

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – November 2, 2015

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, November 2, 2015 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, Hellquist, Olson, Erickson, Larson

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

PROCLAMATION

Mayor Albrecht proclaimed November 15-22 as Hunger & Homelessness Awareness Week in Bemidji.

AMENDMENTS TO AGENDA

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

MINUTES

The following minutes were presented for approval:
Council Meeting October 19, 2015

Motion by Johnson, seconded by Meehlhause, 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 that the item to consider Development Agreement with Cedar Pointe Estates LLP be moved under new business for discussion. **Motion by Olson, seconded by Johnson, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of \$876,543.82
2. Claims Submitted by Venuworks for the Sanford Center in the amount of \$39,875.88
3. Business Licenses Renewals for 2016
4. 1 Day Temporary Consumption & Display Permit – Bemidji Chamber (November 10)
5. **RESOLUTION NO. 5973a:** Accepting a Donation from the North Country Snowmobile Club in the amount of \$1,000 for the First City of Lights
6. **RESOLUTION NO. 5974:** Accepting a Donation from Target in the amount of \$2,000 to fund operating supplies for the Youth Firesetter Intervention Program
7. **RESOLUTION NO. 5975:** Providing for the Prepayment and Redemption of Certain General Obligation Bonds
8. **RESOLUTION NO. 5976:** Adopting an Assessment Roll for the Cost of Demolition (702 19th Street NW)

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Ellah Olson, BYA representative, stated that the Commission has been working on listening lunch ideas and doing a survey.

Greater Bemidji Joint Planning Board

Mayana Rice, Planning Administrator, stated that permit fees have brought additional income this year; therefore, the JPB will not be asking for an increase in the budget. The annual contribution will once again be \$84,327. Rice stated that Bemidji Township has indicated that they would be setting their contribution at \$0.00 for 2016 Final and 2017 Preliminary budget allocation. The Board is discussing several ways to retrieve these funds: 1) use reserve spending; 2) increase in permit cost to Bemidji Township applicants; and 3) legal action. Discussion continued regarding the part-time employee position.

BSU Student Senate

Brittany Hall, Student Senate President, reviewed several initiatives that the Student Senate has sponsored at BSU. John Moe, Vice President, discussed location of additional cigarette disposal sites along the lake to eliminate cigarette litter and smoke free campus signs added. Josh, a BSU Student, stated that they are researching the need for a full-time police officer on campus and have several unanswered questions. He will be contacting other university campuses that currently cost share with local government units.

Erickson asked about the status of water bottles on campus. Ms. Hall responded that President Hanson was not in favor of their bill but will continue to work on the effort to eliminate water bottles in vending machines.

NEW BUSINESS**Phase II Annexation**

City Manager Mathews stated that the City has had an Orderly Annexation with Northern Township since 2003. At this time staff and a committee that was charged to bring this forward to the Council recommend the Council approve a resolution to initiate the second phase of parcels located in Northern Township.

City Attorney Felix reviewed the process for the annexation. It was clarified that the parcels to be annexed are the Phase II properties in Northern Township as set forth under the original agreement.

RESOLUTION NO. 5977: Initiating Annexation of Certain Northern Township Phase II Properties in the Orderly Annexation Area Pursuant to the Joint Resolution for Orderly Annexation, as Amended was offered by Councilmember Olson, who moved its adoption, and upon due second by Councilmember Hellquist was passed by unanimous vote.

2016 Street Renewal

Public Works Director Gray stated that the City just completed its seventh year of the City's annual street reconstruction program. Gray stated that the feasibility study 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. After completed of the feasibility report staff will hold a neighborhood meeting to outline the proposed project to the affected property owners. The following street segments are proposed to be included in the feasibility study for the 2016 program:

Park Avenue NW	8 th Street to 15 th Street NW
26 th Street NE	Bemidji Avenue to Birchmont Drive NE
Kay Avenue SE	3 rd Street to 2 nd Street SE

Discussion followed regarding sidewalks on Park Avenue. Gray noted that the plan is to provide a sidewalk on either one side or the other as permitted. Sidewalks are included in the cost for the project.

RESOLUTION NO. 5978: Authorizing Feasibility Report for 2016 Street Renewal Project – City Project #16-01 was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Meehlhause was passed by unanimous vote.

Development Agreement - Cedar Pointe Estates LLP

Mayor Albrecht stated she asked to remove this from the Consent Agenda as she felt there were too many holes in the Agreement and no site plan.

Mathews noted that staff is working as quickly as possible on the Agreement as the Developer wishes to begin construction yet this fall.

Felix stated that Development Agreement is pretty standard, and though all details have not been finally negotiated, the Council is being asked to approve the draft agreement in substantially the form presented, understanding that staff will complete those discussions with the Developer and have a finalized agreement for execution soon. The Development Agreement addresses the public utilities which the Developer will be constructing to City's specifications and then turned over to the City upon completion. A site plan will be provided to the City as private storm water improvements must be constructed according to the City's Storm Water Management Guide.

Mayana Rice commented that at the Joint Planning Board level the only thing required for the property was a rezone and will be built in three phases. At this point, there is straight development with no further actions by the Board. She stated that the Developer is doing the full engineering work for the entire site.

Motion by Hellquist, seconded by Olson, approving the draft Development Agreement with Cedar Pointe Estates, LLP, in substantially the form presented, and authorizing the appropriate City officials to execute the final Development Agreement. Motion carried unanimously.

ORDINANCES

Skateboards, etc.

Felix stated that in accordance with the Public Affairs Committee's discussion, staff has prepared a first reading of an Ordinance amending the Skateboard regulations. He noted that staff has contacted both BSU and the School District for feedback as to what they see as needed changes to the regulations.

AN ORDINANCE Amending Chapter 24, Article III, Division I, Section 24.52 entitled "Use of Skateboards, Roller Skates and Roller Blades" of the Bemidji City Code was given a first reading.

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending the Bemidji City Code, Adopting an Amended Fee Schedule for 2016. Mayor Albrecht opened the Public Hearing at 6:57 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending the Bemidji City Code, Adopting an Amended Fee Schedule for 2016 was given a second reading.

UPCOMING COUNCIL MEETINGS

- Monday, November 9 5:30 p.m. Work Session – City Manager's Review
- Monday, November 16 6:00 p.m. Regular Council Meeting
- Monday, November 23 5:30 p.m. Special Work Session – Fire Relief Assoc. (Fire Station No. 1)

COUNCIL/STAFF REPORT

- Council members reported on current events and meetings.

ADJOURN

There being no further business, motion by Hellquist, seconded by Meehlhause, to adjourn the meeting. Motion carried. Meeting adjourned at 7:14 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk