

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – January 21, 2014

Pursuant to due call and notice, a regular meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Tuesday, January 21, 2014 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Albrecht presiding.

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

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, Parks & Recreation Director Marcia Larson, Chief of Police Mike Mastin, Sergeant Scott Herr, City Clerk Kay Murphy

STATE OF THE CITY ADDRESS

Mayor Albrecht gave the annual State of the City Address stating that the budget is sound, employees are dedicated and the council is unified in their commitment to a better Bemidji.

AMENDMENTS TO AGENDA

Mayor Albrecht called for any amendments to the agenda. The following items were requested to be added to agenda:

- Paul & Babe Policy – Requested by City Manager
- Travel Authorization – Joint Legislative Conference - Add Johnson & Meehlhause

**Motion by Johnson, seconded by Thompson, to approve the agenda as amended.
Motion carried by unanimous vote.**

MINUTES

The following minutes were presented for approval:

Council Meeting	January 6, 2014
BEDA Meeting	January 6, 2014
Work Session	January 13, 2014

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

CONSENT AGENDA

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

1. Claims submitted by the Finance Officer in the total amount of \$3,649,573.13
2. General Business Licenses Renewals for 2014
3. 2014 Committee/Commission Appointments or Reappointments
4. Recommend Appointment to Charter Commission – Pamela Jorstad
5. 1 Day Temporary Consumption and Display Permit – Chamber – 2/11/14
6. **RESOLUTION NO. 5873:** Accepting Donations from Area Businesses/Organizations – Parks & Recreation Department
7. Travel Authorization – LMC Leadership Conference – Jan. 31-Feb. 1 – Olson
8. Travel Authorization – Joint Legislative Conference (St. Paul)– Feb. 26-27 – Albrecht, Johnson, Meehlhause

Motion carried by unanimous vote.

POLICE RESERVE OFFICERS

Chief Mastin stated that Sergeant Scott Herr was charged with the task of forming the volunteer police reserve officer program. Sergeant Herr developed policy, duties, recruitment, uniforms and all aspects of the program with the assistance of three other officers. The police reserve program philosophy is to provide training and experience to adults interested in law enforcement but who also want to volunteer in our community to make Bemidji a great place to live. In October 2013, the Police Department began the training program which was a 9-week program with over 20 hours of field training with a police officer in a squad car. He thanked each of the Police Reserve officers for their willingness to serve our community. Sergeant Scott Herr introduced the Police Reserve Officers who were then sworn in by the City Clerk.

CITIZENS NOT ON AGENDA

No one appeared.

PUBLIC HEARING**2014 Street Renewal Project**

Gray stated that the next step in the 429 Public Improvement process is to hold a public hearing on the proposed project. A neighborhood meeting was attended by five residents, all of whom had property on the west side of Lake Avenue. No one from 23rd Street or from the east side of Lake Avenue attended and there were no significant issues that came up at the neighborhood meeting. He stated that staff do feel that the project will benefit the property owners.

Pursuant to published notice a public hearing was held regarding input on the 2014 Street Renewal Project. Mayor Albrecht opened the Public Hearing at 7:34 p.m.

Marshall Froyd, 1912 5th Street SE, asked about the paving on Lake Avenue. Gray responded that the proposed improvements include new bituminous, curb & gutter, storm sewer and a walking trail from Roosevelt Road north to 1st Street.

The following homeowners spoke in opposition to the proposed 23rd Street assessment and felt that Bemidji State University should pay a larger portion:

- Valerie Wallingford, 321 23rd Street NE
- Pat Dolezal, 2300 Calihan Avenue NE
- Letter from Brad & Cheryl Buck, 311 23rd Street NE

Mayor Albrecht closed the Public Hearing at 7:46 p.m.

RESOLUTION NO. 5874: Ordering Improvement, Designating Project Engineer, Calling for Preparation of Plans and Specifications, and Authorizing Advertisement for Bids on Improvement – City Project No. 14-01 was offered by Councilmember Erickson who moved its adoption, and upon due second by Councilmember Thompson was passed by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Kalli Wilson, BYAC representative, reported that City Clerk Murphy attended their recent meeting and the BYAC discussed ways to help with the Save the Carnegie Library fundraising. She stated that there will be a Valentine's ice skating event on February 8 at the City Park outdoor ice rink.

NEW BUSINESS**Traffic Calming Measures**

Parks & Recreation Director Larson stated that the Minnesota Dept. of Transportation recently solicited pre-applications for the newly established Transportation Alternatives Program (TAP). Based on the City's pre-application, the Minnesota Dept. of Transportation has invited the City to put in a full application to the program for the year 2016 and 2017 for Traffic Calming Measures on TH197 in front of Paul Bunyan/Library Park. The estimated cost for the traffic calming project is \$200,000 plus \$40,000 of engineering services for a total project cost of \$240,000. The required local match for this project is 20% of the construction and 100% of engineering services. The City's required match is approximately \$80,000. The grant funds, if awarded, would be available for construction. The grant request is \$160,000.

Gray stated that there are new federal guidelines for handicap ramps which are probably \$20,000 to \$25,000 to upgrade at each location and included in the total project cost. Mayor asked if MnDOT has been asked for help with these costs. Gray stated no but they can certainly visit with them. Discussion continued regarding the type of design and material that might be used. Gray stated that it is preliminary at this time.

Hellquist asked if the \$40,000 for engineering was an in-house cost? Gray stated that the City would use a consultant due to the federal rules.

Albrecht commented that perhaps there are some downtown partners that could assist with this project. Larson responded that she has not visited with anyone but could do so in the future. Larson stated that from her meetings with MnDOT they are interested in partnering with the City on making this safer for the public but if they will partner with money was uncertain. Gray stated that MnDOT will be dealing with upgrading traffic signals as needed with the project.

Erickson stated that she does not know how this will enhance the street and believed that it was a lot of money to spend on this project.

Olson commented that there are a number of studies that show traffic calming measures work.

Eischens recommended that the liquor store funds remain untouched for future needs for bond payments on the southeast shore.

Mayor Albrecht stated that the Park Plan envisioned these improvements to make it safer to travel between the park to downtown, in particular, enhancing alternative modes of mobility. She commented that she does not think of it as a \$200,000 project but an \$80,000 project.

Erickson believed that the current “push button” method that we use them throughout town works and is effective for crossing. Erickson stated that it is not cost effective and won't be visible half the year. She concluded that she could not support the grant request. She inquired as to why this was not in the Capital Improvement Plan?

Larson responded that the crosswalk area design was part of the overall park plan. She stated that the Commission focused on redeveloping the park and staff felt that the city should at least apply for the grant. If it was included in the CIP, it would be in 2016.

Hellquist asked what would happen if the City does not get the grant? Gray stated that staff would not proceed with the project.

Mayor Albrecht stated that if Active Living and Downtown Alliance were present, they would be in support of the City applying for the grant.

RESOLUTION NO. 5875: Agreeing to Maintain Traffic Calming Improvements at the Intersections of TH197 and 3rd Street, 2nd Street, and 5th Street was offered by Councilmember Thompson, who moved its adoption, and upon due second by Councilmember Olson was approved with the following vote: Ayes: Hellquist, Johnson, Olson, Thompson, Albrecht, Meehlhause. Nays: Erickson.

RESOLUTION NO. 5876: In Support and Commitment for the TH197 and 3rd Street Improvement and Authorization to Submit a Grant Application to the Transportation Alternates Program (TAP) was offered by Councilmember Thompson, who moved its adoption, and upon due second by Councilmember Olson was approved with the following vote: Ayes: Hellquist, Johnson, Olson, Thompson, Albrecht, Meehlhause. Nays: Erickson.

Paul Bunyan & Babe Policy

City Manager Chattin stated that management has had a policy of not allowing any outside organization to “dress up” Paul or Babe. He stated that recently Paul had a Lions' vest on after being told by administration that it would not be allowed. Apparently, they sought other avenues to get their permission. He stated that there are several reasons to not allow any dressing up of Paul or Babe. He recommended that the Council consider adopting a policy that prohibits any dressing up of Paul & Babe by any organization for any reason.

Johnson commented that placing a t-shirt or fez on Paul is good PR. He suggested that a policy could be developed and perhaps there be a charge to cover the cost. Johnson further stated that he would like to hear what representatives from the Chamber and VisitBemidji think.

Meehlhause stated the City doesn't want to open up the floodgates but perhaps there is a happy medium. Chattin responded that from the staff's perspective it is up to the Council on how the statues are used.

Erickson stated that she would like to see a strict policy on the use of Paul & Babe and not have everyone coming before the Council.

After discussion regarding the cost of dressing up the statues, Mayor Albrecht referred the matter to the Public Affairs Committee to come up with a policy for the entire Council to consider.

ORDINANCE

City Attorney Felix introduced Pat Mastel, Corporate Counsel for Midcontinent Communications, who was available at the meeting to answer any questions regarding the cable franchise ordinance. Mr. Mastel negotiated with the City's Counsel Vose on the cable

franchise and there are very few changes. Cole Mack was also available to answer technical questions.

Felix noted that the two cable franchises are similar as required by the State. He stated that when Paul Bunyan’s renewal comes up in 2017 there will be a similar ordinance.

Johnson commented that Midcontinent currently does not carry the school board and activities and he would like to be able to see it. He wondered if there was any way that through our agreement that the City could insist that Midcontinent provide that channel.

Mack stated that technically they are not capable presently to provide that service. The studio at the school was initially setup for Paul Bunyan; however, Midcontinent would have to change some infrastructure to make that work. Mastel stated that the PEG channels belong to the City and the school would need to make that request to the City.

Pursuant to published notice, a Public Hearing was held to receive input regarding Granting a Cable Franchise to Midcontinent Communications in the City of Bemidji; setting forth conditions accompanying the Grant of the Franchise; providing for certain service regulations; and prescribing penalties for the violation of the provisions herein. Mayor Albrecht opened the Public Hearing at 8:43 p.m., hearing no comments the public hearing was closed at 8:44 p.m.

AN ORDINANCE Granting a Cable Franchise to Midcontinent Communications in the City of Bemidji; setting forth conditions accompanying the Grant of the Franchise; providing for certain service regulations; and prescribing penalties for the violation of the provisions herein was given a second reading.

UPCOMING COUNCIL MEETINGS

- Monday, January 27 3:00 p.m. Council Strategic Retreat @ Sanford Center
- Monday, February 3 7:00 p.m. Regular Council Meeting
- Monday, February 10 5:30 p.m. Work Session – Paul Bunyan/Library Parks

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

ADJOURN

There being no further business, motion by Meehlhause, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 9:04 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk