

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### Regular Meeting – October 20, 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 Monday, October 20, 2014 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Pro-tem Hellquist presiding.

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

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, City Clerk Kay Murphy

#### **PROCLAMATION**

Mayor Pro-tem Hellquist proclaimed October 19-25 as Farm to School Week in Bemidji.

#### **AMENDMENTS TO AGENDA**

Mayor Pro-tem Hellquist called for any amendments to the agenda. The following item was added under consent agenda: Travel authorization – League of Minnesota Cities – Thief River Fall for Councilor Johnson. **Motion by Thompson, seconded by Johnson, to approve the agenda as presented. Motion carried by unanimous vote.**

#### **MINUTES**

The following minutes were presented for approval:

Council Meeting	October 6, 2014
Sp Work Session	October 6, 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 Erickson, seconded by Meehlhause, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of **\$1,154,911.87**
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of **\$67,853.13**
3. 1-Day Temporary Consumption & Display Permit – Chamber Event on 11/11/14
4. Appointment to Library Board to fill an unexpired term – Dr. James Barta
5. **RESOLUTION NO. 5912:** Accepting a \$1,500 Donation from Target – Police Department
6. Purchase of Wildland Fire Personal Protective Equipment from Heiman Fire Equipment (\$29,340.98) – Fire Department
7. Confirmed Existing Policy of Allowing Homeowners and Businesses to install private wells for irrigation purposes
8. Declared the 1984 International 2500 as Surplus Equipment – Public Works Department
9. Amendment No. 2 to Tower Lease Agreement with New Cingular Wireless
10. Travel Authorization – CGMC Conference (Mpls), November 13 & 14 – Hellquist, Albrecht, Johnson
11. Travel Authorization – LMC Meeting (TRF), October 28 - Johnson

**Motion carried by unanimous vote.**

#### **CITIZENS NOT ON AGENDA**

- Adam Steele, 189 Gemmel Ave., expressed concerns regarding Diamond Point Park facilities being closed when the weather is still nice. He would like the Council to consider either leaving them open or provide portables.

#### **COMMITTEE REPORTS**

**Bemidji Youth Advisory Commission** – Vanessa Fairbanks, BYA representative, commented that the Commission met with a marketing representative from the Pioneer. She stated that they are planning a youth event with the Polar Daze organizers.

Sustainability Committee

Sustainability Committee members Sara Dennison and Alexandra Miller highlighted the following accomplishments by their group:

- Sustainability Places Tour was a success with over 100 participants over the course of the day.
- Received a Regional Indicators Initiative (RII) Scholarship award. RII assists Minnesota cities with planning and development, sustainability goal setting, performance measurement, cost-saving opportunities, and move cities toward Mn GreenStep Cities Step 4.
- Working with the developers of the former high school property.
- Developing a website with city staff.
- Nice Ride is available on BSU's campus.
- Integrating sustainable landscaping practices into city water locations at BSU.

**NEW BUSINESS**2014 Street Renewal Project (City Project #14-01)

Gray reviewed the process undertaken for the 2014 Street Renewal project. The proposed assessments for the 23<sup>rd</sup> Street project are according to the City's assessment policy and are as follows:

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

The Lake Avenue assessments were established by the Council at a work session on December 16, 2013. The parcels that were assessed in 2005 for the SE 40 water project were given partial credit for that assessment and the others assessed per current policy. Gray stated that it is his opinion that each parcel on the assessment roll has benefitted from the project in an amount greater than or equal to the proposed assessment. He recommended that the Council hold the assessment hearing and adopt the resolution approving the assessment roll for City Project 14-01 and 14-01A.

Pursuant to published notice, a Public Hearing was held to receive input regarding the 2014 Street Renewal Special Assessments. Mayor Pro-tem Hellquist opened the Public Hearing at 7:19 p.m., hearing no comments the public hearing was closed.

**RESOLUTION NO. 5913: Adopting the Assessment Rolls for City Project #14-01 and #14-01A, 2014 Street Renewal Project, was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Thompson was passed by unanimous vote.**

Request from Property Owner

Rich Moen, 329 Jefferson Avenue SW, stated that water and sewer stubs were not installed in 2002 at 329 Jefferson which caused him higher installation costs. Therefore, he requested that the city reimburse him for the additional cost of extending city service lines from the main to the property line.

Public Works Director Gray stated that staff have been in discussion with Mr. Moen regarding this issue. Gray stated that no utility services were stubbed from the mains to the property line of the vacant lot as part of the 2002 project. Because no services existed Mr. Moen had to cut into Jefferson Avenue and go to the mains to install both water and sewer services for the home he is constructing. Discussion followed on why the services were not installed in 2002. Gray stated that based on his experience there could be three possible reasons why there were no services installed to the vacant lot:

1. The property owner of the vacant lot did not want to pay the \$8,000 assessment and requested that services not be installed. This occurs because the owner of the lot also owns and lives on the adjoining lot and has no intent of developing or selling the lot.
2. The plans included the services and the contractor missed installing it.
3. The engineer and/or the city decided not to install the services because it was a vacant lot or they did not realize it was a separate lot.

Gray noted that the City's current practice is to install utility services to all vacant lots unless the property owner requests no services in writing. Gray stated that even though it is our standard practice to install services lines, it does not mean that utility services always get installed to every lot that could be built on in the future. The City is not required to do so and does not have any legal responsibility if services are missed.

Gray stated that staff have already offered to waive the \$8,000 connection/assessment fee and the WAC/SAC charges of \$2,675 for a total of \$10,675. Staff felt that no additional compensation is warranted.

Lynn Anderson, previous owner of said lot, commented that when Jefferson Avenue was torn up the stub was not installed to this lot.

**Motion by Thompson, seconded by Erickson, to waive the \$8,000 connection/assessment fee and the WAC/SAC charges of \$2,675 (total of \$10,675) for Mr. Moen's property located at 329 Jefferson Avenue SW. Motion carried unanimously.**

#### School Speed Zone - Middle School Drive

Gray stated that City staff have been working with the School District to make the crosswalk by the Middle School safer. He stated that a school speed zone traffic and pedestrian study was completed and determined that a school speed zone is warranted in this area if the city desired. Gray further suggested that the council could consider a blinker radar sign to slow traffic down in this area.

Drew Hildenbrand, Middle School Principal, stated that the school district is willing to pay for one of the blinker radar signs.

**Motion by Erickson, seconded by Johnson, to approve the 25 mph school speed zone during the hours of 7:30 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m., in the area of the Bemidji Middle School crosswalk. In addition, authorized the purchase of two radar signs and the City and ISD #31 will share the cost (\$3,000 each). Motion carried unanimously.**

#### ORDINANCE

Erickson questioned the increase in the archery hunt fee and felt it should come as a recommendation from the Deer Committee. **Motion by Erickson, seconded by Meehlhause, to return the archery hunt fee to \$5/each. Motion carried unanimously.**

**AN ORDINANCE** Amending the Bemidji City Code, Adopting an Amended Fee Schedule for 2015 was given a first reading.

#### UPCOMING COUNCIL MEETINGS

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|-----------------------|---|
| • Monday, October 27  | No Meeting Scheduled                                  |
| • Monday, November 3  | 7:00 p.m. Council Meeting                             |
| • Monday, November 10 | 5:30 p.m. Canvassing Board (General Election Results) |

#### COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Gray stated that a letter was received from BSU Student Senate regarding the 19<sup>th</sup> Street NE pedestrian crossing. His staff will paint the crosswalk and continue to work with BSU in this regard.

#### ADJOURN

There being no further business, motion by Olson, seconded by Meehlhause, to adjourn the meeting. Motion carried. Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Kay M. Murphy  
City Clerk