

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – October 15, 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 15, 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, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, City Clerk Michelle Miller

AMENDMENTS TO AGENDA

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

MINUTES

The following minutes were presented for approval:
Regular Council: October 1, 2018

Motion by Meehlhause, 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 Meehlhause, seconded by Johnson, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of \$848,810.14
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$83,869.20
3. Business License Renewals for 2019
4. **RESOLUTION NO. 6183:** Approving an Application to Conduct Off-Site Gambling from November 15-17, 2018 (North Country Snowmobile Club)
5. Declare Certain Equipment Utilized at the Sanford Center as Surplus Property
6. Waive Various City Permit Fees for Habitat for Humanity – 721 9th St NW (\$1,458.00)
7. Accept the MN Bureau of Criminal Apprehension Financial Crimes Task Force JPA
8. Travel Authorization – CGMC Fall Conference, November 15-16 – Johnson, Meehlhause, Albrecht

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

REPORTS

Bemidji Youth Advisory Commission – No one appeared.

NEW BUSINESS

Conduct a Public Hearing on Proposed Assessments for the 2018 Street Renewal Project (City Project #18-01)

City Engineer Craig Gray stated that this is the assessment hearing for the 2018 Street Renewal Project under Minnesota Statutes 429. According to the City's assessment policy, the proposed assessments are as follows:

Street Assessment:	\$38/lineal foot
Sanitary Sewer Service Line:	\$1,070/each
Water Service Line:	\$1,070/each

Gray noted that they only replace the water and sewer service lines if they were not up to code. He further stated that if any property owner does not see an increase in the value of their property or did not benefit from the project in an amount equal to or greater than the proposed assessment can appeal the assessment amount. The council may act on the appeal or adopt the assessment roll. A written objection was received prior to the meeting from 2809 Minnesota Avenue NW in the amount of \$5,814.

Pursuant to published notice, a Public Hearing was held to receive input regarding Proposed Assessment for the 2018 Street Renewal Project – City Project #18-01. Mayor Albrecht opened the Public Hearing at 6:07 p.m. The following provided testimony to the council:

- Bernadine Brennan, 619 22nd Street NW, questioned the necessity of adding sanitary sewer and water lines to vacant lots. Gray stated that once a street is redone, new sewer and water lines are installed to vacant lots that are deemed buildable lots so that if a structure is built in the future, the street would not need to be torn up to have water and sewer lines installed. She also received clarification that the total project amount is divided between all of the property owners in the 2018 Street Renewal Project.
- Matthew Roberts, 2207 Irvine Ave NW, stated he doesn't necessarily disagree with the assessment; however, he did inquire about compensation for business loss during construction, particularly since the project is now two weeks past the scheduled completion date. Gray stated that during the ten year history of street renewal projects, a council has not awarded any damages to a business owner. Felix stated that Mr. Roberts should seek legal advice on any potential temporary taking of property claim he may have as a result of the project. Johnson inquired if there is a penalty clause in the contract for delays. Gray noted that the project is currently in liquidated damages.
- Marcella Jensen, 703 14th Street NW, inquired about how corner lots are assessed. Gray stated that corner lots are assessed for half of each side of a street when they are done.

Hearing no further comments, Mayor Albrecht closed the Public Hearing at 6:28 p.m.

RESOLUTION NO. 6184: Adopting Assessment Roll for 2018 Street Renewal Project - City Project #18-01 was offered by Councilmember Hellquist who moved its adoption, and upon due second by Councilmember Erickson passed by the following vote: Ayes: Meehlhause, Hellquist, Johnson, Lehmann, Erickson, Larson, Albrecht Naves: None.

Consider Bemidji Volunteer Firefighters' Relief Association (FRA) Pension Benefit

Mathews stated that over the last three months, he, FRA Trustee Member Hellquist and Finance Director Eischens have been discussing the pension benefit with FRA officials. The current three-year understanding expires on December 31, 2018. Additionally, the Public Affairs Committee met on October 1 to discuss this issue and approved the recommendation for a 7% increase for the next three years with the 2019 increase being \$6,857 per year of service. Hellquist stated that he attended many meetings that set out the plan which came to an agreement pretty quickly. The relief association is providing their own guarantees by maintaining a surplus position of 120% versus the 105% stated in their by-laws. They have also independently increased their benefit level to \$7,800 as of September 25, 2018.

Motion by Hellquist, seconded by Lehmann approving the FRA annual benefit increase to \$6,857 effective January 1, 2019, including amending FRA By-Laws reflecting the same, with the understanding of increases in 2020 and 2021 to be considered yearly by council. Motion carried by unanimous vote.

Authorize Replacement of Sanford Center Boiler

Eischens stated that after earlier repairs to two of the boilers, the third boiler is still not working. Both the City Building Inspector and Venuworks staff concur that the non-operational boiler should be replaced, starting a new warranty period. Quotes from local vendors to replace the boiler and 275 gallons of glycol are as follows:

Higgins Heating	\$59,170
Peterson Sheet Metal	\$59,351
Naylors	\$59,961

Funding for this project would come from the capital replacement fund for the Sanford Center.

Motion by Lehmann, seconded by Hellquist authorizing the replacement of one Sanford Center boiler including 275 gallons of glycol to Higgins Heating for \$59,170 to be paid by the Sanford Center Capital Replacement Fund. Motion carried by unanimous vote.

ORDINANCE

AN ORDINANCE Amending Fee Schedule for 2019 was given a first reading.

ORDINANCE NO. 153, 3RD SERIES, 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 (Headwaters Unitarian Universalist Fellowship, Inc.).

Motion by Meehlhause seconded by Hellquist approving publication of a summary of Ordinance No. 153, 3rd Series. Motion carried unanimously.

ORDINANCE NO. 154, 3RD SERIES, AN ORDINANCE Amending Ordinance Annexing Property Contiguous to Division Street West or CSAH 7 to the Corporate Limits of the City of Bemidji (Loonesota, Inc.). Motion by Meehlhause seconded by Hellquist accepting the revised Ordinance regarding the legal description. Motion carried by unanimous vote.

Motion by Lehmann, seconded by Johnson, approving publication of a summary of Ordinance No. 154, 3rd Series. Motion carried unanimously.

UPCOMING COUNCIL MEETINGS

- Monday, October 22 5:30 p.m. Sp. Work Session (OtterTail Power)
- Monday, October 29 5:30 p.m. Sp. Work Session (City Wells)
- Monday, November 5 6:00 p.m. Council Meeting
- Tuesday, November 6 ELECTION DAY
- Tuesday, November 13 5:15 p.m. Canvassing Board
- Tuesday, November 13 5:30 p.m. Sp. Work Session (JPB Budget)

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

ADJOURN

There being no further business, motion by Lehmann, seconded by Meehlhause, to adjourn the meeting. Motion carried. Meeting adjourned at 7:12 p.m.

Respectfully submitted,



Michelle R. Miller
City Clerk