

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### Regular Meeting – February 2, 2009

Pursuant to due call and notice, a regular meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, February 2, 2009 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

Upon roll call, the following Councilmembers were declared present: Lehmann, Waldhausen, Johnson, Hellquist, Downs, Negard, Meuers

Staff Present: City Manager John Chatten, City Attorney Alan Felix, City Engineer Craig Gray, Finance Director Ron Eischens, City Clerk Kay Murphy

#### **AMENDMENTS TO AGENDA**

Mayor Lehmann called for any amendments to the agenda. The City Clerk requested to add a Consumption & Display Permit for Holiday Inn Express to the Consent Agenda. **Motion by Meuers, seconded by Downs, to approve the agenda as amended. Motion carried by unanimous vote.**

#### **MINUTES**

Minutes of the January 20, 2009 regular meeting and January 12, January 20 and January 26, 2009 work sessions were presented for approval. **Motion by Downs, seconded by Johnson, to approve the minutes as presented. Motion carried by unanimous vote.**

#### **CONSENT AGENDA**

The following Consent Agenda items were presented for approval. **Motion by Hellquist, seconded by Waldhausen, to approve the Consent Agenda items as follows:**

1. Approved Claims submitted by the Finance Officer in the total amount of \$376,465.69
2. Accepted Resignation of Hellquist from Boys & Girls Club and Appointed Waldhausen
3. Approved Sponsorship of Bemidji Day at the Capitol Reception (\$250)
4. Supported the City Clerk's Request to Serve as MCFOA Region I Vice President for 2009-2010
5. Authorized Investment of Excess Bond Proceeds (\$44 million)
6. Approved a Consumption & Display Permit for Holiday Inn Express

**Motion carried by unanimous vote.**

#### **COMMITTEE REPORTS**

Bemidji Youth Advisory Commission – Stephen Bucher, BYA representative, reported that they are seeking a sponsor to replace Healthy Community Healthy Kids which has closed. Waldhausen stated that the annual budget for the BYAC is approximately \$3,500 per year. However, they could get by with the basics for \$2,500. BYAC is viable until July.

Bemidji State University Student Senate – Ryan Schwingler, Senate Co-President, stated that on Thursday, February 5, BSU students will be holding a press conference and student rally sending their message as students to the State to support higher education. In addition, they are sending two students to Bemidji Day at the Capitol. BSU Student Senate will be sending 10 students to lobby on behalf of university students at the legislature.

#### **PUBLIC HEARING**

##### 2009 Street Renewal Project (#09-02)

City Engineer Gray provided an overview of the reconstruction project planned for streets in the Nymore area. The streets included in the proposed project are 3<sup>rd</sup> Street SE between TH197 -Central Avenue SE; 5<sup>th</sup> Street SE between Central Avenue SE – Pershing Avenue SE, 6<sup>th</sup> Street SE between Central Avenue SE - Pershing Avenue SE; 7<sup>th</sup> Street SE between Central Avenue SE – Pershing Avenue SE and Scott Avenue SE between Roosevelt Road – 4<sup>th</sup> Street SE. The streets were selected due to the poor condition of the bituminous surfacing, poor stormwater surface drainage and the age and deterioration of some of the existing underground utility mains. The proposed project will remove the existing bituminous

and gravel base and after completion of the necessary underground work replace it with new Class 5 gravel base and 3-1/2 inches of bituminous. The new roadway life will be approximately 40 years. The estimated cost of the project is \$1,345,590.

Council discussed the following:

- Assessment deferral for senior citizens or for disability.
- Possible availability of stimulus money. Gray stated that there was no stimulus money available for a project of this nature.

Pursuant to published notice, a Public Hearing was held to receive input regarding 2009 Street Renewal Project (#09-02). Mayor Lehmann opened the Public Hearing at 7:12 p.m.

Mayor Lehmann noted that Michael Hayes, 519 Pershing Avenue SE, submitted a letter of objection to the project from the perspective that the properties should not be assessed for the project and the lack of specific maintenance plans.

Harvey Tjader, 500 Lincoln Avenue SE, questioned why 5<sup>th</sup> Street SE was being reconstructed at this time as it is in good condition and drains well.

Gray responded that there is no water or sewer utility work done in this area of 5<sup>th</sup> Street. However, the plan is to install storm sewer in this two block stretch where there are water runoff problems at intersections. The street condition is rated marginal. He stated that in order to keep the reconstruction of the street affordable, he chose to include this street now. He agreed that 5<sup>th</sup> Street is not as bad as other streets, but felt that with the current bidding environment it is cost effective to do that section of street at this time.

Ken Karson, 814 5<sup>th</sup> Street SE, corner of 5<sup>th</sup> and Pershing, asked if the street reconstruction was going to accommodate traffic flow and the speeds that people travel. He also submitted a written statement requesting that the assessment be extended over the longest possible time period and to look for ways to give the taxpayer a break on interest costs.

Gray stated that a street reconstruction program does not change traffic patterns. However, the police department could be called upon to do some local enforcement.

Patty Hagen, 520 Scott Avenue SE, stated that she is concerned about the amount of the proposed assessment on her property and being able to pay her taxes.

Leon Nelson, 1526 5<sup>th</sup> Street SE, stated that this is the first he had heard about the improvement to 5<sup>th</sup> Street. Gray noted that Mr. Nelson's property is not part of the proposed project area.

Terry Neilson, 423 Pershing Avenue SE, stated that he believed that 5<sup>th</sup> Street SE is in good condition and did not understand why it is being resurfaced.

Hearing no further comments, Mayor Lehmann closed the Public Hearing at 7:28 p.m.

Johnson asked about removing 5<sup>th</sup> Street SE and perhaps adding a different street.

Gray stated that it is not possible to add any other streets because of the public hearing notice requirements. He recommended that the funds that would have been used on reconstructing 5<sup>th</sup> Street SE be applied to another 2010 or 2011 construction program.

Lehmann commented that the maintenance on streets is more costly over time and that the City attempts to stay ahead of the curve on potholes and repairs.

Hellquist asked about liquor store fund availability for this project. Chattin cautioned the Council about using any other funds to subsidize the project, as they could be setting a precedent on a project with low assessments already.

Hellquist asked how corner lots were being assessed.

Gray responded that the assessment on corner lots is being handled differently than in past projects due to the high number of corner lots in this project. He stated that if both sides are in the project, only the front footage of the property will be assessed.

Waldhausen asked when the City would be back to pickup 5<sup>th</sup> Street SE.

Gray responded that that the city would be back in the area in about 5-10 years if funding sources are available. He stated that if 5<sup>th</sup> Street SE is removed from the project, the

properties on the corner will be re-assessed. He noted that half the properties on 5<sup>th</sup> Street SE will drop off of the assessment roll.

Meuers asked how those that owned property on 5<sup>th</sup> Street SE felt about removing it from the project knowing that the cost of construction could go up in the future. Harvey Tjader, Terry Nelson and Ken Karson all stated that they would like to see 5<sup>th</sup> Street removed from the project at this time.

Gray responded that by removing 5<sup>th</sup> Street it will decrease the City's share of 85%.

**RESOLUTION NO. 5545: Ordering Improvement, Designating Project Engineer, Calling for Preparation of Plans and Specifications, and Authorizing Advertisement for Bids on Improvement (City Project No. 09-02) removing 5<sup>th</sup> Street SE between Central and Pershing Avenue SE was offered by Councilmember Negard, who moved it adoption, and upon due second by Councilmember Meuers was passed by unanimous vote.**

**LIBRARIAN REPORT**

Paul Ericsson, Librarian, provided a report on current activities at the Bemidji Public Library. He stated that there will be programs regarding gardening and travel in the months of March, April and May.

**EVENT CENTER UPDATE**

Chattin reported that Leo A Daly met last week with staff and Kraus Anderson. He will request that Kraus-Anderson provide updates for the Council now that the construction phase is beginning.

**CITIZEN NOT ON AGENDA**

No one appeared.

**UPCOMING MEETINGS**

- Wed., February 4 5:30 p.m. Joint Work Session with County
- Monday, February 9 5:30 p.m. Work Session – Priorities/Manager Evaluation At HRDC
- Wed., February 11 6:00 p.m. GBJPB
- Tuesday, February 17 7:00 p.m. Council Meeting
- Monday, February 23 5:30 p.m. Work Session – Southshore Development Concept Review
- Tues., February 24 5:30 p.m. Special Work Session – Budget Reductions


**COUNCIL/STAFF REPORT**

- Mayor Lehmann stated that Wayne Wolden, Mayor of Wadena and CGMC President, will be holding a press conference on Monday, February 9 regarding the impact of LGA cuts to cities. BSU will be hosting a Global Warming Solutions teach-in on February 5.
- Chattin reported that staff continues to meet with the 49ers regarding reducing overtime and department heads in the process of finalizing budget recommendations for Council's consideration at a work session on February 24.
- Johnson stated that he will be attending a Bemidji Public Access Committee meeting on Thursday, February 5 to discuss public access television.
- Downs reported that he attended the Parks & Trails Workshop at Chase on the Lake in Walker. Oberstar was the guest speaker and discussed economic opportunities for stimulus package. He stated that the workshop was well represented by Bemidji.
- Waldhausen reported that he met with the BSU Student Senate and will meet with them bi-monthly on Wednesday. Toured the WWTF and has high regard for the work the employees do there. He commented that on February 6 at 4:30 p.m. at National Guard Armory – Veterans Home dedication.

**ADJOURN**

There being no further business, motion by Downs, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 8:01 p.m.

Respectfully submitted,

  
 Kay M. Murphy  
 City Clerk