

5:15 p.m. Special Meeting with Senator Saxhaug

## BEMIDJI CITY COUNCIL AGENDA

Tuesday, January 19, 2016

Council Chambers  
City Hall – 317 4<sup>th</sup> Street NW  
6:00 P.M.



- ROLL CALL
- PLEDGE OF ALLEGIANCE TO THE FLAG
- STATE OF THE CITY ADDRESS, Mayor Albrecht
- AMENDMENTS TO AGENDA

### I. MINUTES

- 1) Regular Council: January 4, 2016
- BEDA Meeting: January 4, 2016
- Work Session: January 11, 2016

### II. CONSENT AGENDA

*Items in the Consent Agenda are approved with one motion without discussion/debate. The Mayor will ask if any Council member wishes to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.*

- 2) Claims Submitted by Finance Officer in the amount of \$3,847,830.62
- 3) Claims Submitted by VenuWorks for the Sanford Center in the amount of 27,060.01
- 4) General Business Licenses Renewals for 2016
- 5) Purchase of a 2016 Bobcat skid steer with attachments – Bobcat of Bemidji (\$69,080.56)
- 6) Resolution Accepting a Donation from Enbridge Energy in the amount of \$1,600 – Fire Department

### III. CITIZENS WITH BUSINESS BEFORE THIS COUNCIL – NOT ON AGENDA

**Public Comment** – Please give your name, address and state your concern/comment. Visitors may share their concerns with City Council on any issue, which is not already on the agenda. Each person will have **3 minutes** to speak. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. The Mayor may also limit the number of individual presentations on any issue to accommodate the scheduled agenda items. All comments will be taken under advisement by the Council. **PLEASE BE ADVISED THAT THE COUNCIL WILL TAKE NO ACTION AT THIS TIME.**

### IV. REPORT(S)

- Bemidji Youth Advisory Commission
- Paul Bunyan Transit – Lezlie Grubich, Executive Director

*Bemidji—Regional Center Amenities with Small Town Character*

**V. PUBLIC HEARING**

7) Westwood Acres Mobile Home Park Closure

**VI. ORDINANCE(S)**

8) Public Hearing of an Ordinance Amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property to Cormac LLC)  
- Second Reading of Said Ordinance

**VII. UPCOMING MEETINGS**

- Monday, January 29                      5:30 p.m.              Work Session – South Shore Park
- Monday, February 1                      6:00 p.m.              Regular Council Meeting

**VIII. MAYOR AND COUNCIL REPORTS**

➤ Please limit your committee reports to 4 minutes

**IX. ADJOURN**

**CITY COUNCIL PROCEEDINGS**  
**BEMIDJI, MINNESOTA**  
**Regular Meeting – January 4, 2016**

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, January 4, 2016 at 6:00 p.m. in the Council Chambers of City Hall, Mayor Albrecht presiding.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Johnson, Olson, Erickson, Larson Absent: Hellquist

Staff Present: City Manager Nate Mathews, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, City Clerk Kay Murphy

**AMENDMENTS TO AGENDA**

Mayor Albrecht called for any amendments to the agenda. **Motion by Johnson, seconded by Olson, to approve the agenda as prepared. Motion carried by unanimous vote.**

**MINUTES**

The following minutes were presented for approval:  
Council Meeting December 21, 2015

**Motion by Erickson, seconded by Johnson, to approve the minutes as prepared. Motion carried by unanimous vote.**

**CONSENT AGENDA**

The following Consent Agenda items were presented for approval. Mayor Albrecht requested the following item be added: Consider a Loan Transfer and Authorize Appropriate Parties to Execute an Amended Mortgage and Promissory Note Regarding the City of Bemidji Downtown Commercial Renovation Program (Merschman). **Motion by Meehlhause, seconded by Olson, to approve the Consent Agenda items as amended:**

1. Claims submitted by the Finance Officer in the total amount of \$1,037,535.41
2. Claims submitted by Venuworks for the Sanford Center in the total amount of \$58,671.82
3. Miscellaneous Business License Renewals for 2015
4. General Business Licenses Renewals for 2016
5. Designate Mayor Pro-tem – Johnson
6. Councilmember Commission Appointments for 2016
7. Designate Official Newspaper of Publication for 2016
8. **RESOLUTION NO. 5994:** Designating Depositories for City Funds in 2016
9. **RESOLUTION NO. 5995:** Supporting an Increase to Local Government Aid in the 2016 Legislative Session
10. Purchase of a 2016 Elgin Pelican Street Sweeper from MacQueen Equipment in the amount of \$168,676 – Street Department
11. Purchase of Tow/Command Vehicle from Dondelingers in the amount of \$36,748.44 – Fire Department
12. Travel Authorization – Climate Adaptation Conference – January 28 – Mayor Albrecht

13. Approved a Loan Transfer and Authorized Appropriate Parties to Execute an Amended Mortgage and Promissory Note Regarding the City of Bemidji Downtown Commercial Renovation Program (Merschman)

**Motion carried by unanimous vote.**

**CITIZENS NOT ON AGENDA**

No one appeared.

**COMMITTEE REPORTS**

Bemidji Youth Advisory Commission – Sarah McCollum, BYA representative, reported that the Commission continues to update their By-laws and upcoming events.

**NEW BUSINESS**

**Fire Station No. 2**

City Manager Mathews reviewed the request from the Fire Chief to approve design and authorize staff to seek bids for the construction of a fire station at 312 Lake Avenue NE. He noted that the Joint Planning Board has granted a Conditional Use Permit (C-13-80.06458.00) to allow the fire station. The construction would commence in 2015 with completion by the fall of 2016. Mathews noted that bid request for the following items as add alternates: flag pole and base; vehicle exhaust system; lawn irrigation system and landscaping; and cold storage building. The alternates will be considered if within the budget. The 2016 budget includes \$1,141,000 for this project.

**Motion by Olson, seconded by Erickson, authorizing staff to seek bids for the general contracting services for the construction and site development of the Bemidji Fire Station 2 Project. Motion carried unanimously.**

**ORDINANCE**

**AN ORDINANCE** Amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property to Cormac, LLC) was given a first reading.

**UPCOMING COUNCIL MEETINGS**

- Monday, January 11 5:30 p.m. Work Session – Rako Street Property
- Tuesday, January 19 5:15 p.m. Sp Meeting – Senator Saxhaug
- Tuesday, January 19 6:00 p.m. Council Meeting  
- State of the City Address

**COUNCIL/STAFF REPORT**

- Council members provided updates on current events and meetings.

**ADJOURN**

There being no further business, motion by Olson, seconded by Meehlhause, to adjourn the meeting. Motion carried. Meeting adjourned at 6:19 p.m.

Respectfully submitted,

Kay M. Murphy  
City Clerk

# **BEMIDJI ECONOMIC DEVELOPMENT AUTHORITY MINUTES**

**Monday, January 4, 2016**

Pursuant to due call and notice, a regular meeting of the Bemidji Economic Development Authority (BEDA) of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, January 4, 2016, at 6:20 p.m. in the Council Chambers of City Hall, President Albrecht presiding.

Upon roll call, the following Commissioners were declared present: Albrecht, Meehlhause, Johnson, Erickson, Olson, Larson Absent: Hellquist

## **APPOINTMENT OF OFFICERS FOR 2016**

President Albrecht presented the following slate of officers for the year 2016:

Rita Albrecht, President  
Ron Johnson, Vice President  
Nancy Erickson, Treasurer  
Nate Mathews, Executive Director  
Ron Eischens, Assistant Treasurer  
Kay Murphy, Secretary

**Motion by Olson, second by Meehlhause, to accept the appointment of BEDA officers as presented. Motion carried.**

## **ADJOURN**

Motion by Meehlhause, second by Johnson, to adjourn at 6:21 p.m. Meeting adjourned.

Respectfully submitted,

Kay M. Murphy  
Secretary

**CITY COUNCIL PROCEEDINGS**  
**BEMIDJI, MINNESOTA**  
**Work Session – January 11, 2016**

Pursuant to due call and notice, a work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, January 11, 2016, at 5:30 p.m. in the Conference Room of City Hall, Mayor Albrecht presiding.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Hellquist, Johnson, Olson, Erickson, Larson

Staff Present: City Manager Nate Mathews, Public Works Director Craig Gray, City Clerk Kay Murphy

Others Present: Bob Kiewatt, Lake-N-Woods Realty

Mayor Albrecht stated that the purpose of the work session was to discuss a proposal to purchase City-owned property known as the Rako property.

**Motion by Meehlhause, seconded by Olson, to close this meeting in accordance with Minnesota Statute Section 13D.05, Subd. 3 for the purpose of reviewing confidential or non-public appraisal data relating to the acquisition of real property, as well as to develop or consider offers or counter-offers for the purchase of said property. Motion carried unanimously. Meeting closed at 5:32 p.m.**

**Motion by Meehlhause, seconded by Olson, to reopen the meeting. Motion carried unanimously. Meeting reopened at 6:49 p.m.**

**ADJOURN**

There being no further business, motion by Meehlhause, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 6:50 p.m.

Respectfully submitted,

Kay M. Murphy  
City Clerk

# Bill List Summary

January 19th, 2016

<u>Check /Wire</u>	<u>Vendor</u>	<u>Amount</u>
18480 - 18583	See Attached List	<u>3,847,830.62</u> \$ 3,847,830.62
	TOTAL	\$ 3,847,830.62

# Accounts Payable

## Blanket Voucher Approval Document

User: denisca  
Printed: 01/14/2016 - 8:57AM  
Warrant Request Date: 01/20/2016  
DAC Fund:



### COUNCIL BILL LIST

Line	Claimant	Voucher No.	Amount
1	Ace On The Lake	000018480	38.67
2	Acme Tools-Bemidji	000018481	127.72
3	Albrecht, Rita	000000000	55.00
4	American Library Association	000018482	209.00
5	Ameripride	000000000	700.05
6	Anderson, Jannik	000000000	240.70
7	Anderson, Rick	000000000	173.65
8	Artisan Beer Company	000018483	352.70
9	Aspen Equipment Co.	000018484	10,980.00
10	BDI (77)	000018485	171.72
11	Bellboy Corporation	000000000	835.00
12	Beltrami County Auditor/Treasurer	000018486	305,091.11
13	Beltrami County Auditor/Treasurer	000018487	381.65
14	Beltrami County License Center	000018488	1,056.00
15	Beltrami County Recorder	000018489	92.00
16	Beltrami Electric Coop	000018490	652.80
17	Bemidji Coca-Cola Bottling Co, Inc	000018491	421.35
18	Bemidji Coop Ass'n, Inc.	000018492	234.04
19	Bemidji Downtown Alliance Board	000018493	4,746.00
20	Bemidji Paper Sales, Inc.	000000000	1,831.23
21	Bemidji Regional Airport	000018494	18,553.00
22	Bemidji Steel Company	000000000	17.30
23	Bernick's	000000000	29,173.30
24	Bluefin Payment Systems	000000000	1,172.56
25	Bobcat of Bemidji	000000000	4,578.00
26	Books 'N More	000018495	26.50
27	Braun Intertec Corporation	000000000	3,750.00
28	Breakthru Beverage Minnesota Wine & Spirits, LLC	000018496	7,769.38
29	BREC Operating Acct.	000000000	174,644.00
30	Burlage, Lisa	000018497	300.00
31	Buy Line	000018498	202.50
32	Carquest Auto Parts-Bemidji	000018499	7.41
33	City of Bemidji	000000000	9,472.00
34	Clarity Glass	000018500	547.25
35	Crazy About Cleaning	000000000	665.00
36	Culligan	000000000	97.65
37	D & D Beverage, LLC	000000000	458.05
38	D-S Beverages	000018501	22,527.29
39	Department of Employment/Econ.Dev.	000018502	1,875.98
40	Digital Ally, Inc.	000018503	5,735.00
41	Earl F. Andersen, Inc.	000018504	111.50
42	Eischens, Ron	000000000	19.99
43	Electric Pump, Inc	000000000	899.00
44	Fargo Freightliner	000018505	184.43
45	Fed Ex	000018506	52.78

Page Total: \$611,230.26



Line	Claimant	Voucher No.	Amount
46	Fenner, Kevin	000000000	20.99
47	Ferguson Waterworks #2516	000018507	923.35
48	First Data Global Leasing	000000000	39.95
9	FleetPride, Inc.	000018508	392.48
50	Flexible Pipe Tool Company	000000000	2,470.00
51	Forestedge Winery	000018509	2,574.00
52	Frank J. Zamboni & Co., Inc.	000018510	79,933.50
53	Glass Doctor	000018511	135.34
54	Gold Mine Ranch	000018512	400.00
55	Gopher State One-Call	000000000	62.65
56	Grand Forks Fire Equipment LLC	000000000	162.86
57	Greater Bemidji Area Joint Planning Board	000018513	26,579.25
58	Guidestar Realty	000018514	111,120.01
59	Hamann, Tristin	000018515	25.00
60	Hawkins, Inc.	000000000	4,262.04
61	HBI Radio Bemidji	000018516	1,024.00
62	HD Waterworks Supply	000018517	5,368.80
63	Heim Log Homes	000018518	20,000.00
64	Heimkes, Paul R.	000018519	2,278.00
65	Hoefer, David	000000000	40.00
66	HRA	000018520	11,613.00
67	Hulett, Mike	000000000	359.45
68	Imperial Supplies LLC	000018521	298.85
69	Ink Spot Press	000018522	189.92
70	Intoximeters, Inc.	000018523	101.50
71	Iverson Corner Drug, Inc.	000018524	75.89
72	JFC Strategic Services	000000000	6,410.58
73	Jim Hirt Trucking, Inc	000018525	1,490.57
74	JOBSHQ	000018526	109.20
75	Johnson Bros., Inc.	000018527	29,132.98
76	Katzenmeyer, Martin	000000000	128.00
77	Kennedy, Timothy	000000000	456.88
78	L & M Supply, Inc.	000018528	717.56
79	Lakes Concrete Plus Inc.	000018529	300.00
80	Larson, Marcia	000000000	21.99
81	Lawson Products, Inc.	000018530	237.48
82	League of MN Insurance Trust	000018531	2,074.64
83	Lieffort, Donald Al	000000000	134.35
84	Luekens Village Foods North	000018532	98.80
85	Luggar, Rick	000000000	129.98
86	LUKA, CURT	000018533	4.36
87	Macqueen Equipment, Inc.	000000000	2,167.29
88	Magnuson, John	000018534	624.61
89	MailFinance	000018535	179.10
90	Maney Int'l of Alexandria, Inc.	000018536	214.80
91	Martin, Kyle	000000000	125.98
92	Mattice, Marc	000000000	41.40
93	Mattson, Renee	000000000	9,332.88
94	McKinnon Co., Inc.	000018537	12,720.65
95	Menards-Bemidji	000000000	385.33
96	Miller, Kent	000000000	119.99
97	Miller, Mike	000000000	50.00
98	Mission Communications, LLC	000018538	11,680.20
99	MN Ass'n Criminal Intelligence Analysts	000018539	25.00
100	Mobile Music Machine	000018540	450.00
101	MoeCo Fire & Safety	000018541	1,456.10
102	MRPA	000018542	546.00

Page Total: \$352,017.53

Line	Claimant	Voucher No.	Amount
103	NAPA Auto Parts	000000000	107.83
104	Naylor Heating & Refrigeration, LLC	000000000	699.15
105	Nei Bottling, Inc.	000018543	148.49
06	Nelson, Keith A.	000000000	290.45
107	North Country Business Product	000000000	218.18
108	Northdale Oil Inc.	000018544	277.50
109	Northern Lakes Vending, Inc.	000018545	130.50
110	Northwoods Ice, Inc.	000018546	156.00
111	NW Tire, Incorporated	000018547	56.98
112	NWSC	000018548	250.00
113	O'Reilly Auto Parts	000018549	2.40
114	Olson, Cory	000000000	45.00
115	Paul Bunyan Mini Storage	000018550	66.00
116	Paustis & Sons	000018551	1,988.99
117	Petty Cash	000018552	332.05
118	Phillips Wine & Spirits	000018553	17,220.88
119	Pike, Bryan	000000000	69.00
120	Police Petty Cash	000018554	190.16
121	Port-O-Wild Security, Inc.	000000000	660.00
122	Postmaster	000018555	1,791.21
123	Praxair Distribution Inc	000018556	192.70
124	R.P. Broadcasting , Inc.	000018557	275.00
125	Raphaels Bakery Cafe	000018558	17.20
126	Reierson Construction, Inc.	000018559	222,988.41
127	Richards Publishing Company	000018560	60.00
128	RIHM Kenworth	000018561	187.82
129	RMB Environmental Laboratories, Inc.	000018562	701.00
130	Roger's Two Way Radio, Inc.	000018563	40.99
131	Sadeks Repair & Welding, Inc.	000018564	661.30
132	Safe Sitter, Inc.	000018565	77.50
133	Sanford Health Occupational Med.	000018566	667.30
134	Schmitt, Chase	000000000	129.99
135	SeaChange Print Innovations	000018567	470.52
136	Skumavc, Kori	000000000	10.64
137	Snap-on Industrial	000018568	149.20
138	Southern Wine & Spirits of Minnesota	000018569	11,016.80
139	Southside Tow & Rec, Inc	000018570	449.54
140	Spee-Dee Delivery Service, Inc.	000018571	140.90
141	St. Croix Recreation Company, Inc	000018572	490.00
142	Staples Advantage	000018573	202.98
143	Summit Fire Protection	000018574	180.00
144	Taser International, Inc	000018575	285.46
145	TDS Metrocom-MN	000000000	867.14
146	The Bemidji Pioneer	000000000	2,839.52
147	Tires Plus of Bemidji	000018576	447.61
148	USA Bluebook	000018577	181.76
149	VisitBemidji	000000000	24,984.03
150	W.D. Larson Companies LTD, Inc.	000018578	2,750.00
151	Waste Management of WI-MN	000018579	834.47
152	Wells Fargo	000000000	2,542,357.51
153	Wells Fargo-ACH	000000000	10,995.92
154	Wendorf, Barry	000000000	48.30
155	Whelan Properties, Inc.	000018580	18,254.63
156	Wiebolt Electric, Inc.	000018581	1,296.20
157	Wilcox, LuAnn	000000000	990.02
158	Wine Merchants	000018582	380.00
159	Wirtz Beverage Minnesota Wine & Spirits, Inc	000018583	10,961.76

Page Total: \$2,882,284.89

<b>Line</b>	<b>Claimant</b>	<b>Voucher No.</b>	<b>Amount</b>
160	WSB & Associates, Inc.	000000000	2,297.94
		Page Total:	\$2,297.94
		Grand Total:	\$3,847,830.62

VenuWorks of Bemidji, LLC  
**Unpaid Bills Detail**  
As of January 8, 2016

	<u>Open Balance</u>
<b>AmeriPride Services</b>	
	484.13
	484.13
<b>Total AmeriPride Services</b>	<u>968.26</u>
<b>Battery Wholesale, Inc</b>	
	82.77
<b>Total Battery Wholesale, Inc</b>	<u>82.77</u>
<b>Bemidji Coca-Cola Company</b>	
	8.63
	2,311.54
	888.00
<b>Total Bemidji Coca-Cola Company</b>	<u>3,208.17</u>
<b>Bemidji Cooperative Association</b>	
	115.31
<b>Total Bemidji Cooperative Association</b>	<u>115.31</u>
<b>Bemidji Welders Supply, Inc.</b>	
	147.80
<b>Total Bemidji Welders Supply, Inc.</b>	<u>147.80</u>
<b>Bji Downtown Meats</b>	
	546.91
<b>Total Bji Downtown Meats</b>	<u>546.91</u>
<b>Bonded Lock and Key</b>	
	15.53
<b>Total Bonded Lock and Key</b>	<u>15.53</u>
<b>City of Bemidji MN</b>	
	2,424.80
<b>Total City of Bemidji MN</b>	<u>2,424.80</u>
<b>ColePapers</b>	
	-139.03
	1,299.27
<b>Total ColePapers</b>	<u>1,160.24</u>
<b>Dakota Supply Group</b>	
	53.94
	48.77
<b>Total Dakota Supply Group</b>	<u>102.71</u>

VenuWorks of Bemidji, LLC  
Unpaid Bills Detail  
As of January 8, 2016

	<u>Open Balance</u>
<b>Dennis Noska</b>	
	250.00
<b>Total Dennis Noska</b>	<u>250.00</u>
<b>Fastenal</b>	
	124.14
<b>Total Fastenal</b>	<u>124.14</u>
<b>K&amp;KH Enterprises</b>	
	362.14
<b>Total K&amp;KH Enterprises</b>	<u>362.14</u>
<b>Lueken's - North</b>	
	214.19
<b>Total Lueken's - North</b>	<u>214.19</u>
<b>Luekens - South</b>	
	474.53
<b>Total Luekens - South</b>	<u>474.53</u>
<b>MSAE</b>	
	950.00
<b>Total MSAE</b>	<u>950.00</u>
<b>NLFX Professional</b>	
	1,526.57
<b>Total NLFX Professional</b>	<u>1,526.57</u>
<b>Paul Bunyan Communications</b>	
	5,706.18
<b>Total Paul Bunyan Communications</b>	<u>5,706.18</u>
<b>Schindler Elevator Corporation</b>	
	1,626.93
<b>Total Schindler Elevator Corporation</b>	<u>1,626.93</u>
<b>Sherwin-Williams</b>	
	-251.70
<b>Total Sherwin-Williams</b>	<u>-251.70</u>
<b>Sysco North Dakota, Inc.</b>	
	3,844.08
	<u>3,176.07</u>

3:03 PM  
01/08/16

**VenuWorks of Bemidji, LLC**  
**Unpaid Bills Detail**  
**As of January 8, 2016**

	<u>Open Balance</u>
Total Sysco North Dakota, Inc.	7,020.15
Todavich Electric, Inc	133.00
Total Todavich Electric, Inc	<u>133.00</u>
Total Tap Services	151.38
Total Total Tap Services	<u>151.38</u>
<b>TOTAL</b>	<u><u>27,060.01</u></u>

# GENERAL BUSINESS LICENSES - 2016

<b>Type of License</b>	<b>Business Name</b>	<b>Business Location</b>	<b>Fee Paid</b>
<b>Plumber</b>	<b>KMI MECHANICAL, INC.</b>	<b>WITHIN BEMIDJI CITY LIMITS 77845 PM</b>	<b>\$95.00</b>
<b>Restaurant/Food Service</b>	<b>FOZZIE'S SMOKIN BAR BQ</b>	<b>WITHIN BEMIDJI CITY LIMITS Mobile Vendor</b>	<b>\$35.00</b>
	<b>JIMMY JOHNS</b>	<b>1000 PAUL BUNYAN DRIVE NW SU</b>	<b>\$35.00</b>
	<b>SUBWAY OF BEMIDJI I</b>	<b>1317 PAUL BUNYAN DR NW</b>	<b>\$35.00</b>
	<b>SUBWAY OF BEMIDJI II</b>	<b>120 PAUL BUNYAN DR S</b>	<b>\$35.00</b>
	<b>SUBWAY OF BEMIDJI III</b>	<b>2025 PAUL BUNYAN DR NW</b>	<b>\$35.00</b>
<b>Taxicab Service</b>	<b>BEMIDJI CAB COMPANY</b>	<b>WITHIN BEMIDJI CITY LIMITS 2nd Vehicle</b>	<b>\$35.00</b>
	<b>BEMIDJI CAB COMPANY</b>	<b>WITHIN BEMIDJI CITY LIMITS 1st Vehicle</b>	<b>\$95.00</b>

# COUNCIL AGENDA ITEM



**Meeting Date:** January 19, 2016

**Action Requested:** Approve Purchase of 2016 Skid Steer and attachments

**Prepared By:** David Hansen, Street Superintendent

**Reviewed By:** Craig Gray, City Engineer *CG*

---

## Background

The 2016 Capital Improvement Plan includes \$80,000.00 for the purchase of a new Skid Steer with attachments. The Skid Steer and associated attachments would enable the street department to accomplish a wider range of repair work and grading projects with city crews, such as alley reconstruction, bituminous and concrete pavement repairs, as well as brush and vegetation clean up.

The following price was received and is from the State of Minnesota contract pricing.

- Bobcat of Bemidji: T650 Bobcat Track Loader with 84" Angle Broom, Hydraulic Concrete Breaker, and 48" vibratory roller.

Quote: \$69,080.56

## Recommendation

Accept the low quote for a 2016 T650 Bobcat Track Loader with attachments from Bobcat of Bemidji for a total price (including tax and license) of \$69,080.56.





# RESOLUTION NO.

## A RESOLUTION ACCEPTING DONATION (Enbridge Energy)

WHEREAS, the City Council of the City of Bemidji encourages public donations to help defray the costs to the general public of providing services and improving the quality of life in the City of Bemidji; and

WHEREAS, Enbridge Energy has offered to donate \$1,600 for use by the City of Bemidji Fire Department for the purchase of gasoline powered circular saw; and

WHEREAS, Minnesota Statutes 465.03, requires that all gifts and donations of real or personal property, including money, be accepted by adoption of a resolution approved by two-thirds of the members of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bemidji, Beltrami County, Minnesota, that this donation is hereby accepted for the use it was intended.

BE IT FURTHER RESOLVED that the City sincerely thanks Enbridge Energy for its gracious and generous donation.

The foregoing resolution was offered by Councilmember \_\_\_\_\_, who moved its adoption, and upon due second by Councilmember \_\_\_\_\_, was passed by the following vote:

Ayes:

Nays:

Absent:

Passed:

ATTEST:

APPROVED:

\_\_\_\_\_  
Kay M. Murphy, City Clerk

\_\_\_\_\_  
Rita C. Albrecht, Mayor

# COUNCIL AGENDA ITEM



**Meeting Date:** January 19, 2016

**Action Requested:** Accept donation from the Enbridge Energy for the amount of \$1,600.

**Prepared By:** David Hoefer, Fire Chief *DAH*

**Reviewed By:** Nate Mathews, City Manager

---

## **Background:**

Bemidji Fire Department has received a donation from Enbridge Energy for the amount of \$1,600 to purchase a gasoline powered circular. The new saw will replace an existing saw that is no longer serviceable.

## **Recommendation:**

Accept the donation from Enbridge Energy in the amount of \$1,600.

## **NOTICE OF PUBLIC HEARING**

**(Closure of the westerly half of Westwood Acres Mobile Home Park)**

**NOTICE IS HEREBY GIVEN** that the City of Bemidji will hold a public hearing in the above-entitled matter on Tuesday, January 19 at 6:00 P.M. or soon thereafter in the Bemidji City Hall, 317 4<sup>th</sup> St. NW, Bemidji, MN 56601. The purpose of the hearing is to conduct a public hearing pursuant to Minnesota Statutes, Section 327C.095, Subd. 4; review the closure statement of the westerly half of Westwood Acres Mobile Home Park and any impact that the partial Park closing may have on the displaced residents and the Park owner, and to appoint a neutral third party to facilitate the process for requesting funds to help with the cost of relocation of displaced residents.

Displaced residents are hereby placed on notice and informed that they may be eligible for payments from the Minnesota Manufactured Home Relocation Trust Fund under Minnesota Statutes Section 462A.35 and Minnesota Statutes Section 327C.095, Subd. 13(a) and (e) as compensation for reasonable relocation costs thereof.

During the public hearing, any person desiring to speak regarding the closure will be given an opportunity to do so. Written and oral testimony will be accepted from any person(s) who wish to present such testimony. Written testimony must be submitted prior to the public hearing to the City Clerk, 317 4<sup>th</sup> St. NW, Bemidji, MN 56601. If you need any type of accommodations to participate in the meeting, please call 218-759-3570 at least 48 hours prior to the meeting.

Kay Murphy, Bemidji City Clerk

# **COUNCIL AGENDA ITEM**



**Meeting Date: January 19, 2016**

**Action Requested: Westwood Acres Mobile Home Park Closure**

**Prepared By: Alan R. Felix, City Attorney**

**Approved By: Nate Mathews, City Manager**

---

The Owner of Westwood Acres Mobile Home Park has notified the City of its intention to close the westerly half (1/2) of the Park in 2016. Closure of a Mobile Home Park is governed by Minnesota Statutes §327C.095. In accordance with §327C.095, closure of a mobile home park requires a City Council public hearing. Per statute, the Council is required to:

1. Conduct a public hearing, wherein it reviews the closure statement and determines the impact the closure may have on the displaced residents and the park owner.

Attachment A is the closure statement for Westwood Acres Mobile Home Park. Again, the Owner intends to close the western portion of the park and cease use of the property as a manufactured home park as of August 1, 2016. The Owner of Westwood Acres has not indicated their intentions respecting re-use or sale of the property after closure of the park.

The Owner has been working to help current residents relocate. Residents are also potentially eligible for financial assistance through the Minnesota Manufactured Home Relocation Trust Fund ("Trust Fund") described in 327C.095. No Council action is necessary for this section other than holding the public hearing.

2. At the Hearing, Council must also appoint a neutral third party to resolve any disputes regarding contributions to and distributions from the Relocation Trust Fund.

Each eligible manufactured home owner in the park has the option to apply for relocation assistance from the Trust Fund. If a home owner receives a distribution from the Trust Fund, the manufactured park owner is required to contribute to the fund. The neutral third party ("NTP") facilitates this process. The NTP is compensated for their services through the Trust Fund. The Council should set the hourly rate of pay for the NTP, and \$40 per hour is the suggested rate. I have asked former County Attorney, Tim Faver, and he has agreed to act as the NTP if appointed. Furthermore, the Park Owner has indicated that it is agreeable to Mr. Faver's appointment. Impacted manufactured home owners are also able to weigh in on the NTP appointment, but it is anticipated that those that do appear for the public hearing will likely have no issues with Mr. Faver's appointment.

**Recommendation:**

Conduct a Public Hearing, appoint Tim Faver as Neutral Third Party to facilitate any applications received requesting funds under the Minnesota Manufactured Home Relocation Trust Fund during the park closure process, and set NTP rate of compensation.



P.O. Box 946  
Bemidji, Minnesota 56619-0946  
218-751-5699

November 1<sup>st</sup>, 2015

Greater Bemidji Area Joint Planning Board  
317 4th Street NW  
P.O. Box 1100  
Bemidji, MN 56619

Mayana Rice,

A portion of Westwood Acres Mobile Home Park will be closing as of August 1<sup>st</sup>, 2016. As required by statute, I am enclosing a copy of the closing statement, which has also been mailed to all affected tenants.

Please feel free to contact me with any questions.

Thanks,

Jim Cole

Crown Property Management



P.O.Box 946  
Bemidji, Minnesota 56619-0946  
218-751-5699

November 1st, 2015

**TO THE TENANTS OF WESTWOOD ACRES MOBILE HOME PARK**

**Re: Closure of Westwood Acres Mobile Home Park**

Dear Tenant:

I am writing on behalf of Westwood Acres, LLC, the owner of Westwood Acres Mobile Home Park. You are hereby notified that the western portion of the park will be closed as of **August 1st, 2016**. This includes the following lot numbers; 112 through 119, 316 through 332, 414 through 424, and 501 through 508.

As a requirement of the closure of the park, Westwood Acres, LLC will send a copy of this closure statement to the Joint Planning Board. The Joint Planning Board will then hold a public hearing to review the statement and any impact the park closing may have on you as a resident of the park. You will receive a notice of the hearing from the Joint Planning Board at least 10 days prior to the date of the hearing. You will not be required to vacate the park until at least 60 days after the date of the above referenced hearing

There are lots available within a 25 mile radius in the parks shown in the attachment "A" to this letter. The information shown on those parks is valid as of October 23, 2015. Your probable relocation costs have been determined to be approximately \$3,250 for a single wide home and \$6,000 for a double wide. You are being provided this notice pursuant to Minnesota Statute Sec. 327C.095.

**YOU MAY BE ENTITLED TO COMPENSATION FROM THE MINNESOTA MANUFACTURED HOME RELOCATION TRUST FUND ADMINISTERED BY THE MINNESOTA HOUSING FINANCE AGENCY.**

If you have any questions, please contact me.

Sincerely,

Jim Cole

Crown Property Management

**Attachment A**

October 23, 2015

**Hillcrest Manor 3900 Irvine Ave NW**

218 751-5699

Lot Rent - \$246-\$258

Available Lots

**Birchlane Mobile Home Park 507 Jefferson Avenue**

218 444-2100

Lot Rent - \$225

Available lots

**Country Lane**

Located off of Birchlane Mobile Home Park

218 444-2100

Lot Rent \$255

Available Lots



November 4<sup>th</sup>, 2015

Re: Closure of Westwood Acres

Dear Westwood Resident:

This letter is on behalf of Westwood Acres, LLC, owner of the mobile home park, to provide clarification and some additional information about closing the west half of the park.

- The original letter, which is attached, was required by state law to begin the closing procedures for the park.
- Closing the park requires a 9 month notice, which went into effect on November 1<sup>st</sup>, 2015. The actual closing date will be **August 1<sup>st</sup>, 2016**.
- If you would like to move to Hillcrest Manor, your moving costs will be paid by us directly. You would need to be approved to move to Hillcrest Manor, based on payment history, condition of home, and taxes would need to be paid in full.
- If you move to any other property, you are entitled to reimbursement of your costs through the Minnesota Manufactured Home Relocation Trust Fund. For more info on this, you can go to the following [http://www.mn.gov/mmb/treasury-bonding/cash-management/mn\\_manufacture\\_home/](http://www.mn.gov/mmb/treasury-bonding/cash-management/mn_manufacture_home/)
- Every tenant should be entitled to reimbursement through the trust fund for their moving costs, as long as their property taxes are paid in full, and their lot rent is up to date.
- In addition to the parks listed on the attachment, Frontier Homes has mobile home lots for sale. You can contact them at 218-751-7720.
- Family Movers is a local company that moves mobile homes. Their number is 218-308-0888.

Please feel free to contact me with any questions.

Thanks,

Jim Cole  
Crown Property Management

A park owner must follow certain steps before closing a park.

## Removal of a Home After Repossession

When a secured party repossesses a manufactured home and removes the home from the park, the secured party owes the park owner rent for the period beginning with repossession and ending on the last calendar day of the month the home is removed. However, the secured party would not owe past due rent prior to the time the secured party accepted voluntary repossession or took action if:

- Within seven days after accepting repossession, the secured party notifies the park owner in writing that the home is being repossessed.
- The secured party pays each month's lot rent as it becomes due.
- The secured party removes the home from the park within seven days after repossessing it.

If the secured party fails to meet any of these conditions, the secured party would owe the park owner up to three months of past due rent, excluding late fees or other charges.

## Park Closing

---

### **A park owner must follow certain steps before closing a park.**

The park owner must provide a "closure statement" to the commissioners of health and the housing finance agency, the local planning agency and each resident at least nine months before the planned closing. The "closure statement" says the park is closing, lists replacement housing within 25 miles of the park, and gives cost estimates for moving homes from the park. The "closure statement" must include the following language in a font not smaller than 14 point: "YOU MAY BE ENTITLED TO COMPENSATION FROM THE MINNESOTA MANUFACTURED HOME RELOCATION TRUST FUND ADMINISTERED BY THE MINNESOTA HOUSING FINANCE AGENCY."

A public hearing will be held to review the closure statement and determine the impact of the park closing. The municipality must mail residents a notice, at least ten days before the hearing, stating the time, place, and purpose of the hearing. Residents may not be required to move until 60 days after the conclusion of the public hearing. At the time of the public hearing, displaced residents must be informed that they may be eligible for payment from the Minnesota Manufactured Home Relocation Trust Fund as compensation for reasonable relocation costs. In some instances, the municipality may have other parties, including the municipality, pay relocation costs for the displaced residents. A "displaced resident" includes

residents and members of the resident's household as of the date the closure statement is submitted.

If a person purchasing a manufactured home park intends to close or change it within one year of the purchase agreement, the person must notify the park owner in writing. The park owner must then give each resident a 45-day notice of the purchaser's intent to close or convert the park. The 45-day written notice must:

- State the park owner will provide information on the price, terms, and conditions of the buyer's offer.
- Be sent by first class mail to all residents.
- Indicate that the notice to residents begins on the postmark date and runs for 45 days.

During the notice period, 51 percent of the residents in the park may work together to meet the buyer's cash price and purchase the park themselves to keep it as a manufactured housing community. The park owner must accept the counter offer from the residents if it meets the cash price of the first offer.

## Notice of Sale

If a park owner is selling a manufactured home park and advertising it for sale through a publication, newspaper, or realtor, the park owner must, at the same time, give a written notice to all residents of the park. If time is required to sell the park, the owner is only required to provide residents with written notice once each year.

## Minnesota Manufactured Home Relocation Trust Fund

---

**If a homeowner is required to relocate due to the closure or conversion of a manufactured home park, the homeowner may be entitled to payment from the Minnesota Manufactured Home Relocation Trust Fund.** Any such payment is equal to the actual relocation costs for relocating the manufactured home to a new location within a 25-mile radius, up to a maximum of \$4,000 for a single-section and \$8,000 for a multi-section manufactured home.

Relocation costs include the reasonable cost of taking down, moving, and setting up the manufactured home, including equipment rental, utility connection and disconnection charges, minor repairs, modifications necessary for transportation of the home, necessary moving permits and insurance, and moving costs for certain appurtenances.

If a homeowner is required to relocate due to the closure or conversion of a manufactured home park, the homeowner may be entitled to payment from the Minnesota Manufactured Home Relocation Trust Fund.

MANUFACTURED  
HOME PARKS

A manufactured homeowner is **not** entitled to recover from the Minnesota Manufactured Home Relocation Fund if they do not make an annual \$12 payment to the park owner when due.

Among other eligibility requirements, manufactured homeowners who rent lots in a manufactured home park must make an annual \$12 payment to the park owner when due each year. These payments must then be deposited by the park owner into the Minnesota Manufactured Home Relocation Trust Fund.

**A manufactured homeowner is not entitled to recover from the Minnesota Manufactured Home Relocation Trust Fund if this annual \$12 payment is not made.** In order to recover from the Minnesota Manufactured Home Relocation Trust Fund, a manufactured homeowner must submit the following materials:

- A copy of the closure statement;
- A copy of the contract with the moving contractor for relocation costs;
- A statement and supporting materials for any other permissible relocation costs;
- A statement certifying that certain exceptions to recovery do not apply;
- A statement from park owner that the lot rental is current and the manufactured homeowner made the annual \$12 payments when due; and
- A statement from the county certifying that personal property taxes for the manufactured home are paid through the end of that year.

Copies of these materials must be provided to a neutral third party appointed at the public hearing, the Minnesota Housing Finance Agency, and the park owner. If an application for relocation expenses is approved, the Minnesota Housing Finance Agency must pay the moving contractor directly in two payments, one for 50 percent of the contract price at the time the contract is signed, and the remaining 50 percent upon completion of the relocation and approval by the manufactured homeowner. A check is made payable to the manufactured homeowner for any other approved relocation costs.

If an owner cannot relocate the manufactured home due to its age or condition, or if there are no parks willing or able to accept the manufactured home within the 25-mile radius, the manufactured homeowner may still be eligible for recovery. The law allows the owner to tender title of the manufactured home to the park owner and collect an amount to be determined by an independent appraiser, up to a maximum of \$5,000 for a single-section, and \$9,000 for a multi-section manufactured home.

# **CITY OF BEMIDJI**

## **ORDINANCE NO. \_\_\_, 3<sup>RD</sup> SERIES**

### **AN ORDINANCE AMENDING AN UNCODED SECTION OF THE BEMIDJI CITY CODE (AUTHORIZING THE SALE OF REAL PROPERTY)**

#### **THE CITY OF BEMIDJI DOES ORDAIN:**

**SECTION 1.** That pursuant to Section 12.05 of the Home Rule Charter of and for the City of Bemidji, and the Purchase Agreement previously entered into by the City and the purchaser Klinefelter Ventures, LLC, the City hereby authorizes the sale of the real property owned in fee by the City and legally described in Section 2 below (the "Property"), to the purchaser Klinefelter Ventures, LLC. Proposed consideration for the sale and conveyance includes a monetary payment in the sum of \$50,000.00.

The Property was formerly a portion of the Link Street SE Right-of-Way, fee title to which was conveyed to the City by the Minnesota Department of Transportation (MN/DOT) pursuant to that certain Quitclaim Deed, dated June 29, 2015, and recorded with the Beltrami County Recorder's Office as Document No. A000549697. Said conveyance was given in accordance with Minnesota Statutes Section 161.16 and 164.24 and acts amendatory thereto.

Furthermore, pursuant to its Home Rule Charter authority, the City previously vacated the municipal right-of-way status of the Property pursuant to City of Bemidji Ordinance No. 95, 3rd Series, which Ordinance has been recorded with the Beltrami County Recorder's Office on December 18, 2013 as Document No. A000536902.

**SECTION 2.** The land to be sold pursuant to this Ordinance is legally described as:

**The easterly 50 feet of Parcel 48, MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 04-26, according to the recorded plat thereof on file in the office of the Beltrami County Recorder, more particularly described as those portions of Lots 29 and 30, Auditor's Plat No. 14, according to the recorded plat thereof on file in the office of the Beltrami County Recorder, described as follows: Beginning at the intersection on the southwesterly right-of-way line of Trunk Highway 197 (formerly known as Highways 2 and 371), as located in 1935, with the southeasterly boundary line of said Lot 29; thence southwesterly along said southeasterly boundary line of Lot 29, and its southwesterly southeasterly extension, to the point of intersection with a line drawn parallel with and distant 110 feet northeasterly of, as measured at right angles to, the Northern Pacific Railway Company's (formerly Minnesota and International Railway Company's) main track centerline, as located and constructed in 1901; thence northwesterly, along said line parallel with the**

main track centerline, to the intersection with a line parallel with and distant 50 feet northwesterly of, as measured at a right angle to, the southeasterly boundary line of said Lot 29 and its southwesterly southeasterly extension; thence northeasterly, along said parallel line, to the intersection with the southwesterly right-of-way line of said Trunk Highway 197; thence southeasterly, along said southwesterly right-of-way line, to the point of beginning.

**SECTION 3.** The City shall convey the above-described property to Klinefelter Ventures, LLC, by appropriate conveyance. City staff is further directed to take the appropriate steps to accomplish the transfer of said real property, including satisfaction of all conditions that may be attached to the sale pursuant to the parties' Purchase Agreement.

**SECTION 4.** The Ordinance shall be in full force and effect thirty (30) days from and after its passage and publication.

Ayes:  
Nays:  
Absent:

First Reading:  
Second Reading:  
Final Reading:

Attest:

Approved:

\_\_\_\_\_  
Kay M. Murphy, City Clerk

\_\_\_\_\_  
Rita C. Albrecht, Mayor

LINK STREET



LAKE BEMIDJI

BEMIDJAVE

McDonalds

Liquor Store

10,900sq ft

100'

LINKST

6,250sq ft

50'

BEMIDJAVE

TRAIL



**Legend**  
 TURNBACK PARCEL

