

**CITY COUNCIL PROCEEDINGS**  
**BEMIDJI, MINNESOTA**  
**Regular Meeting – December 17, 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, December 17, 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, Johnson, Lehmann, Erickson, Larson. Absent: Hellquist (Lehmann left the meeting at 7:00 p.m.)

Staff Present: City Manager Nate Mathews, Finance Director Ron Eischens, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray Parks and Recreation Director Marcia Larson, City Clerk Michelle Miller

**AMENDMENTS TO AGENDA**

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

**MINUTES**

The following minutes were presented for approval:

Council Meeting: December 3, 2018

**Motion by Meehlhause, 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. Johnson was added to the travel authorization request for January 29-30, 2019. **Motion by Erickson, seconded by Meehlhause, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of \$632,655.04
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$90,680.10
3. Miscellaneous Liquor Licenses for 2019
4. Business Licenses for 2019
5. Liquor, Sunday Liquor and Wine License Renewals for 2019
6. **RESOLUTION NO. 6194:** Approving Event Requests for Hockey Day Minnesota 2019
7. **RESOLUTION NO. 6195:** Designating Polling Places for 2020
8. **RESOLUTION NO. 6196:** Accepting Donations for 2018 for the Parks & Recreation Department
9. **RESOLUTION NO. 6197:** Accepting Donations for 2018 for the Fire Department
10. **RESOLUTION NO. 6198:** Accepting a Donation from Enbridge Energy for the Fire Department
11. Travel Authorization – MN State Chamber Session Priorities Dinner in St. Paul, January 9, 2019 - Albrecht
12. Travel Authorization – Legislative Action Day in St. Paul, January 29-30, 2019 – Albrecht, Johnson

**Motion carried by unanimous vote.**

**CITIZENS NOT ON AGENDA**

The following individuals spoke against the adoption of laws restricting freedom of speech:

- Nancy Beaulieu, 21060 Birchmont Beach Rd NE
- David Eischens, Jr., 51220 Waybill Trail

Audrey Thayer, 1904 15<sup>th</sup> Street NW, continues to encourage building of better race relations in the community. She also encourages more training of police officers regarding mental health.

Dan Gannon, 615 4<sup>th</sup> Street NW, spoke about transparency with the investigation of the police shooting.

Linda Lemmer, 155 Gemmel Avenue, commented on the process of the street renewal process and the decision to narrow Gemmel Avenue without asking the residents. Lemmer also stated that residents were not asked about eliminating a sidewalk. Lemmer stated that she supports the request for calendar parking.

**REPORTS**

Bemidji Youth Advisory Commission – Stephanie Barthorpe reported that the BYAC is looking to be more active at city council meetings.

**PUBLIC HEARING**Capital Improvement Plan

Eischens stated that the five year CIP includes equipment and construction projects totaling \$28 million. The Sanford Center CIP request is not included but will need to be added in 2019.

Pursuant to published notice, a public hearing was held regarding input on the 2019 to 2023 Capital Improvement Plan. Mayor Albrecht opened the Public Hearing at 6:28 p.m. and hearing no comments, closed the hearing at 6:29 p.m.

**RESOLUTION NO. 6199: Adopting the 2019-2023 Capital Improvement Plan was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Meehlhause was passed by the following vote: Ayes: Meehlhause, Johnson, Lehmann, Erickson, Larson, Albrecht. Nays: None. Absent: Hellquist.**

**NEW BUSINESS**Calendar Parking on Cedar Lane NW

Mathews stated that staff received a complaint from a resident regarding parking problems on Cedar Lane, particularly on the section from 30<sup>th</sup> Street NW to Lilac Street. Gray stated that the width of Cedar Lane from 30<sup>th</sup> Street to Lilac Street is 22 feet; continuing north to Anne Street the street widens to 34 feet. Gray stated that parking on both sides of a 22 foot wide street could cause a public safety issue. Staff sent notices to Cedar Lane residents regarding the proposed calendar parking; three written responses were received who are opposed to calendar parking. Mayor Albrecht allowed testimony from the following:

- Andra Vaughn, 3006 Cedar Lane, stated that she continues to have problems with parking, even after talking with property owners. Perhaps seasonal parking is a better option. She also stated that mail delivery has been delayed as well as refuse not being picked up because of the cars blocking the mail box or refuse container.
- Jason Schultz, 3007 Cedar Lane, stated he has not experienced a problem navigating the street and does not support calendar parking.
- Sue Rickers, 3105 Cedar Lane, stated she is opposed to calendar parking along the entire length of Cedar Lane.

Gray recommends, at a minimum, that the council adopt calendar parking from 30<sup>th</sup> Street to Lilac Street due to the width of that portion of Cedar Lane creating a public safety issue year round on a 22 foot wide street.

Meehlhause stated that the focus of posting calendar parking should be emphasized on the public safety issue and not because of rentals on the block.

**RESOLUTION NO. 6200: Authorizing Calendar Parking on Cedar Lane NW from 30<sup>th</sup> Street NW to Lilac Street NW was offered by Councilmember Meehlhause, who moved its adoption, and upon due second by Councilmember Erickson was passed by unanimous vote.**

Sanford Center 2019 Business and Marketing Plan and 2019 Annual Budget

Jeff Kossow, Executive Director, reported that the Finance Committee has met several times regarding the Marketing Plan and Budget and the Sanford Center Board of Directors has recommended the approval of the Budget and Business Plan for 2019. Johnson questioned the need for the \$50,000 increase from taxpayers. Kossow stated that lower attendance has caused revenue problems for budgeting purposes. Staff have also been tracking “lost revenue” for discounts that are given for events held by community organizations. Meehlhause and Erickson commented on the lack of a “hospitality” tax to help fund the operating expenses of the Sanford Center.

**Motion by Erickson, seconded by Larson approving the Sanford Center 2019 Business and Marketing Plan and 2019 Annual Budget. Motion carried with the following vote: Ayes: Larson, Erickson, Albrecht, Meehlhause. Nays: Johnson. Absent: Lehmann, Hellquist**

2018 Tax Levy Collectible in 2019

Eischens stated that the total levy is \$5,867,794 for an increase of 2% from 2018. Due to the value of new construction and other property value changes, the effective city tax increase of 1.6%. Eischens stated that of the \$5.9 million, \$1 million relates to the Sanford Center

operations, capital replacement or repair and South Shore bond payments. Johnson questioned the need to levy the full 2% to include the possible funding of a community development director. Eischens stated that the position is included in the levy but not in the budget and the council would need to add that in the budget later.

**RESOLUTION NO. 6201: Approving Final 2018 Tax Levy Collectible in 2019 in the amount of \$5,867,794 was offered by Councilmember Meehlhause, who moved its adoption, and upon due second by Councilmember Larson was passed by the following vote: Ayes: Albrecht, Erickson, Larson, Meehlhause. Nays: Johnson. Absent: Lehmann, Hellquist**

#### Final 2019 Budget

Eischens stated that the general fund includes a deficit of \$170,000 due to fluctuations in capital purchases from year to year. Revenue diversification continues to be important due to large projects coming before the council in the near future. A broader funding source, such as a hospitality tax, is more equitable than utilizing local property taxes.

**RESOLUTION NO. 6202: Approving Final 2019 Budget was offered by Councilmember Meehlhause, who moved its adoption, and upon due second by Councilmember Larson, was passed by the following vote: Ayes: Erickson, Johnson, Albrecht, Larson, Meehlhause. Nays: None. Absent: Lehmann, Hellquist**

#### ORDINANCE

An Ordinance Amending Chapter 20 of the Bemidji City Code Entitled, “Streets, Sidewalks and Other Public Places” by Adding Section Relating to Permitting of “Special Events”.

**Motion by Johnson, seconded by Meehlhause, accepting the revised Ordinance. Motion carried unanimously.**

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending Chapter 20 of the Bemidji City Code Entitled, “Streets, Sidewalks and Other Public Places” by Adding Section Relating to Permitting of “Special Events”. Mayor Albrecht opened the Public Hearing at 7:47 p.m.

The following suggested that the Council table the second reading of the ordinance until a meeting with affected organizations and user groups can be conducted with staff and/or council:

- Char Blashill, 414 Rako Street, representing the Jaycees.
- Scott Turn, 1126 Maple Ridge Court, representing Bemidji Dragon Boat.
- Deb Pfaff, 1411 America Avenue, representing Bemidji Chamber.
- Tina Kaney, 805 Grant Avenue, expressed concern that this will stifle creativity for certain businesses or non-profits.
- Susan Goudge, Visit Bemidji.

**Motion by Meehlhause, seconded by Larson, continuing the public hearing and second reading of an Ordinance Amending Chapter 20 of the Bemidji City Code Entitled, “Streets, Sidewalks and Other Public Places” by Adding Section Relating to Permitting of “Special Events” to January 22, 2019. Motion carried unanimously.**

An Ordinance Amending Chapter 14, Article II, Section 35 of the Bemidji City Code Entitled, “Rules and Regulations Governing Public Parks”.

**Motion by Meehlhause, seconded by Larson, accepting the revised Ordinance. Motion carried unanimously.**

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending Chapter 14, Article II, Section 35 of the Bemidji City Code Entitled, “Rules and Regulations Governing Public Parks”. Mayor Albrecht opened the Public Hearing at 8:04 p.m.

- Kevin Waldhausen, 1428 Bixby Avenue, stated this ordinance is too restrictive and may deter events from happening. Waldhausen also suggested meeting with user groups to gather more input before proceeding.

**Motion by Meehlhause, seconded by Johnson, continue the public hearing and second reading of an Ordinance Amending Chapter 14, Article II, Section 35 of the Bemidji City Code Entitled, “Rules and Regulations Governing Public Parks” to January 22, 2019. Motion carried unanimously.**

**UPCOMING COUNCIL MEETINGS**

- Monday, January 7 6:00 p.m. Council Meeting
- Tuesday, January 8 6:00 p.m. Joint LGU – Northern Town Hall
- Monday, January 14 5:30 p.m. Work Session – Railroad Corridor
- **Tuesday**, January 22 5:00 p.m. Sp Work Session – WWTF Capacity Report
- **Tuesday**, January 22 6:00 p.m. Council Meeting
- Monday, January 28 5:30 p.m. Sp Work Session – Ice Feasibility Study

**COUNCIL/STAFF REPORT**

- Council members and staff provided updates on current issues and meetings.

**ADJOURN**

There being no further business, motion by Meehlhouse, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:38 p.m.

Respectfully submitted,



Michelle R. Miller  
City Clerk