscapes that are a part of an orderly landscape design and comply with City guidance and requirements.

(d) Such other vegetation as the Council shall, from time to time, designate by resolution.

(B) The weed inspector or delegated assistant shall notify the affected property owner that weeds which are on ~~their~~his property, must be eradicated, or controlled, in the manner prescribed by the inspector. Such notice may be posted on the property, served personally, or may be served by mail.

(1) The notification shall require abatement of the weeds, or other prescribed action, within four days from the date of mailing of notice.

(2) The notification shall state that the city will take appropriate remedial action to eradicate or control the weeds upon expiration of said four days, with a charge to the property owner/property for costs.

(C) For properties for which there have been one or more notices issued within the prior 12-month period, compliance with division (B) shall not be required. For those properties, the first notice issued within a 12-month period shall contain a general notice that the city may abate future violations without providing additional specific notice of the violation.

(D) The weed inspector, delegated assistant, or other delegated agent of the city, shall cause the removal or other prescribed action of any weeds located on public property; or on private property, upon expiration of the prescribed notice to the owner.

(E) For the purpose of this section, the following definition shall apply.

OWNER. The person who is listed as the contact person on any current rental licensing application on file with the city, if any, or if none, the person listed as owner by the County Assessor on the homestead record, or if none, the taxpayer as shown by the records of the County Assessor.

(77 Code, § 4.203) (Ord. 1511, passed 6-12-06; Am. Ord. 1544, passed 5-12-08; Am. Ord. 1590, passed 5-9-11)

First Reading: April 11, 2022

Offered by:

Seconded by:

Roll Call:

Second Reading: April 25, 2022

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Mayor Amáda Márquez Simula

Attest:

Sara Ion, City Clerk

AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	APRIL 11, 2022

ITEM:	First Reading of Ordinance No. 1677 Amending Chapter 4 Article III of the City Code									
DEPARTMENT: Public Works	BY/DATE: Kevin Hansen 4/5/2022									
<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 checked="" 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 checked="" 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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<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population									

BACKGROUND: The City of Columbia Heights adopted the current water service ordinance in August 1991. Since the adoption of the ordinance many technologies, laws and practices have changed in the water industry, and within Columbia Heights Public Works. In an effort to align our practices, procedures and current enforcement of the ordinance, an amendment to the Water Service is necessary. Also, throughout this chapter all gender specific pronouns have been replaced.

The Minnesota Department of Health, acting in the role of primacy for the Environmental Protection Agency, has enacted laws requiring the enforcement of cross connection control programs, and the identification and replacement of lead service lines. The Minnesota Uniform Plumbing Code was also recently updated. These new laws and codes require several ordinance changes. To meet the requirements of the new nationwide laws, and to bring our ordinance in line with the statewide plumbing code, the following ordinance amendments to update the city code are recommended:

CHAPTER 4: MUNICIPAL SERVICES

ARTICLE III: WATER SERVICE

Chapter 4 is attached with the recommended changes identified in red.

SECTION 3: WATER SERVICE CONNECTIONS AND DISCONNECTIONS; CHARGES; MANNER AND COSTS.

The tapping of water services is no longer done by City staff. Licensed contractors perform this task and the resulting work is inspected by Public Works. Additionally, no person other than City staff is allowed to operate valves on the water distribution system. The addition of item B.4 adds language to codify this practice.

SECTION 4: INSTALLATION AND CONSTRUCTION REQUIREMENTS AND SPECIFICATIONS.

Item D is amended to clarify the process of adding a water service to the distribution system and ensure proper review of service size is conducted before installation. Item F is amended to clarify "All taps other than" meant larger than 2" in diameter. Item J is updated to consider construction techniques which may place the water meter someplace other than within 1 foot of an exterior wall. It is also amended to ensure valves are sized accordingly to the pipe on which they are installed, not service size. This change is necessary because a large service pipe will be often reduced before a meter is installed. This allows the meter to be sized for the expected usage and not the size of the service. This practice makes the metering of water more accurate. Item M is

added in total to establish code pertaining to cross connection control. The EPA and MDH updated enforcement guidelines pertaining to backflow prevention inspection and cross connection control. This item was added to ensure the City has the necessary authority to inspect devices, require their proper installation and repair, and penalize property owners that do not comply with the requirements. A connection that requires a control device poses a threat to the public water supply, and this item is a means for the city to protect the water supply.

SECTION 6: SEPARATE SERVICE TO EACH BUILDING.

The requirement that each unit in a building have a separate curb stop was added to ensure new and altered water services comply with this requirement. The curb stop is the point of control for the City for each metered unit. Having separate curb stops allows for the water at one unit to be shut off without disrupting service to other units. This addition only pertains where separate meters are installed and

SECTION 12: WATER METERS.

Item A.2.d is amended to provide adequate space around the water meter to allow City staff to perform required installations and repairs. Item A.3 is amended to include enforcement language pertaining to granting access to the water meter and establishes the process by which residents will be notified. It is no longer city practice to shut off water to a residence for non-payment, or improper functioning meters. The language added to this section allows the city to have an enforcement process without shutting off water service. If it become necessary to seek a water shut off, the City Council would have the authority to grant staff permission to do so. Item B is removed in total. City staff are no longer sealing meters and code should represent current practices. Item C is changed to Item B and amended to remove the language pertaining to general wear and tear. A new meter replacement program will happen in the next few years. The new meters come with a 20-year warranty and if they fail because of general wear and tear they will be replaced at no charge to the homeowner. Item D is amended to impose penalties on property owners that intentionally tamper with a water meter. The penalties are designed to follow other sections amended in this chapter.

SECTION 13: SERVICE RATES AND CHARGES; RULES AND REGULATIONS.

Item A is amended to clarify how estimation will be performed for any metered usage that cannot be read. Item C is amended to include all current charges being placed on the quarterly water bills, and clarify what constitutes payment toward the quarterly invoice as well as the process for assessment of unpaid charges. All reference to water shutoffs for non-payment has also been removed to better represent current practices.

SECTION 17: FIRE HYDRANTS

This section is amended to define the proper usage of temporary hydrant meters, backflow prevention requirements and the process for obtaining said meter.

Staff recommends scheduling the second reading of ordinance amendments amending Chapter 4: Municipal Services, Article III: Water Service of the City Code for April 25, 2022.

RECOMMENDED MOTION(S):

MOTION: Move to close the public hearing and waive the reading of Ordinance No. 1677 there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance No. 1677 being an Ordinance Amending Chapter 4 of City Code for April 25, 2022.

ATTACHMENT: Ordinance 1677: City Code Section Chapter 4: Municipal Services, Article III

ORDINANCE NO. 1677

BEING AN ORDINANCE AMENDING CHAPTER 4, ARTICLE III, OF THE COLUMBIA HEIGHTS CITY CODE RELATING TO WATER SERVICE

The City of Columbia Heights does ordain:

Section 3:

Sections § 4.303, § 4.304, § 4.306, § 4.312, § 4.313 and § 4.317 of the Columbia Heights City Code as they currently read are amended as follows:

ARTICLE III: WATER SERVICE

Section

- 4.301 Compliance with provisions
- 4.302 Water service connections; permit requirements
- 4.303 Water service connections and disconnections; charges; manner and costs
- 4.304 Installation and construction requirements and specifications
- 4.305 Restrictions on laying of pipes
- 4.306 Separate service to each building
- 4.307 Separate curb stop required for each building
- 4.308 Two or more services on one curb stop
- 4.309 Maintenance responsibility of service pipes
- 4.310 Unused service pipe
- 4.311 Control of water; disclaimer; liability
- 4.312 Water meters
- 4.313 Service rates and charges; rules and regulations
- 4.314 Discontinuance of service
- 4.315 Reinstatement of service
- 4.316 Fire services
- 4.317 Fire hydrants
- 4.318 Miscellaneous provisions
- 4.319 Penalty

§ 4.301 COMPLIANCE WITH PROVISIONS.

No person shall make, construct or install any water service installation, or make use of any water service connected to the water system except in the manner provided in this chapter, nor shall any person make, construct, install or make use of any installation connected to the water system contrary to the regulatory provisions of this chapter. (Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.302 WATER SERVICE CONNECTIONS; PERMIT REQUIREMENTS.

(A) Permit required. No person other than a city employee shall uncover or make or use any city municipal water system except pursuant to a permit obtained from the Inspections Department.

(B) Conditions of permit. No permit to tap or connect with sewer or water service in the city shall be granted for service to ~~property for which there are~~ properties for which there are delinquent taxes, delinquent special assessments, or unpaid special charges, as of the date of the permit application.

(C) Deposit for water used during construction. A deposit for the estimated amount of water to be used during construction shall be paid when filing for a plumbing permit.

(D) Excavation permit. An excavation permit pursuant to § 6.301 is required if any part of the excavation for municipal water is within the public right-of-way.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.303 WATER SERVICE CONNECTIONS AND DISCONNECTIONS; CHARGES; MANNER AND COSTS.

(A) Connection and disconnection charges.

(1) Water service for any premises, building or building unit, shall not be commenced or restarted until a connection fee in an amount set by resolution of the Council is paid to the Utility Billing Office, together with any delinquent water bills from past service to said building or building unit, and any unpaid and delinquent special assessments.

(2) Where separate water meters are installed to service separate locations or units within the same building, the provisions of this section relating to delinquent water bills shall only apply to those locations or units for which such delinquencies exist.

(3) The provisions of this section shall remain in full force and effect without regard to any private contractual agreements or responsibilities between individuals or firms, regarding the payment of water bills, and the providing of utility services.

(4) A disconnection fee as set by resolution of the Council shall be charged upon voluntary or involuntary termination of water service at any premises, building or building unit.

(B) Manner and costs.

~~(1) Taps or connections to the water mains shall be made by the Public Works Department at no extra cost to the applicant for taps up to and including one inch in size.~~

~~(2) Taps larger than one inch shall~~ All taps shall be made by applicant at the expense of the applicant.

~~(3) All taps and connections shall be left uncovered until inspected and tested by the Public Works Department. All connections shall conform with city specification.~~

~~(Ord. 1227, passed 8-26-91) Penalty, see § 4.319~~

~~(4) No person except a city employee shall turn on, or off any water supply at the curb stop.~~

~~(Ord. 1227, passed 8-26-91) Penalty, see § 4.319~~

§ 4.304 INSTALLATION AND CONSTRUCTION REQUIREMENTS AND SPECIFICATIONS.

All installations of services shall comply with the following:

- (A) All services shall be constructed by a licensed plumber at the owner's expense.
- (B) Services three inches in diameter and less shall be "Type K" copper. All services larger than three inches in diameter, shall be ductile iron.
- (C) All taps two inches in diameter or smaller shall be made with the use of a corporation stop designed for tapping under pressure.
- (D) The maximum size corporation stop that can be tapped directly into the main ~~is must be as follows: approved by City staff prior to work commencing, and the use of a restraining saddle may be required~~

Pipe Size	Tap Size
Up to 6 inch ductile iron	¾ inches
8-inch ductile iron	1-inch

~~(E) The maximum size corporation stop that can be used with double-strap bronze service saddle is as follows:~~

Pipe Size	Tap Size
6-inch ductile iron	1½ inches
8-inch ductile iron	2 inches

~~(F) All taps other than those allowed in the preceding division shall be made only with the use of an approved tapping sleeve and valve greater than 2" in size must be made with the use of an approved tapping sleeve and valve.~~

~~(G) All corporation stops must have clear openings of the same diameter as the pipe with which they are placed and be of a make and pattern approved by the Public Works Department.~~

~~(H) All curb stops one inch and larger shall be of a manufacturer and model approved by the Public Works Department the Mueller Oriseal design or approved equal.~~

~~(I) All services must be placed not less than seven feet below finished grade; and each service two inches in diameter and smaller shall have a Minneapolis pattern base curb stop fitted with a stop box set on the property in the right-of-way 1 foot from the property line at finished grade or proposed sidewalk.~~

~~(J) The stop box used shall have a Minneapolis base and be of a design approved by the Public Works Department. Stop boxes on curb stops one and one-fourth inch diameter and smaller shall have an unobstructed opening of one and one-half inch diameter. Curb stops one and one-half inch diameter and larger shall have an unobstructed opening of a minimum size as the service pipe. All stop boxes shall be fitted with a cover approved by the Public Works Department. Every service pipe must have a shut-off valve placed adjacent to and on the street side of the meter which must be kept in working order at all times so that the water may be shut off by the occupant of the premises. Said valve shall be no more than one foot from the inside wall of the structure.~~ There shall also be a gate valve

placed on the outlet side of the water meter, not more than one foot from the meter so that the meter can be taken out or replaced without draining the plumbing system of the building. All valves shall have a clear opening the size of the inside diameter of the service pipe on which it is installed.

(KJ) The minimum size water service allowed shall be one inch.

(LK) Plumbers shall leave all new water services shut off at the curb stop after completing the testing. Curb stops are to remain off until a water meter has been installed. (Ord. 1227, passed 8-26-91) Penalty, see § 4.319

(M) Cross Connection Control

1. The purpose of a cross-connection control program is to protect the health of water customers and the potable municipal water supply.
2. Cross-connections between the Columbia Heights municipal water system and other systems or equipment are prohibited, except when and where, as approved by the city of Columbia Heights, suitable backflow prevention devices are installed, tested and maintained to ensure proper operation on a continuing basis.
3. All property owners will provide access upon notice from the City of Columbia Heights for the purpose of performing a cross connection control survey.
 - i. The results of the survey will identify any deficiencies in cross connection protection and property owners will be required to make the required repairs within 90 days of being notified. After completion of repairs the property owner must allow the city, or its agents, to reenter the property for the purpose of reinspection. All repairs, installation or alterations to existing plumbing will require a plumbing permit to be issued by the City of Columbia Heights.
4. A backflow prevention device is to be owned, tested and maintained in working condition by the customer/owner of the premises being served.
5. Installation, maintenance and testing of backflow preventers shall be according to the ~~2015~~ most recent Minnesota Plumbing Code, ~~Chapter 4714~~ revision.
 - a. Testing must be performed by a state certified backflow tester. All internal maintenance to the device must be performed by a state certified backflow prevention rebuilder. Test results shall be furnished to the city. The city's annual fee for administering a backflow preventer testing program shall be as established by city council resolution from time to time.
 - b. A person who is recognized by the Minnesota Department of Labor and Industry as a backflow prevention tester or backflow prevention rebuilder is considered qualified by the City of Columbia Heights to test backflow preventers and certify them to be functional.

6. Failure to comply with the provisions of this section shall be cause to discontinue water service in accordance with Division 19 – Section A. The City of Columbia Heights may also apply surcharges to utility bills in lieu of water shutoffs at its discretion and determination of the risk posed by non-compliance.

§ 4.305 RESTRICTIONS ON LAYING OF PIPES.

No customer shall be permitted to conduct water pipes across lots or buildings to adjoining properties; but all service pipes shall be laid on streets, alleys, or public ground to the properties to be served and entered at the front or rear when practical of the building nearest the main. All new services must be installed perpendicular to the water main from the main to the curb stop.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.306 SEPARATE SERVICE TO EACH BUILDING.

No new service shall be constructed and no existing service shall be changed in such manner that more than one building, and in the case of residential property one living unit, shall be on the same service pipe, without specific approval of the City Engineer. Whenever two or more parties are supplied from one pipe connecting with a service main in a single family home or duplex, each building or part of a building separately supplied shall have a separate stop box and a separate meter.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.307 SEPARATE CURB STOP REQUIRED FOR EACH BUILDING.

Owners of properties having water services which do not have separate curb stops and boxes for each building or which otherwise do not conform to the requirements in this chapter at the time of its passage may be required to put in such curb stop or make such other changes as are necessary to conform to these requirements, when so instructed by the City Engineer.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.308 TWO OR MORE SERVICES ON ONE CURB STOP.

Where there are two or more services on one curb stop the water will not be turned on for one service unless the service pipes supplying the entire premises are metered and the water bill is paid for each service. The property owner shall be held responsible for the water bill and any maintenance, repairs or replacements of the service line where more than one unit is served by one service line.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.309 MAINTENANCE RESPONSIBILITY OF SERVICE PIPES.

(A) It shall be the responsibility of the property owner to maintain in good working order and/or replace service pipes,- including curb stops, from the main to the meter.

(B) The property owner shall immediately repair any leak occurring in ~~his~~their service pipe when the property owner is notified by the Public Works Department that the leak is in their service. Within 24 hours, the property owner shall provide the Department the name of the contractor that will make the repair and when the repair will be made, which repair must be completed within two days. If the repair has not been completed within three days from the date the property owner was first notified of the leak, the Public Works Department shall cause the work to be completed and the property owner will be billed for all expenses involved. If for some reason the work is deemed to be a hazard for the safety and welfare of the general public, the Public Works Department may cause the work to be completed immediately after discovering the leak, and bill all expenses to the customer.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.310 UNUSED SERVICE PIPE.

All service pipes that become useless or abandoned, including previously abandoned or unused services upon discovery of the same, must be permanently closed off and capped at the watermain by the property owner and so reported to the Public Works Department. In the event the property owner fails to shut off the service after being notified by certified mail, the Public Works Department may perform the necessary work and charge all expenses involved to the owner of the property.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.311 CONTROL OF WATER; DISCLAIMER; LIABILITY.

(A) Right to shut off water or vary water pressure. The Public Works Department reserves the right, at any time when necessary and without notice, to discontinue water supply or to vary water pressure for the purpose of making repairs or extensions or for any other purpose deemed to be in the best interest of the general public health and welfare. No claim shall be made against the City of Columbia Heights for any damage that may result from shutting off water or from varying the water pressure. The Public Works Department shall give notice prior to shutting off water if conditions are such that it is possible to do so.

(B) Pressure and supply not guaranteed. The Public Works Department does not guarantee the customer any fixed pressure or a continuous supply. In emergencies water may be shut off without notice.

(C) Disclaimer of liability. The City of Columbia Heights shall not be held responsible by reason of the breaking of any service pipe or apparatus, frozen water services, shut-off, fixtures within the premises, for failure in the supply of water, or variances in pressure.

(Ord. 1227, passed 8-26-91)

§ 4.312 WATER METERS.

(A) Requirements and installation.

(1) Except for extinguishing of fire, no person or other entity except authorized city employees shall use water from the water supply system or permit water to be drawn there

from unless the same be metered by passing through a meter furnished by the Public Works Department at the expense of such person or entity.

(2) The Public Works Department shall ensure that every customer and user of city water is provided with a properly installed water meter upon request ~~therefore~~. All meters shall be installed by a licensed plumber or by the Public Works Department in accordance with the following rules:

(a) Meters shall be placed on the service pipe not to exceed one foot from the wall or floor where such pipe enters the premises;

(b) Valve installation requirements as set forth in § 4.304(~~J~~);

(c) The meter must be placed in a suitable place so as to keep it dry and clean, protected from frost;

(d) All meters shall be readily accessible, with a minimum of 3 feet on all sides, and above the meter to allow ~~to~~ the meter reader, inspectors and Public Works Department personnel adequate access and space to work and perform repairs.

(3) For purposes of enforcing the provisions of this code, delegated city officials upon presentation of proper identification shall have the authority to enter any premises during reasonable hours to read, inspect, ~~maintain~~repair, or replace said water meter.

(a) The owner shall allow the City's employee, or assigned agent, to complete the inspection, repair or replacement within 30 days of written notice from the city that an inspection, repair or replacement of the meter is required.

(b) Upon a property owner's failure to permit City personnel, or its assigned agent, onto the property to inspect, repair or replace the meter as required in this paragraph, a monthly surcharge in an amount duly adopted by the City Council and set forth in the City's fee schedule shall be imposed against the property on which the meter is located. The monthly surcharge will be imposed for every month during which the compliance with this paragraph is not met and charged on the property's municipal utility billing statement, whether the non-compliance has existed for the entire month or a portion thereof.

(c) If a property owner does not allow access to the property for the inspection, repair or replacement of the water meter following the addition of the surcharges to the Utility Bill, with 30 days written notice to the property owner and any occupants or lessees, city staff can request permission from the City Council to shut off the water service to the property until access is granted,- subject to the provisions of the Cold Weather Rule M.S. § 216B.097,

~~(B) Requirements of seal.~~

~~—(1) Every water meter shall be sealed by an employee of the city at the time of installation; and at any time thereafter where the seal has been broken.~~

~~—(2) No person shall break or remove said seal except an authorized employee of the Public Works Department, provided however, that a licensed plumber may break said seal for the purpose of making necessary repairs after being granted specific permission by the Public Works Department.~~

~~—(3) Any broken seal or removed water meter shall be reported to the city within 24 hours of such action, or as soon as discovered.~~

(~~CB~~) Protection damage and repairs. The property owner or occupant of premises where a meter is installed shall be held responsible for its care and protection from freezing or hot water, and from other injury or interference from any person or persons. Meters that are liable to become damaged by hot water shall be protected by the installation of a reliable check and relief valve. In case of damage to the meter, or in case of its stoppage or imperfect working, the property owner or occupant shall give immediate notice to the office of the Public Works Department. All meters that are broken or damaged by negligence of owners or occupants of the premises, or by freezing, hot water, or other damage, ~~including ordinary wear and tear,~~ shall be repaired or replaced by the Public Works Department and the cost of repairs or replacement shall be paid by the owner or occupant.

(~~DC~~) Removal; replacement. Whenever a water meter is installed on a water service in a premise that is to be remodeled, removed, or destroyed, or where the service is discontinued so that the water meter is no longer needed, the owner of such premises shall give notice to the Public Works Department to remove such meter, and free access to such meter must be provided so that the meter may be removed. If the meter is lost or damaged, the owner of the premises shall be required to replace the same at the replacement value.

(~~ED~~) Tampering prohibited; estimation of bill. No one shall in any way interfere with the proper registration of a water meter. If any meter is found to have been tampered with, the water bill shall be estimated for the period and the meter ~~repaired and tested~~ replaced at the property owners expense. A surcharge in an amount duly adopted by the City Council and set forth in the City's fee schedule shall be imposed against the property on which the meter is located. Upon repetition of the offense, it will be optional with the Public Works Department to discontinue the water service or collect the amount estimated due. ~~The basis of estimating the bill shall be on the amount of the largest quarter billed in the preceding year from the date of the tampering of the meter. If no prior bill for the current property owner exists, City staff will propose a reasonable alternative estimate to be approved by the City Council. An escalating surcharge in an amount duly adopted by the City Council and set forth in the City's fee schedule shall be imposed against the property on which the meter is located for each additional offense.~~

(~~FE~~) Meter testing. In case there is doubt as to the accuracy of a water meter on the part of the customer, ~~he-they~~ may have the meter tested ~~by the Public Works Department by an organization equipped to accurately perform the test~~; at which test ~~he-they~~ may be present if ~~he-they~~ so desires. If the meter is found to register within 2% of being correct a charge will be made to pay for the ~~labor cost~~ of making such tests, plus a testing fee in an amount duly adopted by the City Council and set forth in the City's fee schedule. If the meter is found to measure 2% or more incorrectly, no charge shall be made for making the test. If the meter should be found to over-register more than 2%, there shall be a proportional deduction made from the previous water bill. A water meter shall be considered to register satisfactorily when it registers within 2% of accuracy.

(~~GF~~) Remote meter registers. When remote registers have been installed, and there is a conflict between the inside meter reading and the remote register reading, the inside meter reading shall prevail as the actual reading for billing purposes.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.313 SERVICE RATES AND CHARGES; RULES AND REGULATIONS.

(A) Charges. The Council shall by resolution fix all charges and penalties for late payment for water and sewer service and for garbage and rubbish hauling rates for dwellings and shall similarly fix the rates by which such charges shall be computed. All such utility bills may be collected as provided for water billing by division (C) of this section. Volume charges for water and sewer service for periods for which an accurate meter reading is not available, will be estimated at the highest quarterly reading in the preceding year, adjusted for any unusual use. If no prior consumption history for the current property owner exists, City staff will propose a reasonable alternative estimate to be approved by the City Council.

(B) Owner liability for charges. In billing water service the rates shall be applied separately for the consumption through each meter. The property owner shall be liable for water supplied to the property owner's property, whether the owner is occupying the property or not, and any charges unpaid shall be a lien upon the property.

(C) Statements; delinquent bills, shut-off for non-payment; resumption of services.

(1) Accounting. The administration services of the city shall provide for a method of periodic accounting and recording of water consumed at each metered location throughout the city. Bills shall then be calculated to include connecting and disconnecting charges; meter replacement charges; minimum charges for availability of water services, regardless of connection or usage; and consumption charges as necessary and appropriate for revenue for the maintenance and operation of the city water works facilities.

(2) Statements. The administrative service shall mail said water bills to the owner at the address listed for each specified meter location or to such address as the owner of record may request in writing.

(3) Due date. Water bills are due and payable on the tenth day of the month following the date of the ~~postmark~~invoice date. Any bill not paid by the close of business on the tenth day of the month following its mailing is delinquent, at which time a charge established by the City Council shall be added to the billing. ~~Partial payments shall be considered as payment towards most dated amounts billed.~~

(4) Delinquent bills. The administrative service shall ascertain all water bills that are delinquent after the tenth day of the month and send mail notice of such delinquency to the occupant of the metered location by the twentieth day of the same month. ~~If such bill remains unpaid at the last day of the month in which the delinquency notice was sent, the administrative service shall send a second written notice of such delinquency.~~ Said notice shall include a statement that water service will be discontinued unless full payment is received fees and interest will be applied if the delinquent bill is not paid in full by the due date, and tenth day of the month following the month in which the first delinquency notice was mailed. ~~Before the water will be turned on, the entire account, including any current charges must be paid along with and including the charge established by the Council for turning the water off and~~

~~on. Water will be turned on only during regular working hours. If water bills are not paid, the bills may be levied against the owner's property and owner and certified for collection with against property taxes annually. annually. prior to turning the water back on, and proof of levy payment must be provided to the administrative service prior to said service being turned back on.~~

~~(5) Shut-off for non-payment. Water service may be discontinued at any time thereafter, subject to the following exceptions: Service may not be discontinued in this manner for:~~

~~— (a) Any tenant, lessee, or individual occupant of a multiple dwelling or commercial building which does not have a separate meter for each separate tenant, lessee, or occupant unit.~~

~~— (b) Any person who has filed with the Finance Director a written protest of the amount billed, either in whole or in part, together with the reasons or basis for such protest.~~

~~— (c) Any person who is subject to the Cold Weather Rule, M.S. § 216B.097, as it may be amended from time to time.~~

~~— (6) Shut-off for non-payment under subdivision (C)(5)(a).~~

~~— (a) Water service may be discontinued under circumstances described in subdivision (C)(5)(a) by providing 30 days' written "Final Notice" to each individual tenant, lessee or occupant.~~

~~— (b) Upon expiration of 25 days of said 30-day period, additional written notice shall be provided to each individual tenant, lessee, or occupant indicating whether the delinquent water bills remain unpaid.~~

~~— (7) Shut-off for non-payment under subdivision (C)(5)(b). Under circumstances described in subdivision (C)(5)(b), the administrative service shall investigate the basis for the protest and issue a report of its findings to the aggrieved party. When so warranted by the results of the investigation, water service may thereafter be terminated upon 24 hours' notice.~~

~~(8) Certification of delinquent bills. The Council may certify unpaid and delinquent water bills to the County Auditor annually for collection pursuant to the provisions of M.S. § 444.075, as it may be amended from time to time.~~

(6) Shut-off for non-payment:

(a) The water service to any property that is not subject to collection pursuant to the special assessment provisions of M.S. § 444.07, is subject to shut-off for non-payment upon 30 days' written notice to the property owner and any occupants or lessees, subject to the provisions of the Cold Weather Rule M.S. § 216B.097.

(b) Any disconnection fee established by the City Council under section 4.303(4) above applies to shut-off for non-payment under this section.

(c) Reinstatement of water service following shut-off for non-payment requires either payment in-full of the delinquent amount. Reinstatement following a change in ownership requires payment in-full.

(D) Water service bills payable at Finance Department. All bills for water and other services are payable at the office of the Finance Department during regular working hours, or as otherwise provided by said Finance Department.

(Ord. 1227, passed 8-26-91)

§ 4.314 DISCONTINUANCE OF SERVICE.

Any customer desiring to discontinue the use of water must notify the Finance Department in writing. The Public Works Department shall turn off the water, subject to any fees established. (Ord. 1227, passed 8-26-91)

§ 4.315 REINSTATEMENT OF SERVICE.

No firm, company or corporation or individuals from whose premises the water shall have been shut off shall turn the water on without permission from the Public Works Department. (Ord. 1227, passed 8-26-91)

§ 4.316 FIRE SERVICES.

(A) Construction. The construction of fire services shall be allowed as provided under the building code and Inspection Department. Separate services are required for both Fire and Domestic water use, and ~~Detector~~ flow meters shall be installed on any separate fire service line.

(B) Activation of detector flow meter. When the detector flow meter is activated by flow through the fire system, it shall be the duty of the property owner or occupant to notify the Public Works Department within 24 hours thereafter.

(C) Limitation of size. The Public Works Department shall reserve the right to limit the size of fire protection services where the street mains are of such size as to make it necessary in order to protect public interest.

(D) Prohibited use. In any case when the owner or occupant of any premises are found to be using water from a fire service for other purposes than fire protection, such act shall be cause for requiring metering of the fire service with a meter specified by the Public Works Department, at the expense of the owner. Estimated usage shall be billed to the property owner pursuant to section § 4.313(A)2-(C)

(E) Requirement of meter. The Public Works Department reserves the right at any time to require the property owner of the premises supplied with fire services to furnish and install, at ~~his~~ their expense and under the direction of the Public Works Department an approved water meter and to keep the same in accurate operating condition, if it finds it necessary to do so to protect the public interest.

(Ord. 1227, passed 8-26-91)

§ 4.317 FIRE HYDRANTS.

(A) Permit requirements. No person other than an authorized city employee shall use a fire hydrant without first obtaining a permit therefor from the Public Works Department.

(B) Flushing streets and sewers. Hydrants used for construction purposes or for flushing sewers and streets shall have a reducing coupling attached to the nozzle of the hydrant with an independent throttling valve for regulating the supply. A Backflow preventer ~~must be~~

available that has been tested within the past year and found to be operating properly must be installed at the hydrant or ~~the~~ vehicle.

(C) Opening hydrants. Hydrants shall be opened only with a numbered hydrant spanner.

(D) Use as temporary service by contractors. Temporary service from fire hydrants is available for contractors. A meter will be obtained from the Public Works Department and a charge shall be made for hook-up. The charges for such water service shall be at the same rate as other services. Responsibility for the safety of and security of the meter lies with the contractor. The contractor shall place a deposit for the replacement value of the meter with the Public Works Department at the time of the request for application, and an escrow payment will be made for estimated water usage.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.318 MISCELLANEOUS PROVISIONS.

(A) Water supply from two sources; private supply substituted for city water. On premises where water is supplied from two sources, the city water being one of the systems, the piping system for city water must be entirely separated from that of the other source. If other than city water is to be furnished on premises previously supplied with city water, the property owner or ~~his~~their plumber must give notice at the office of the receive approval from the Public Works Department. If approval is given the owner or their plumber when he they will make this change and must also cut off the will be responsible for discontinuing city water supply at the corporation stop and disconnect the service pipe.

(B) Disconnection of direct connection of two sources. Premises now having direct connection between the city water supply and another supply shall forthwith disconnect the same.

(C) Requirements of safety devices. Customers are required to equip boilers, heating plants, and refrigeration machinery with safety devices and/or backflow preventers; or provide auxiliary supplies.

(D) Repairs to comply with provisions. Repairs made to existing services shall cause such service to conform in every respect with this chapter.

(E) Accuracy of information not guaranteed. Such information as may be obtained from the records, maps, employees, and the like, of the Public Works Department relative to the location of water mains and service pipes will be furnished to licensed plumbers and interested parties, but the Public Works Department does not guarantee the accuracy of the same.

(F) Restriction of water use. The Public Works Department reserves the right to prohibit the use of water for yard sprinklers, elevators, air conditioners, coolers, and large consumers of water when in the judgment of the Public Works Department it shall be necessary to do so for the protection of public interest.

(G) Provisions considered part of every contract. The foregoing rules and regulations shall be considered a part of the contract for every person who takes water supplied by the City of Columbia Heights, and shall be considered as having expressed ~~his~~their agreement to be bound thereby.

(Ord. 1227, passed 8-26-91) Penalty, see § 4.319

§ 4.319 PENALTY.

(A) Any person, firm, or corporation who violates or refuses to comply with any of the provisions of this article, upon conviction thereof, shall be punished as provided in § 1.999. Each day that a violation exists shall constitute a separate offense.

(B) Any person violating any of the provisions of this article is liable to the city for any expense, loss, or damage occasioned the city by reason of such violation.

(Ord. 1227, passed 8-26-91)

First Reading: April 11, 2022

Offered by:

Seconded by:

Roll Call:

Second Reading: April 25, 2022

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Mayor Amáda Márquez Simula

Attest:

Sara Ion, City Clerk

AGENDA SECTION	ITEMS FOR CONSIDERATION
MEETING DATE	04/11/2022

ITEM:	Root Property Update and Approval of Additional Project Costs		
DEPARTMENT: Community Development		BY/DATE: Mitchell Forney 4/4/2022	
CITY STRATEGY:			
<input checked="" 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	

BACKGROUND:

The purpose of this letter and the following discussion is two-fold. First, to provide the Council with an update on the environmental remediation of 3930 University Avenue NE (the Root property). Second, to highlight and discuss issues that the project ran into, and the steps required as the project moves forward.

Over the past two years, Community Development staff have been working with Anoka County and the City’s environmental consultant Carlson McCain to plan for the remediation of the Root property. In December of 2021, Carlson McCain and the City’s demolition contractor Veit initiated the environmental cleanup. Over a period of 4 weeks, Veit removed two storage buildings, their slab foundations, the basement foundation of the main building, 665 tons of contaminated soil, and clear-cut a majority of the site. During the remediation of the site, Veit and Carlson McCain uncovered an old dumpsite on the southern end of the property, two large fuel storage tanks, and an additional foundation underneath one of the storage building foundations. The dumpsite and additional foundation were immediately remediated. The storage tanks were left in place and covered to prevent any leaking or other damage to the area. These tanks will require further action which is discussed in a separate staff report.

The remediation of the extra foundation and dumpsite increased the overall cost of the initial project. Not only did Veit have to excavate all materials, but additional testing was required to move forward. The dumpsite contained a wide variety of debris including asbestos-containing materials. The presence of asbestos required Veit to take extra precautions when remediating the dumpsite. Asbestos-containing materials can only be disposed of at certain dumpsites which also contributed to an increase in cost. The remediation of the unexpected debris was essential to the continuation of the project. To obtain a No Further Action letter from the MPCA, all the contaminants had to be removed. Other than the fuel tanks, the contamination from the rest of the site has been remediated.

The funding for the initial remediation efforts at the Root property was provided through Anoka County and the Community Development Block Grant program (CDBG). Attached are two change orders and a resolution requesting funds from the Anoka County Housing and Redevelopment Authority (ACHRA). The change orders alter the original contracts with the City’s contractors to cover the additional costs incurred. The attached resolution follows staff’s recommendation to utilize the ACHRA special levy to pay for the increased project

costs not covered by CDBG funds. Remediating the Root property directly supports the goals and mission of the ACHRA Levy.

Veit completed the original contracted project \$7,644.52 under bid, but the additional unexpected work added \$21,882.63 to the project cost. Since Veit finished the project under bid, Veit's change order increases the contract cost by \$14,239 for a total contract cost of \$93,719. Carlson McCain came in with an initial bid of \$14,250 but added \$10,493.80 due to the additional work required. This resulted in a total project cost of \$24,743.80 for Carlson McCain. CDBG Funds covered \$71,835.48 of Veit's project cost and \$11,874.30 of Carlson McCain's. This leaves the City responsible for an additional \$34,752.13, which staff recommend using the ACHRA levy to cover.

Currently, Carlson McCain is working to obtain the necessary project completion documents from the MPCA. These documents, including the No Further Action letter, are required to close out the CDBG funded portion of the Root property cleanup. Anoka county staff are working on the reimbursement of CDBG funds while awaiting the receipt of the No Further Action letter to close out the project. Community Development staff expect two more invoices to be brought forth after the project is complete. One from Carlson McCain covering their work with the MPCA going forward. The second is from the MPCA to cover their review.

Community Development staff recommend the approval of both change orders. The additional incurred costs were essential to the completion of the project and the ultimate receipt of CDBG funds. Staff also recommend the approval of resolution 2022-49, a resolution authorizing the use of ACHRA funds to cover the increased remediation costs.

RECOMMENDED MOTION(S):

MOTION: Move to approve the final compensation change orders for Veit and Carlson McCain for the environmental remediation of 3930 University Avenue NE.

MOTION: Move to waive the reading of Resolution No. 2022-49, there being ample copies available to the public.

MOTION: Move to approve Resolution No. 2022-49, a resolution requesting funds from the Anoka County Housing and Redevelopment Authority to support economic development activities at 3930 University Avenue NE, Columbia Heights.

ATTACHMENT(S):

1. Veit Change Order
2. Carlson McCain Change Order
3. Resolution 2022-49
4. Root Property Map
5. Veit Extra work Invoice
6. Carlson McCain Extra work Invoice

FINAL COMPENSATION CHANGE ORDER**Project:** Environmental Remediation of 3930 University Ave

Owner: City of Columbia Heights 590 40 th Ave. NE Columbia Heights, MN 55421	Date of Issuance: April 11, 2022						
Contractor: Veit & Company, Inc 14000 Veit Place Rogers, MN 55374	Community Development Department						
<p>You are directed to make the following changes in the contract documents:</p> <table border="0"> <tr> <td>Description: Change in original contract price for unexpected increase in scope of work</td> <td><u>Total Price</u></td> </tr> <tr> <td><u>Item Description</u></td> <td></td> </tr> <tr> <td>Abatement and removal of regulated/hazardous material from Buildings, building demolition/removal of building foundations, Excavation, hauling & disposal of contaminated soils, and interim Grading</td> <td>\$14,239.00</td> </tr> </table> <p>Purpose of Change Order: The contract has been modified to include the additional hazardous material that had been remediated.</p>		Description: Change in original contract price for unexpected increase in scope of work	<u>Total Price</u>	<u>Item Description</u>		Abatement and removal of regulated/hazardous material from Buildings, building demolition/removal of building foundations, Excavation, hauling & disposal of contaminated soils, and interim Grading	\$14,239.00
Description: Change in original contract price for unexpected increase in scope of work	<u>Total Price</u>						
<u>Item Description</u>							
Abatement and removal of regulated/hazardous material from Buildings, building demolition/removal of building foundations, Excavation, hauling & disposal of contaminated soils, and interim Grading	\$14,239.00						
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME						
Original Contract Price: \$79,480.00	Original Contract Time:						
Previous Change Orders No. ___ to No. ___ None	Net Change from Previous Change Order:						
Contract Price Prior to the Change Order: \$79,480.00	Contract Time Prior to This Change Order:						
Net Increase (Decrease) of this Change Order: \$14,239.00	Net Increase (Decrease) of Change Order:						
Contract Price With all Approved Change Orders: \$93,719.00	Contract Time with Approved Change Orders:						
Recommended: By: _____ Community Development Director	Approved By: _____ Veit & Company, Inc.						

City Manager, Kelli Bourgeois_____
Mayor, Amáda Márquez Simula_____
Date of Council Action

FINAL COMPENSATION CHANGE ORDER**Project:** Environmental Remediation of 3930 University Ave

Owner: City of Columbia Heights 590 40 th Ave. NE Columbia Heights, MN 55421	Date of Issuance: April 11, 2022				
Contractor: Carlson McCain Inc. 3890 Pheasant Ridge Dr. NE, Suite: 100, Blaine, MN 55449	Community Development Department				
<p>You are directed to make the following changes in the contract documents:</p> <table border="0"> <tr> <td>Description: Change in original contract price for unexpected increase in scope of work</td> <td><u>Total Price</u></td> </tr> <tr> <td><u>Item Description</u> Onsite supervising and directing, field screening, confirmatory sampling, land surveying, backfill compaction sampling, and soil vapor testing.</td> <td>\$10,495</td> </tr> </table> <p>Purpose of Change Order: The contract has been modified to include the additional sampling and screening that had to be conducted.</p>		Description: Change in original contract price for unexpected increase in scope of work	<u>Total Price</u>	<u>Item Description</u> Onsite supervising and directing, field screening, confirmatory sampling, land surveying, backfill compaction sampling, and soil vapor testing.	\$10,495
Description: Change in original contract price for unexpected increase in scope of work	<u>Total Price</u>				
<u>Item Description</u> Onsite supervising and directing, field screening, confirmatory sampling, land surveying, backfill compaction sampling, and soil vapor testing.	\$10,495				
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME				
Original Contract Price: \$14,250	Original Contract Time:				
Previous Change Orders No. ___ to No. ___ None	Net Change from Previous Change Order:				
Contract Price Prior to the Change Order: \$14,250	Contract Time Prior to This Change Order:				
Net Increase (Decrease) of this Change Order: \$10,495	Net Increase (Decrease) of Change Order:				
Contract Price With all Approved Change Orders: \$24,745	Contract Time with Approved Change Orders:				
Recommended: By: _____ Community Development Coordinator	Approved By: _____ Veit & Company, Inc.				

City Manager, Kelli Bourgeois_____
Mayor, Amáda Márquez Simula_____
Date of Council Action

A RESOLUTION REQUESTING FUNDS FROM THE ANOKA COUNTY HOUSING AND REDEVELOPMENT AUTHORITY TO SUPPORT ECONOMIC DEVELOPMENT ACTIVITIES AT 3930 UNIVERSITY AVENUE NE, COLUMBIA HEIGHTS

BE IT RESOLVED BY the City Council (the “Council”) of the City of Columbia Heights, Minnesota (the “City”) as follows:

WHEREAS, on June 26, 2017, the Council adopted Resolution 2017-70, a resolution authorizing the approval of participation in the Anoka County Housing and Redevelopment Authority (the “ACHRA”); and

WHEREAS, the City is eligible to receive funding from the ACHRA for projects and programs that meet the requirements of MN Statute 469 (“Eligible Activity”); and

WHEREAS, the City, after appropriate examination and review, entered into an Agreement with Carlson McCain and Veit to conduct environmental testing and remediation work at 3930 University Ave NE (“the Property”), in accordance with the phase two agreement of Anoka County’s 2019 Community Development Block Grant (“CDBG”); and

WHEREAS, during environmental remediation of the site, additional contaminants and debris were uncovered requiring additional remediation work, which exceeded what was identified in the phase two agreement; and

WHEREAS, the City desires to request funding from the ACHRA to pay for the excess remediation work on the Property as an Eligible Activity not covered by CDBG funding.

NOW, THEREFORE BE IT RESOLVED, the City does hereby request that the ACHRA contribute the sum of \$34,752.13, to support the environmental cleanup of the Property as an Eligible Activity of the City.

ORDER OF COUNCIL

Passed this _____ day of _____, 2022

Offered by:

Seconded by:

Roll Call:

Mayor, Amáda Márquez Simula

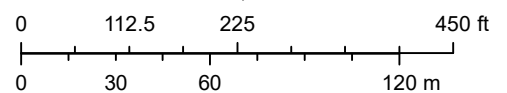
Attest:

Sara Ion, City Clerk/Council Secretary



January 17, 2019

1:2,400





INVOICE

PLEASE MAIL ALL PAYMENTS TO:

CARLSON MCCAIN, INC.
 3890 PHEASANT RIDGE DR. NE, SUITE 100, BLAINE, MN 55449
 TEL 763.489.7900 \ FAX 763.489.7959

City of Columbia Heights
 Attn: Mitchell Forney
 590 - 40th Avenue NE
 Columbia Heights, MN 55421

Invoice Date: April 6, 2022
 Project: No: 09702-00
 Invoice No: 0055758
 Project Manager: James Crowl III

Project: Root Property Remediation

Phase	001	RAP Implementation		
Professional Personnel				
		Hours	Rate	Amount
J. Crowl - Project Hydrogeologist				
	Professional Services	28.70	155.00	4,448.50
	Professional Services	8.10	165.00	1,336.50
	No Charge	1.90		0.00
D. Miller - Staff Geologist				
	Professional Services	3.00	75.00	225.00
B. Anderson - Staff Geologist				
	Professional Services	83.80	70.00	5,866.00
	Professional Services	7.30	80.00	584.00
	Totals	132.80		12,460.00
	Total Labor			12,460.00
			Total this Phase	\$12,460.00

Phase	003	Specs, MPCA Liaison & PM		
Professional Personnel				
		Hours	Rate	Amount
J. Crowl - Project Hydrogeologist				
	Professional Services	1.90	165.00	313.50
	No Charge	1.20		0.00
B. Anderson - Staff Geologist				
	Professional Services	1.20	80.00	96.00
	Totals	4.30		409.50
	Total Labor			409.50
			Total this Phase	\$409.50
			Total this Invoice	\$12,869.50

Billing Backup

Wednesday, April 6, 2022

Carlson McCain, Inc.

Invoice 0055758 Dated 4/6/2022

2:00:45 PM

Project:	09702-00	Root Property Remediation
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Phase	001	RAP Implementation
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Professional Personnel

		Hours	Rate	Amount
J. Crowl - Project Hydrogeologist				
No Charge				
12/9/2021	Project Management	1.90		0.00
	Discussions w/ staff and MnDOC regarding USTs			
Professional Services				
11/29/2021	Staff Coordination	1.60	155.00	248.00
	Prep/coordination for start of remediation; Health & Safety; Coordination w/ Veit			
11/30/2021	Staff Coordination	.70	155.00	108.50
	Prep/coordination for start of remediation; Coordination w/ Veit			
12/1/2021	Staff Coordination	5.40	155.00	837.00
	Project kickoff; Health & Safety; Oversight; Travel; Correspondence w/ MPCA			
12/2/2021	Staff Coordination	2.90	155.00	449.50
	Site inspection; Travel; Calls w/ Ben; Update Aaron; Coordination w/ TestAmerica and Vonco II			
12/3/2021	Staff Coordination	4.20	155.00	651.00
	Oversight; Drop off samples at lab; Travel; Calls w/ Ben; Coordination w/ Veit, Vonco II & TestAmerica; Update Aaron			
12/6/2021	Staff Coordination	2.60	155.00	403.00
	Inspection; Calls w/ Ben and Veit regarding site conditions; Coordination w/ TestAmerica & EMSL			
12/7/2021	Staff Coordination	3.10	155.00	480.50
	Calls w/ Ben and Veit regarding site conditions; Inspection; Coordination w/ TestAmerica; Update Aaron			
12/8/2021	Staff Coordination	.50	155.00	77.50
	Data review; Discussions w/ City, Ben and Veit			
12/9/2021	Staff Coordination	.40	155.00	62.00
	Correspondence regarding USTs			
12/14/2021	Data Review	1.10	155.00	170.50
	Data review; Coordination w/ TestAmerica, Vonco II and Veit			
12/17/2021	Data Review	.70	155.00	108.50
	Prep/coordination w/ Ben and Veit to conduct field work			
12/20/2021	Staff Coordination	3.30	155.00	511.50
	Site inspection; Calls w/ Aaron; Coordination w/ Veit and Vonco II			
12/21/2021	Staff Coordination	.80	155.00	124.00
	Calls w/ Ben; Coordination w/ Veit and Vonco II			
12/22/2021	Staff Coordination	1.40	155.00	217.00
	Discussions w/ Ben and Veit; Update Aaron			
1/3/2022	Staff Coordination	1.20	165.00	198.00
	Follow up w/ field work; Discussions w/ Ben; Data management			

					Item 20.
Project	09702-00	Root Property Remediation	Invoice	0055758	
1/4/2022	Staff Coordination	2.30	165.00	379.50	
	Follow up w/ field work; Discussions w/ Ben; Data management				
1/7/2022	Staff Coordination	.20	165.00	33.00	
	Discussions w/ Ben				
1/10/2022	Data Review	1.60	165.00	264.00	
	Data management				
1/19/2022	Correspondence	.40	165.00	66.00	
	Correspondence w/ Veit				
1/25/2022	Data Review	.70	165.00	115.50	
	Correspondence w/ Veit; Review quantities				
1/26/2022	Data Review	1.30	165.00	214.50	
	Correspondence w/ Veit; Review quantities; Discussions w/ Ben				
1/28/2022	Data Review	.40	165.00	66.00	
	Call w/ Aaron; Correspondence w/ Veit				
D. Miller - Staff Geologist					
Professional Services					
12/3/2021	Sampling	.50	75.00	37.50	
	Shingle asbestos sampling- prepared chain of custody and sampled				
12/7/2021	Sampling	2.50	75.00	187.50	
	Travel to site; Asbestos sampling; Drop-off samples at EMSL; Drop-off samples at TestAmerica; Travel back				
B. Anderson - Staff Geologist					
Professional Services					
11/29/2021	Preparation	3.70	70.00	259.00	
	RAP read-through, HASP writing. Preparing manifests - discussion & planning w/ Jim				
11/30/2021	Preparation	3.80	70.00	266.00	
	HASP edit/print - equipment loading/prep, Sampling planning w/ Jim				
12/1/2021	Preparation	9.90	70.00	693.00	
	on site monitoring; sampling arsenic in hotspot 11, taken to lab				
12/2/2021	Preparation	9.20	70.00	644.00	
	on site monitoring, sampling and PID under slabs, truck log				
12/3/2021	Preparation	9.30	70.00	651.00	
	on site monitoring, PID and sample underneath basement, vent pipe investigation				
12/6/2021	Field Work -Other	9.80	70.00	686.00	
	on-site: passing out manifests, pid sampling, marking out hot spots				
12/7/2021	Field Work -Other	9.80	70.00	686.00	
	marking out hotspots, passing out manifests, taking samples - soil and potential asbestos, documenting progress				
12/8/2021	Field Work -Other	.80	70.00	56.00	
	Unloading materials, collating field notes				
12/15/2021	Preparation	.40	70.00	28.00	
	Planning out dump removal - manifest print and prepare				
12/17/2021	Preparation	1.60	70.00	112.00	
	Loading equipment for monday, discussing through asbestos procedures, coordinating with Justin @ Veit				

					Item 20.
Project	09702-00	Root Property Remediation	Invoice	0055758	
12/20/2021	Oversight	9.20	70.00	644.00	
	on site oversight- manifesting trucks, recording times				
12/21/2021	Oversight	8.50	70.00	595.00	
	on site oversight- manifesting trucks, recording times				
12/22/2021	Oversight	7.60	70.00	532.00	
	on site oversight- manifesting trucks, recording times				
12/23/2021	Oversight	.20	70.00	14.00	
	unloading/cleaning up				
1/3/2022	Compile Field Notes	1.80	80.00	144.00	
	Scanning field notes, downloading pictures, planning and drafting tables				
1/4/2022	Compile Field Notes	5.00	80.00	400.00	
	Analytical results chart creation, editing, and formating				
1/7/2022	Compile Field Notes	.50	80.00	40.00	
	Building gis figures for report - outlining removed areas				
	Totals	132.80		12,460.00	
	Total Labor			12,460.00	
		Total this Phase		\$12,460.00	

Phase	003	Specs, MPCA Liaison & PM			
Professional Personnel					
			Hours	Rate	Amount
J. Crowl - Project Hydrogeologist					
	No Charge				
2/14/2022	Project Management	1.20			0.00
	Correspondence w/ City and Anoka County				
	Professional Services				
3/23/2022	Correspondence	1.90	165.00		313.50
	Prepare Project Summary and send to Mitch				
B. Anderson - Staff Geologist					
	Professional Services				
1/25/2022	Data Review	1.20	80.00		96.00
	Review of Veit invoices - verifying rates and hours				
	Totals	4.30			409.50
	Total Labor				409.50
		Total this Phase			\$409.50
		Total this Report			\$12,869.50

EXTRA WORK SUMMARY

Veit & Company, Inc.

Project Manager: Steve Hoiser

Project Name: Former Root Property

3930 University Ave NE Columbia Heights, MN 55421

Veit Job No. 210442

EXTRA WORK AUTHORIZATION NO:

68373

68374

68375

69626

69627

69628

Operator / Labor	Cost/Hour \$	12/3 Hrs	12/6 Hrs	12/7 Hrs	12/20 Hrs	12/21 Hrs	12/22 Hrs			Total Hrs	Total \$
CAT 336 Excavator	\$ 312.00	4	4	3.5	8	6	2.5			28	\$ 8,736.00
Superindent	\$ 141.00	1								1	\$ 141.00
Quint Dump Truck	\$ 150.00					5.5	3			8.5	\$ 1,275.00
Landfill Disposal	\$ 30.00				301.13					301.13	\$ 9,033.90
ECCO Midwest Asbestos Subcontractor X 10%	\$ 2,696.73				1					1	\$ 2,696.73
	\$ -									0	\$ -
Operator/Labor Total =										\$	21,882.63

Total Change Order = \$ 21,882.63



ECCO Midwest, Inc.
 2939 Enterprise Avenue, Ste. B
 Hastings MN 55033
 651-788-9556
 info@eccomidwest.com
 www.ECCOMidwest.com

Contract Invoice

Invoice #: 21173-002
 Invoice Date: 01/13/2022
 Order #: 210442-4704

Billed To: Veit and Company, Inc.
 14000 Veit Place
 Rogers MN 55374

Project: Former Root Property Demolition
 3930 University Avenue Northeast
 Columbia Heights MN 55421

Terms: 30DY

Due Date: 02/12/2022

Description	Unit	Qty.	Price	Amount
12/20/21 Provide Abatement Licensed Supervisor, Laborer and Materials to Line Trucks (see attached detail).				
2% MDH Notification/Permit Fee	LS	0.02	2,530.00	50.60
Abatement Supervisor-Regular Time	HR	8.00	130.00	1,040.00
Abatement Supervisor-Overtime	HR	1.00	150.00	150.00
Abatement Laborer-Regular Time	HR	8.00	130.00	1,040.00
Abatement Laborer-Overtime	HR	2.00	150.00	300.00

A service charge of 1.5% per annum may be charged on all amounts overdue on regular statement dates.

Thank you for business and your prompt payment!!

Non-Taxable Amount:	2,580.60
Taxable Amount:	0.00
Sales Tax:	0.00
Retention	129.03
Amount Due This Invoice:	2,451.57



14000 Veit Place
Rogers, MN 55374
763-428-2242 Voice
763-428-8348 Fax

Specialty Contracting & Waste Management

68373

Item 20.

EXTRA WORK AUTHORIZATION

Owner/Client: CITY OF COLUMBIA HEIGHTS
Client Rep: _____
Client Onsite Rep: _____
Client POWO Number: _____

Date: 12-3-21
Project Name: Root Property
Project Location: 3930 UNIVERSITY AVE, COLUMBIA HTS
Veit Project Manager: STEVE HOSIER
Veit Job Number: 210442

EQUIPMENT/OPERATOR

Equip #	Phase Code	Description	Hour	Unit Cost	Amount
BH 109	49090	CAT 334/OPERATED	4	\$ 312.00	\$ -
TK 553	49090	Supt pick up	4	\$ 100.00	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Equipment Cost					\$ -

LABOR

Quantity	Phase Code	Description	Hours	Unit Cost	Amount
1	49090	WORKING Supt w/ pick up	1	\$ 141.00	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Labor Cost					\$ -

MATERIAL/OTHER

P.O. / Invoice #	Vendor	Quantity	Unit Cost	Amount
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Total Material Cost				\$ -

TRUCKING/OPERATOR

Truck/Vendor	Truck #	Truck Type	Hours	Loads	Unit Cost	Amount
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Total Trucking Cost						\$ -

DESCRIPTION OF WORK

found stand pipe (vent) for underground tank, got direction to chase pipe to expose and look for tank from Jim Croaul from Carlson McCain. Chased pipe about 80' and came to deadend was told to dig southwest corner of shed #3 to look for tank

WORK AUTHORIZED AND APPROVED BY: (PLEASE SIGN CLEARLY)

Benjamin Anderson 12/7/21
Owner/Client Representative Date
763-458-8174
Owner/Client Phone Number
Ante Anst 12-7-21
Veit Representative Date

COST SUMMARY

Equipment/Operator \$ -
Labor \$ -
Material/Other \$ -
Trucking/Operator \$ -
Total Daily Cost



14000 Veit Place
Rogers, MN 55374
763-428-2242 Voice
763-428-8348 Fax

Specialty Contracting & Waste Management

68374

Item 20.

EXTRA WORK AUTHORIZATION

Owner/Client: City of Columbia Heights
Client Rep: _____
Client Onsite Rep: _____
Client PO/WO Number: _____

Date: 12-6-21
Project Name: Root Property
Project Location: 3930 University Ave
Veit Project Manager: Steve Hosier
Veit Job Number: 210442

EQUIPMENT/OPERATOR

Equip #	Phase Code	Description	Hour	Unit Cost	Amount
BH 109	49090	Cat 336/Operator	4	\$ 312 ⁰⁰	\$ -
TK 553	49090	Spt Pick up	4	\$ 101	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Equipment Cost					\$ -

LABOR

Quantity	Phase Code	Description	Hours	Unit Cost	Amount
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Labor Cost					\$ -

MATERIAL/OTHER

P.O. / Invoice #	Vendor	Quantity	Unit Cost	Amount
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Total Material Cost				\$ -

TRUCKING/OPERATOR

Truck/Vendor	Truck #	Truck Type	Hours	Loads	Unit Cost	Amount
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Total Trucking Cost						\$ -

DESCRIPTION OF WORK

Found extra slab and footings under hotspot 11
and building two about 2-3' inside perimeter of
building about 8" below Floor

WORK AUTHORIZED AND APPROVED BY: (PLEASE SIGN CLEARLY)

Bennett Adams 12/7/21
Owner/Client Representative Date
763-458-8174
Owner/Client Phone Number
[Signature] 12-7-21
Veit Representative Date

COST SUMMARY

Equipment/Operator \$ -
Labor \$ -
Material/Other \$ -
Trucking/Operator \$ -
Total Daily Cost



14000 Veit Place
Rogers, MN 55374
763-428-2242 Voice
763-428-8348 Fax

Specialty Contracting & Waste Management

68375

Item 20.

EXTRA WORK AUTHORIZATION

Owner/Client: City Columbia Heights
Client Rep: _____
Client Onsite Rep: _____
Client PO/VO Number: _____

Date: 12-7-21
Project Name: Root Property
Project Location: 3930 University Ave
Veit Project Manager: Steve Hosier
Veit Job Number: 210442

EQUIPMENT/OPERATOR

Equip #	Phase Code	Description	Hour	Unit Cost	Amount
BH109	49090	Cat 336/Operator	3.5	\$ 312	\$ -
TK333	49090	Supt Pick up	3.5	\$ 0	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Equipment Cost					\$ -

LABOR

Quantity	Phase Code	Description	Hours	Unit Cost	Amount
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Labor Cost					\$ -

MATERIAL/OTHER

P.O. / Invoice #	Vendor	Quantity	Unit Cost	Amount
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Total Material Cost				\$ -

TRUCKING/OPERATOR

Truck/Vendor	Truck #	Truck Type	Hours	Loads	Unit Cost	Amount
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Total Trucking Cost						\$ -

DESCRIPTION OF WORK

uncovered Two tanks 6' tall 24' long

WORK AUTHORIZED AND APPROVED BY: (PLEASE SIGN CLEARLY)

Benjamin Anderson
Owner/Client Representative

12/20/21
Date

763-458-8174
Owner/Client Phone Number

[Signature]
Veit Representative

12-20-21
Date

COST SUMMARY

Equipment/Operator \$ _____
Labor \$ _____
Material/Other \$ _____
Trucking/Operator \$ _____
Total Daily Cost



14000 Veit Place
Rogers, MN 55374
763-428-2242 Voice
763-428-8348 Fax

Specialty Contracting & Waste Management

69626

Item 20.

EXTRA WORK AUTHORIZATION

Owner/Client: City Columbia Heights
Client Rep: _____
Client Onsite Rep: _____
Client PO/WO Number: _____

Date: 12-20-21
Project Name: Root Property
Project Location: 3950 University Ave
Veit Project Manager: Steve Hslier
Veit Job Number: 210442

EQUIPMENT/OPERATOR

Equip #	Phase Code	Description	Hour	Unit Cost	Amount
B4 109	49090	Cat 336/Operator	8.8	\$ 312	\$ -
TK 333	49090	Supt Pick up	8.8	\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -

Total Equipment Cost \$ -

LABOR

Quantity	Phase Code	Description	Hours	Unit Cost	Amount
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -

Total Labor Cost \$ -

MATERIAL/OTHER

P.O. / Invoice #	Vendor	Quantity	Unit Cost	Amount
	ECO MIDWEST 110%	1	\$ -	\$ -
	Landfill	1	\$ 30.00	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -

Total Material Cost \$ -

TRUCKING/OPERATOR

Truck/Vendor	Truck #	Truck Type	Hours	Loads	Unit Cost	Amount
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -

Total Trucking Cost \$ -

DESCRIPTION OF WORK

load and wrapped 15 loads ACM to Unco II

WORK AUTHORIZED AND APPROVED BY: (PLEASE SIGN CLEARLY)

Benjamin Anderson
Owner/Client Representative
763-958-8174
Owner/Client Phone Number
[Signature]
Veit Representative

12/20/21
Date
12-20-21
Date

COST SUMMARY

Equipment/Operator \$ -
Labor \$ -
Material/Other \$ -
Trucking/Operator \$ -

Total Daily Cost

165



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Rogers, MN 55374
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Specialty Contracting & Waste Management

69627

Item 20.

EXTRA WORK AUTHORIZATION

Owner/Client: City Columbia Heights
Client Rep: _____
Client Onsite Rep: City Columbia Heights
Client PO/WO Number: _____

Date: 12-21-21
Project Name: Former Root Property
Project Location: Columbia Heights
Veit Project Manager: Stephen Hoyer
Veit Job Number: 210442

EQUIPMENT/OPERATOR

Equip #	Phase Code	Description	Hour	Unit Cost	Amount
BH109	49090	load concrete extra 3	6 hrs	\$ 310	\$ -
		loads and ten loads		\$ -	\$ -
BH109	49090	clay on site hauling	21	\$ -	\$ -
TK685	49090	10 loads clay onsite		\$ -	\$ -
TK685	49090	to backfill ACM Hole and		\$ -	\$ -
		3 loads concrete		\$ -	\$ -
TK353	49040	Supt Truck	6 hrs	\$ -0-	\$ -
Total Equipment Cost				\$	-

LABOR

Quantity	Phase Code	Description	Hours	Unit Cost	Amount
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Labor Cost				\$	-

MATERIAL/OTHER

P.O. / Invoice #	Vendor	Quantity	Unit Cost	Amount
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Total Material Cost			\$	-

TRUCKING/OPERATOR

Truck/Vendor	Truck #	Truck Type	Hours	Loads	Unit Cost	Amount
VEIT	685	QUINT	5.5		\$ 150	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Total Trucking Cost					\$	-

DESCRIPTION OF WORK

3 loads concrete to Fra-dor
10 loads clay onsite
load and wrapped 13 loads ACM To Vorko II

WORK AUTHORIZED AND APPROVED BY: (PLEASE SIGN CLEARLY)

Benjamin Anderson 12/21/21
Owner/Client Representative Date
763-458-8174
Owner/Client Phone Number
[Signature]
Veit Representative Date

COST SUMMARY

Equipment/Operator \$ -
Labor \$ -
Material/Other \$ -
Trucking/Operator \$ -
Total Daily Cost



Veit & Company, Inc., 14000 Veit Place, Rogers, MN 55374
763-428-2242 Main Office 763-428-8348 Fax

37624

Item 20.

DATE	TRUCK NO.	TRAILER NO.	TRUCKING COMPANY	TRUCK OWNER
12-21-21	685		Veit	Veit

<input type="checkbox"/> Tandem	<input type="checkbox"/> Side Dump	<input type="checkbox"/> Belly Dump	<input type="checkbox"/> End Dump
<input type="checkbox"/> Tri-Axle	<input type="checkbox"/> Quad	<input checked="" type="checkbox"/> Quint	<input type="checkbox"/>

TRUCK DRIVER

Brian Reishus

JOB NAME: Former Root Property	JOB NAME:
VEIT JOB #: 2104420	VEIT JOB#:
FROM SITE: 2104420	FROM SITE:
TO SITE: Vonco II, on site, Frador, Hassan	TO SITE:
TYPE OF MATERIAL: C-soil, sand, conf.	TYPE OF MATERIAL:

Load Time	Material Code	Net Tons/Yds ³	Load Time	Material Code	Net Tons/Yds ³
1. 7:00	45	18.197	13. 8:48 23		
2. 7:08	70	on site	14.		
3. 7:16	70	on site	15.		
4. 7:30	70	on site	16.		
5. 7:39	70	on site	17.		
6. 7:46	10 Frador		18.		
7. 10:43	70 11:09 12:43		19.		
8. 10:53	70 12:28 12:51		20.		
9. 11:01	70 12:38 1:00		21.		
10. 11:17	10 Frador		22.		
11. 1:08	10 Hassan		23.		
12. 2:30	DONE		24.		

55 hr

From Site:	# Total Loads	Material	To Site:	Total Hours
	1	C-soil		
	13	sand		
	3	conf.		

START	STOP	TOTAL LOADS	TOTAL HOURS
6:00	2:30	17	8.50

Brian Reishus
Driver's Signature

VEIT'S Authorized Signature*

*Note: truck slip not valid unless signed by Veit Representative

ABF 2.17

White: Driver Yellow: Office Pink: Foreman



14000 Veit Place
Rogers, MN 55374
763-428-2242 Voice
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Specialty Contracting & Waste Management

69628

Item 20.

EXTRA WORK AUTHORIZATION

Owner/Client: Columbia Heights
Client Rep: _____
Client Onsite Rep: _____
Client PO/WO Number: _____

Date: 12-22-21
Project Name: Former Root Property
Project Location: Columbia Heights
Veit Project Manager: Steve Hosier
Veit Job Number: 2104420

EQUIPMENT/OPERATOR

Equip #	Phase Code	Description	Hour	Unit Cost	Amount
BH109	49090	Cat 336/oper	2.5 X	\$ 312	\$ -
TK553	49090	Supt Truck	*	\$ -	\$ -
3		3 loads C-Soil (BASE Bld)		\$ -	\$ -
2		2 loads Concrete		\$ -	\$ -
Total Equipment Cost					\$ -

LABOR

Quantity	Phase Code	Description	Hours	Unit Cost	Amount
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Labor Cost					\$ -

MATERIAL/OTHER

P.O. / Invoice #	Vendor	Quantity	Unit Cost	Amount
	Continuum Son - Base Bld		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Total Material Cost				\$ -

TRUCKING/OPERATOR

Truck/Vendor	Truck #	Truck Type	Hours	Loads	Unit Cost	Amount
VEIT	605	Quint	2.5		\$ 150	\$ -
	603	Quint	2.5		\$ 150	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Total Trucking Cost						\$ -

DESCRIPTION OF WORK

WORK AUTHORIZED AND APPROVED BY: (PLEASE SIGN CLEARLY)

Owner/Client Representative: Benjamin Appleton Date: 12/22/21
Owner/Client Phone Number: _____
Veit Representative: [Signature] Date: _____

COST SUMMARY

Equipment/Operator \$ -
Labor \$ -
Material/Other \$ -
Trucking/Operator \$ -
Total Daily Cost



Veit & Company, Inc., 14000 Veit Place, Rogers, MN 55374
763-428-2242 Main Office 763-428-8348 Fax

37624

Item 20.

DATE	TRUCK NO.	TRAILER NO.	TRUCKING COMPANY	TRUCK OWNER
12-22-21	685		Veit	Veit

☐ Tandem ☐ Side Dump ☐ Belly Dump ☐ End Dump

☐ Tri-Axle ☐ Quad ☒ Quint ☐

TRUCK DRIVER

Brian Reishus

JOB NAME: FR	JOB NAME:
VEIT JOB #: 210442D	VEIT JOB#:
FROM SITE: 210442D	FROM SITE:
TO SITE: Frador, Vancott	TO SITE:
TYPE OF MATERIAL: CONC, L-SOIL	TYPE OF MATERIAL:

Load Time	Material Code	Net Tons/Yds ³	Load Time	Material Code	Net Tons/Yds ³
1. 9:30	10	> EXTRA	13.		
2. 10:34	10		14.		
3. 11:40	45	15.76T	15. 848463	> BASE BID	
4. 1:40	45	18.95T	16. 848496		
5.			17.		
6.			18.		
7.			19.		
8.			20.		
9.			21.		
10.			22.		
11.			23.		
12.			24.		

From Site:	# Total Loads	Material	To Site:	Total Hours

START	STOP	TOTAL LOADS	TOTAL HOURS
8:45	3:45	41	7
11:40			

Brian Reishus
Driver's Signature

VEIT'S Authorized Signature*

*Note: truck slip not valid unless signed by Veit Representative
White: Driver Yellow: Office Pink: Foreman

ABF 2.17



Veit & Company, Inc., 14000 Veit Place, Rogers, MN 55374
763-428-2242 Main Office 763-428-8348 Fax

37632

Item 20.

DATE	TRUCK NO.	TRAILER NO.	TRUCKING COMPANY	TRUCK OWNER	
12-22-21	683			Veit	
<input type="checkbox"/> Tandem <input type="checkbox"/> Side Dump <input type="checkbox"/> Belly Dump <input type="checkbox"/> End Dump				TRUCK DRIVER	
<input type="checkbox"/> Tri-Axle <input type="checkbox"/> Quad <input checked="" type="checkbox"/> Quint <input type="checkbox"/>				Nika Curberst	
JOB NAME: Former Koob Demo			JOB NAME:		
VEIT JOB #: 210442-D			VEIT JOB#:		
FROM SITE: Site			FROM SITE:		
TO SITE: Vonco II			TO SITE:		
TYPE OF MATERIAL: 45-C-501			TYPE OF MATERIAL:		
Load Time	Material Code	Net Tons/Yds ³	Load Time	Material Code	Net Tons/Yds ³
1. 1215	45	16 yds	13. 1218473		
2.		17.37T	14.		
3.			15.		
4.			16.		
5.			17.		
6.			18.		
7.			19.		
8.			20.		
9.			21.		
10.			22.		
11.			23.		
12.			24.		
From Site:		# Total Loads	Material	To Site:	Total Hours
Site		1	45	Vonco II	
START	STOP	TOTAL LOADS	TOTAL HOURS	Driver's Signature	
1215	245	1	2.5		

VEIT'S Authorized Signature*

*Note: truck slip not valid unless signed by Veit Representative
White: Driver Yellow: Office Pink: Foreman

ABF 2.17

AGENDA SECTION	ITEMS FOR CONSIDERATION
MEETING DATE	4/11/2022

ITEM:	3930 University Fuel Tank Removal and Remediation		
DEPARTMENT: Community Development		BY/DATE: Mitchell Forney 4/4/2022	
CITY STRATEGY:			
_ Safe Community		_ Diverse, Welcoming “Small-Town” Feel	
<u>X</u> Economic Strength		_ Excellent Housing/Neighborhoods	
_ Equity and Affordability		_ Strong Infrastructure/Public Services	
_ Opportunities for Play and Learning		_ Engaged, Multi-Generational, Multi-Cultural Population	

BACKGROUND:

During the recent environmental remediation of 3930 University Avenue NE (Root Property), the City’s demolition contractor uncovered two 6,000 Gallon heating oil storage tanks that were not expected. These tanks were found buried behind the main building’s foundation. This letter is to inform the council of what steps are necessary to accommodate the removal of the tanks, and to seek approval to apply to the State of Minnesota Abandoned Underground Storage Tank Removal Program.

Further research found that there was little to no way of knowing about the abandoned storage tanks. Both tanks were never registered with the correct state agencies and two separate historical site reviews, in 2012 and 2019, failed to identify the existence of the tanks. Community Development staff are looking to make use of the Department of Commerce’s, Abandoned Underground Storage Tank Removal Program. The Program covers 100% of the costs to remove abandoned storage tanks. To qualify for the program, staff need to prove that the City did not know of the tanks when the property was purchased. If the City’s application is approved, the Department of Commerce will hire private contractors to remove the tanks and conduct environmental sampling of the affected area. If no contaminants are found to have leaked from the tanks the Department of Commerce will regrade the area and the site remediation will be complete.

If contaminants are found to have leaked from the tanks, the City’s application and the sampling report will be sent to the MPCA for further review. The MPCA will review the circumstances and documents from the tank removal to determine if the City is responsible for the spillage and the cleaning of the contaminants. If the City is found to not be responsible, the MPCA will contract to have the remaining environmental remediation completed at no cost to the City. If Columbia Heights is deemed responsible, it falls on the City to remediate all contaminants. In this event, the City can apply for the Department of Commerce’s Petroleum Tank Release Cleanup Fund (“Petrofund”) grant. The Petrofund reimburses approved applicants up to 90% of the costs related to the cleanup of tank contaminants.

The City’s environmental consultant Carlson McCain and a representative from the Department of Commerce, believe that the tank removal project would qualify for the removal and remediation of the tanks at no cost to the City. Community Development staff recommend moving forward with the applications for the Department of Commerce’s programs.

RECOMMENDED MOTION(S):

MOTION: Move to waive the reading of Resolution No. 2022-50, there being ample copies available to the public.

MOTION: Move to approve Resolution No. 2022-50, a resolution of the City Council for the City of Columbia Heights, Minnesota, authorizing the submittal of the abandoned underground storage tank removal and petroleum tank release cleanup fund applications to the Minnesota Department of Commerce.

ATTACHMENT(S):

1. Resolution 2022-50
2. Tank Removal Program Flyer

RESOLUTION NO. 2022-50**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF COLUMBIA HEIGHTS, MINNESOTA, AUTHORIZING THE SUBMITTAL OF THE ABANDONED UNDERGROUND STORAGE TANK REMOVAL AND PETROLEUM TANK RELEASE CLEANUP FUND APPLICATIONS TO THE MINNESOTA DEPARTMENT OF COMMERCE**

WHEREAS, in 2021 the City of Columbia Heights began the environmental remediation of 3930 University Ave NE; and

WHEREAS, during the Excavation and demolition of structures and soil on the property, two 6,000-gallon fuel storage tanks were found; and

WHEREAS, the Minnesota Department of Commerce (“the Department”) offers an Abandoned Underground Storage Tank Removal Program, which works to assist entities in the removal of abandoned underground storage tanks; and

WHEREAS, the removal of the tanks may cause the need for further remediation of the site if the tanks have leaked their contents; and

WHEREAS, the Department operates the Petroleum Tank Release Cleanup Fund, which gives grants, covering up to 90% of the project, to clean up materials spilled from fuel storage tanks.

NOW THEREFORE BE IT RESOLVED that, after appropriate examination and due consideration, the City Council:

1. Authorizes staff to prepare and submit on behalf of the City an application to the Minnesota Department of Commerce for the Abandoned Underground Storage Tank Removal Program.
2. Authorizes staff to prepare and submit on behalf of the City an application to the Minnesota Department of Commerce for the Petroleum Tank Release Cleanup Fund if necessary.
3. Authorizes the Mayor and the City Manager to execute such agreements as are necessary to apply for and implement the above project on behalf of the City.

ORDER OF COUNCIL

Adopted this 11th day of April 2022

Offered by:

Seconded by:

Roll Call:

Attest:

Amáda Márquez Simula, Mayor

Sara Ion, City Clerk/Council Secretary

Minnesota Petrofund Underground Storage Tank Removal Program



How to qualify for the Petrofund Abandoned Underground Storage Tank Removal Program

Applying to have your abandoned tank removed is easy!

There is a simple, three-page application form that you need to complete. You can download this form from the Minnesota Commerce Department website or you can request it via email or phone.

Petrofund Abandoned Underground Storage Tank Removal Program

Leaks from petroleum storage tanks are one of the nation's leading causes of groundwater pollution. To help address this problem, the Minnesota Legislature established a program in the Petroleum Tank Release Cleanup Fund (Petrofund) to pay for the removal of abandoned underground storage tanks across the state.



85 7th Place East, Suite 280
Saint Paul, MN 55101
P: 651-539-1515
T: 1-800-638-0418
E: petrofund.commerce@state.mn.us
mn.gov/commerce/industries/fuel/petrofund



What storage tanks are covered by the Petrofund?

Underground petroleum storage tanks that were taken out of service before December 1988 qualify for removal by the Petrofund.

Tanks taken out of service after that date qualify if the owners are able to show they could not have reasonably known of the tank's existence at the time they first acquired the property.

How do I get an abandoned tank removed?

You can apply to the Petrofund for assistance in removing an abandoned underground tank on your property.

Once your application is approved, Minnesota Commerce Department staff will hire private contractors to remove the tank and conduct environmental sampling at no cost to you.

As part of the project, an excavation report will be prepared for the Minnesota Pollution Control Agency and you to document the tank removal and environmental sampling work.

What are the owner's responsibilities?

To participate in the Petrofund program, a property owner must agree to:

- Give written permission for the Petrofund and its contractors to access the property where the tank is located
- Release the Petrofund from liability for the work performed.

If a leak is discovered during the tank removal activities and the Minnesota Pollution Control Agency determines that you are responsible, you will be required to complete any necessary investigation and cleanup work.

Leak investigation and cleanup work is outside the scope of the free services provided by the Petrofund's Abandoned Underground Storage Tank Removal Program, but the costs for this work are eligible for up to 90% reimbursement from the Petrofund's Petroleum Tank Release Cleanup Program.



AGENDA SECTION	BID CONSIDERATION
MEETING DATE	APRIL 11, 2022

ITEM:	Adopt Resolution 2022-48 Being a Resolution Accepting Bids and Awarding a Contract for the 2022 Street Rehabilitation Program, Projects 2202 and 2206										
DEPARTMENT: Public Works		BY/DATE: Kevin Hansen 4/6/22									
<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 checked="" 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 checked="" 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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<input type="checkbox"/> Equity and Affordability	<input checked="" type="checkbox"/> Strong Infrastructure/Public Services										
<input type="checkbox"/> Opportunities for Play and Learning	<input type="checkbox"/> Engaged, Multi-Generational, Multi-Cultural Population										

BACKGROUND: The 2022 Columbia Heights Street Rehabilitation Program consists of the following projects:

- Bid A: Zone 6 and Zone 7 Street Rehabilitation, Project 2202

PARTIAL RECONSTRUCTION

Jackson Street NE, 40th Avenue to 41st Avenue
 41st Avenue NE, Monroe Street to Central Avenue
 42nd Avenue NE, 7th Street to Quincy Street
 43rd Avenue NE, 4th Street to 6th Street
 43rd Avenue NE, 7th Street to Washington Street

MILL AND OVERLAY

3rd Street NE, 44th Avenue to 45th Avenue
 5th Street NE, 40th Avenue to 41st Avenue
 41st Avenue NE, 7th Street to Jefferson Street
 42nd Avenue NE, University Service Drive to 7th Street
 43rd Avenue NE, 6th Street to 7th Street
 43rd Avenue NE, Washington Street to Quincy Street

- Bid B: Municipal State Aid 47th Avenue Mill and Overlay, Project 2206
 47th Avenue, University Avenue to Jefferson Street

- Bid C: Chatham Road Mill and Overlay (Repair)
 Chatham Road, Golf Place to 300' South of Golf Place

- Bid D: City-Wide Striping (Epoxy Paint)
 Refreshing the epoxy paint striping on primarily MSA streets which have had a mill and overlay within the last few years. Striping will be done after Reclamite surface treatment this summer.

- **Alternate 1: Residential Construction**

Residential sidewalk and driveway construction for those properties adjacent to the project was also included in the bid as Alternate 1.

On February 14, 2022, the City Council authorized staff to advertise the 2022 Street Rehabilitation Program for bids. In February, plans and specifications were advertised for bids in the LIFE newspaper and electronically on the City website and through Quest Construction Data Network. Seventeen contractors (8 prime bidders and 9 subcontractors) requested a copy of the bidding documents. Three bids were received and publicly read aloud at the April 6, 2022 bid opening. The bid opening minutes are attached.

STAFF RECOMMENDATION(S): The low bid was submitted by Valley Paving of Shakopee, Minnesota in the amount of \$1,728,233.42. The bid was 10.3% higher than the Engineer's Estimate. Funding will be provided by assessments, Infrastructure, State Aid, General, Water, Sanitary, and Storm Sewer funds.

Based upon the bids received, Valley Paving, Inc. is the low, qualified, responsible bidder. Staff is recommending award of the bid to Valley Paving, Inc.

RECOMMENDED MOTION(S):

MOTION: Move to waive the reading of Resolution 2022-48, there being ample copies available to the public.
MOTION: Move to adopt Resolution 2022-48 being a Resolution accepting bids and awarding the 2022 Street Rehabilitation Program consisting of Bid A: Street Rehabilitation – Zone 6 and Zone 7; Project 2202, Bid B: Municipal State Aid – 47th Avenue Mill and Overlay; Project 2206, Bid C: Chatham Road Mill and Overlay (Repair); Bid D: City Wide Street Striping (Epoxy Paint), and Alternate 1: Residential Construction, to Valley Paving, Inc. of Shakopee, MN based upon their low, qualified, responsible bid in the amount of \$1,728,233.42, appropriated from the following funds, \$1,452,324.93 from Fund 415-6400 (2202), \$141,617.53 from Fund 415-6400 (2206), \$13,795.25 from fund 212-3190, \$18,700.71 from Fund 101-3121, \$16,040.00 from Fund 601-9430, \$19,490.00 from Fund 602-9450 and \$66,265.00 from Fund 604-9650; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same.

ATTACHMENT(S): Resolution 2022-48
Bid Opening Minutes

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

WHEREAS, pursuant to an advertisement for bids for City Project Numbers 2202 and 2206, 2022 Street Rehabilitation Program, bids were received, opened and tabulated according to law.

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

FINDINGS OF FACT

The following bids were received complying with the advertisement:

<u>Bidder</u>	<u>Bid A</u>	<u>Bid B</u>	<u>Bid C</u>	<u>Bid D</u>	<u>Alternate 1</u>	<u>Bids A, B, C, D, and Alt. 1</u>
* Valley Paving, Inc.	1,539,052.93	151,312.53	18,700.71	13,795.25	5,372.00	1,728,233.42
Park Construction, Co.	1,674,710.63	183,437.16	19,497.20	13,137.72	9,024.70	1,899,807.41
Bituminous Roadways, Inc.	1,743,564.88	169,746.73	18,337.15	13,295.25	7,623.40	1,952,567.41

*Corrected

It appears that Valley Paving, Inc. of Shakopee, Minnesota is the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF COLUMBIA HEIGHTS, MINNESOTA

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with Valley Paving, Inc., in the name of the City of Columbia Heights, for City Project Numbers 2202 and 2206, 2022 Street Rehabilitation Program, including Alternate 1, for a bid amount of \$1,728,233.42 according to plans and specifications therefore approved by the Council.
2. The City Engineer is hereby authorized and directed to retain the deposit of the successful bidder until the contract has been signed.
3. City Project Numbers 2202 and 2206 shall be funded with, \$1,452,324.93 from Fund 415-6400 (2202), \$141,617.53 from Fund 415-6400 (2206), \$13,795.25 from fund 212-3190 (SA Maintenance), \$18,700.71 from Fund 101-3121 (Street), \$16,040.00 from Fund 601-9430 (Water), \$19,490.00 from Fund 602-9450 (Sanitary) and \$66,265.00 from Fund 604-9650 (Storm).

ORDER OF COUNCIL

Passed this 11th day of April, 2022

Offered by:

Seconded by:

Roll Call:

Attest:

Amáda Márquez Simula, Mayor

Sara Ion, City Clerk/Council Secretary

CITY OF COLUMBIA HEIGHTS

Minutes of Bid Opening on Wednesday, April 6, 2022; 2:00 p.m.

2022 Street Rehabilitation Program City Projects 2202 and 2206

Pursuant to an advertisement for bids for the 2022 Street Rehabilitation Program, City Projects 2202 and 2206, an administrative meeting was held on April 6, 2022 at 10:00 a.m. for the purpose of bid opening.

Attending the meeting was:

Jack Peterson, Bituminous Roadways, Inc.
Erik Olson, Park Construction Co.
Josh Quast, Valley Paving, Inc.
Kevin Hansen, City Engineer
Sue Chapman, Administrative Assistant

Bids were opened and read aloud as follows:

<u>Bidder</u>	<u>Bid A</u>	<u>Bid B</u>	<u>Bid C</u>	<u>Bid D</u>	<u>Alternate 1</u>	<u>Bids A, B, C, D, and Alt. 1</u>
* Valley Paving, Inc.	1,539,052.93	151,312.53	18,700.71	13,795.25	5,372.00	1,728,233.42
Park Construction, Co.	1,674,710.63	183,437.16	19,497.20	13,137.72	9,024.70	1,899,807.41
Bituminous Roadways, Inc.	1,743,564.88	169,746.73	18,337.15	13,295.25	7,623.40	1,952,567.41

* Corrected

Respectfully submitted,

Sue Chapman
Administrative Assistant