

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – October 1, 2018

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, October 1, 2018 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, Hellquist, Johnson, Lehmann, Erickson, Larson.

Staff Present: City Manager Nate Mathews, Finance Director Ron Eischens, Public Works Director/City Engineer Craig Gray, Assistant City Engineer Sam Anderson, City Clerk Michelle Miller

AMENDMENTS TO AGENDA

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

MINUTES

The following minutes were presented for approval:

Regular Council: September 17, 2018
Work Session: September 24, 2018

Motion by Johnson, seconded by Larson, to approve the minutes as presented. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Claims Submitted by Finance Officer in the amount of \$1,288,829.87
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$52,483.31
3. Miscellaneous Business Licenses for 2019
4. Miscellaneous Liquor Licenses for 2018
5. Appointment of Randi Su Tanem to the Charter Commission
6. **RESOLUTION NO. 6180:** Adopting the Assessment Roll for Delinquent Utility Bills for 2018
7. Approve Purchase of Pickup Truck for Water/Sewer Department from Bob Lowth Ford in the amount of \$32,250.10

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

Brad Kingery spoke about an upcoming event hosted by Citizens Climate Lobby.

REPORTS

Bemidji Youth Advisory Commission – No one appeared.

Bemidji Strategic Alignment Initiative – Dave Hengel, Greater Bemidji Executive Director, spoke about an alignment initiative of four organizations including Greater Bemidji, Visit Bemidji, Chamber of Commerce and Bemidji Downtown Alliance. This alignment would help to focus on working together and partnering on shared goals. However, each organization will continue to function independently.

Sister City Relationship – Filottrano Trip – Gary Rozman, History Center Executive Director, spoke about his trip to Filottrano, Italy. He will continue to work on developing a Sister City Relationship by forming a community sister city committee with the guidance from Sister City International.

NEW BUSINESS

Conduct a Public Hearing on Proposed Assessment of Costs Associated with Lot Maintenance and Other Miscellaneous Work Done by the City on Private Property

Pursuant to published notice, a Public Hearing was held to receive input regarding Proposed Assessment of Costs Associated with Lot Maintenance and Other Miscellaneous Work Done by City on Private Property. Mayor Albrecht opened the Public Hearing at 6:59 p.m., hearing no comments the public hearing was closed.

Erickson questioned the cost associated to parcel number 80.00749.00 (vacant lot located on 29th Street NW) incurred from demolition of a hazardous building. Erickson would like to get clarification from the City Attorney in relation to tax forfeiture and the timing of certifying the cost to the county assessor.

Motion by Erickson, seconded by Meehlhause to approve the resolution with the removal of parcel number 80.00749.00 from the assessment roll. The process of adopting the assessment roll was discussed; thereupon, Erickson withdrew her motion.

RESOLUTION NO. 6181: Adopting Assessment Roll for Costs Associated with Lot Maintenance and Other Miscellaneous Work Done by the City on Private Property in 2018 with parcel number 80.00749.00 in the amount of \$8,839.20 being contingent upon review by the city attorney was offered by Councilmember Erickson who moved its adoption, and upon due second by Councilmember Meehlhause passed by the following vote: Ayes: Albrecht, Meehlhause, Hellquist, Johnson, Lehmann, Erickson, Larson. Naves: None.

Lake Irving Phosphorus Treatment Recommendation and Approval to Apply for Grants

Gray summarized the Lake Irving Phosphorus Treatment Feasibility Report prepared by Howard R Green and the recommended alternatives. As part of the 2019 MS4 permitting process, the City will need to demonstrate the treatment of phosphorus in that application. The proposed project would be conducted within the ditch that runs through the City’s Rako Street property, which drains directly into Lake Irving. Of the four alternatives, Gray recommends Alternative 2 which shows an estimated load reduction of 221 pounds of phosphorus per year. Due to the partnership with the Mississippi Headwaters Board (MHB) and the Beltrami County Soil and Water Conservation District (SWCD) it is possible the City could have very little financial participation with the project, however, there will be future maintenance costs. The SWCD has agreed to be the fiscal agent for the grant, with MHB applying for the grant. MHB also stated that Enbridge Energy would pay for the 20% match if a grant is awarded. The city would become the owner of the project once completed. Council noted that due to the City’s MS4 designation, the city is under higher standards for treating contaminants, however, all citizens should take part in keeping our rivers and lakes clean.

Motion by Erickson, seconded by Meehlhause approving Alternative 2 and authorizing the SWCD and MHB to apply for grants for the project. Motion carried by unanimous vote.

Resolution Authorizing Feasibility Study for 2019 Street Renewal Project – City Project 19-01

Sam Anderson, Assistant City Engineer, summarized the results of 10 years of the annual street renewal project and provided a proposed list of 2019 streets to be included in a feasibility study:

- | | |
|---------------------------|---|
| Pershing Avenue | 1 st Street East – 3 rd Street SE |
| 8 th Street NE | Bemidji Avenue – Lake Blvd |
| Dewey Avenue | Scott Avenue – Grant Avenue |
| Gemmel Avenue | Paul Bunyan Drive – Cul de Sac (end) |
| McKinley Avenue | 3 rd Street SE – 4 th Street SE |

Anderson stated that the feasibility report is the first step in the Chapter 429 assessment process and will outline the proposed improvements, project costs, preliminary assessments and the feasibility of the proposed project. The Council will review the report in December and staff will hold a neighborhood meeting to outline the proposed project to the affected property owners.

RESOLUTION NO. 6182: Authorizing Feasibility Study for 2019 Street Renewal Project – City Project 19-01 was offered by Councilmember Meehlhause who moved its adoption, and upon due second by Councilmember Erickson, was passed by unanimous vote.

Approval of Americans with Disabilities Act (ADA) Transition Plan – City Project 18-08

Anderson stated that the Federal Highway Administration (FHWA) has enacted a requirement that all local agencies with greater than 50 employees, who are scheduled to receive federal funding in the 2019-2022 State Transportation Improvement Plan (STIP), must develop and adopt an Americans with Disabilities (ADA) Transition Plan. If this plan is not adopted, the city risks losing federal funding for their transportation projects. The City is scheduled to receive \$860,000 of federal funding in 2019 for the 30th Street and Hannah Avenue project. The ADA transition plan includes 44.5 miles of sidewalks and trails that are not compliant. The plan is to update these facilities as part of the annual street reconstruction program.

Motion by Meehlhause, seconded by Johnson to Approve the Americans with Disabilities Act (ADA) Transition Plan - City Project #18-08. Motion carried by unanimous vote.

Authorizing Engineering and Design Services for 2019 Federal Aid Street Project for the Reconstruction of 30th Street and Hannah Avenue – City Project 19-02

Gray stated that \$860,000 of federal highway funding will be available in 2019 to complete the remainder of the reconstruction work on 30th Street and a project on Hannah Avenue. The proposed project will be a continuation of the 2015 project that narrowed 30th Street and added a 10 foot trail on the north side of the road. This would complete 30th Street, pick up the project at Ridgeway Avenue and continue to Hannah Avenue. They will also be looking at narrowing Hannah Avenue from 30th Street to Paul Bunyan Drive to include a sidewalk.

Motion by Lehmann, seconded by Erickson, authorizing the city engineer to begin project development and design work on the 2019 Anne Street and Hannah Avenue Reconstruction Projects – City Project 19-02. Motion carried by unanimous vote.

Write-Off of Loan Fund Balance with Wayzata Hospitality

In 2014, Council approved a \$400,000 loan to Wayzata Hospitality to construct a connecting link between the Sanford Center and Country Inn & Suites Hotel. The link was completed and the construction accepted by the City. Since that time, Wayzata Hospitality has been through a foreclosure action and the court has approved the sale of the hotel to a third party, free and clear of any junior liens, such as this loan. Staff does not recommend pursuing any further action to recoup this money and seeks council direction to write-off the remaining loan balance of \$332,416.67 and accrued interest from Wayzata Hospitality. Erickson stated that while this bad debt is unfortunate, the city did receive value in the link being constructed.

Motion by Erickson, seconded by Johnson, authorizing the write-off of the remaining loan balance of \$332,416.67 and accrued interest from Wayzata Hospitality effective September 30, 2018. Motion carried by unanimous vote.

ORDINANCE

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending Ordinance Annexing Property Contiguous to Jefferson Avenue SW, Mikrantip Road SW and Mag Seven Court SW to the Corporate Limits of the City of Bemidji Regarding Payment of Property Taxes to the Township (Headwaters Unitarian Universalist Fellowship, Inc.). Mayor Albrecht opened the Public Hearing at 7:54 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE an Ordinance Amending Ordinance Annexing Property Contiguous to Jefferson Avenue SW, Mikrantip Road SW and Mag Seven Court SW to the Corporate Limits of the City of Bemidji Regarding Payment of Property Taxes to the Township (Headwaters Unitarian Universalist Fellowship, Inc.) was given a second reading.

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ORDINANCE NO. 152, 3RD SERIES, AN ORDINANCE Amending Chapter 4 of the Bemidji City Code Entitled “Alcoholic Beverages” by Amending the Provisions Relating to Proof of Age was given a final reading and passed by unanimous vote.

Motion by Meehlhause seconded by Lehmann approving publication of a summary of Ordinance No. 152, 3rd Series. Motion carried unanimously.

UPCOMING COUNCIL MEETINGS

- Wednesday, October 3 5:00 p.m. Council Retreat – Mayflower Building
- Monday, October 15 6:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

ADJOURN

There being no further business, motion by Meehlhause, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 8:11 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Michelle R. Miller". The signature is written in a cursive style with a large initial "M".

Michelle R. Miller
City Clerk