

# **CITY COUNCIL PROCEEDINGS**

## **BEMIDJI, MINNESOTA**

### **Regular Meeting – February 3, 2020**

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, February 3, 2020 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, Rivera, Erickson, Thompson.

Staff Present: City Manager Nate Mathews, Finance Director Ron Eischens, City Attorney Alan Felix, City Engineer Craig Gray, Assistant City Engineer Sam Anderson, Community Development Director Steven Jones, Parks & Recreation Director Marcia Larson, City Clerk Michelle Miller

#### **AMENDMENTS TO AGENDA**

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

#### **MINUTES**

The following minutes were presented for approval:

Council Meeting: January 21, 2020

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

#### **CONSENT AGENDA**

Albrecht called for any items to be pulled from the consent agenda. Rivera requested the Resolution Accepting Donation from Enbridge Energy be pulled for discussion. 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 \$594,950.21
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$23,364.26
3. Approve Special Event Permit – BHS All School Reunion Parade (July 18)
4. **RESOLUTION NO. 6282:** Approving Temporary Off-Premises Liquor Permits and Street Closures for the 2020 BHS All School Reunion Street Dance (July 18)
5. Annual Appointments and Reappointments for City Boards/Commissions
6. Approve Purchase of 72" Snowblower (\$5,329.80) – Public Works
7. Accept the Minnesota Bureau of Criminal Human Trafficking Investigators Task Force Joint Powers Agreement
8. Approve Sale of Surplus Police Vehicle to Hill City Police Department (\$300.00)
9. Approve Request to Subordinate Debt on St. Michel Rental, LLC RLF Loan

**Motion carried by unanimous vote.**

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

No appearance.

#### **PUBLIC HEARING**

##### **2020 Street Renewal Project Public Hearing - Consider Resolution Ordering Project & Authorizing Plans and Specifications – City Project 20-01**

Assistant City Engineer, Sam Anderson, stated that the 2020 Street Renewal project consists of several streets comprising of approximately 1.4 miles. He briefly summarized the road segments and the extent of the construction of each segment. Anderson reported that there was a neighborhood meeting held on January 22, 2020 for affected residents and was attended by approximately 20 residents. There were several questions from residents with good feedback and positive response to the project. The estimated cost for the 2020 project is \$861,486. Proposed assessments amounts along 27<sup>th</sup> Street, Gould Avenue and Wilson Avenue follow the policy of \$38/front foot and \$1,070 for each utility service that may be required. Proposed assessments along 29<sup>th</sup> Street, Riverside Drive, Country Lane, Greenbriar Lane and Ivy Lane are proposed to be assessed a unit of \$1,731 per lot.

Pursuant to published notice, a public hearing was held regarding input on the 2020 Street Renewal Project 20-01. Mayor Albrecht opened the Public Hearing at 6:14 p.m. with the following comments:

- Mary Hoines, 309 Wilson Avenue SE, expressed concern of the proposed assessment to her parcels and feels that curb and gutter are not necessary. It was suggested to Ms. Hoines to combine her parcels.
- Kyle Schwartz, 316 Wilson Avenue SE, also feels that curb and gutter are not necessary

Hearing no further comments, Albrecht closed the hearing at 6:29 p.m.

**RESOLUTION NO. 6283: Ordering Improvement, Designating Project Engineer, Calling for Preparation of Plans and Specifications and Authorizing Advertisement for Bids on Improvement – 2020 Street Renewal Project – City Project 20-01, was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Meehlhause was passed by unanimous vote.**

Public Hearing to Consider Full Application to the State of Minnesota for the Minnesota Small Cities Development Program (SCDP) - Consider Resolution, Citizen Participation Plan & Disclosure Form

Jones stated that staff has been working with the HRDC to apply for Small Cities Grant. A preliminary application was sent to the State several months ago and have now been asked to submit a full application. Tim Flathers, Executive Director of the HRDC, provided background on the small cities grant program. He stated that if the city receives this grant it will have been awarded 10 grants which has benefited several areas of the city. This application will be seeking \$388,125 with approximately 15 homes to receive grant dollars. The pre-application process has already seen 24 applications submitted. The target area is located in a portion of Ward 4.

Pursuant to published notice, a public hearing was held regarding input on the Application to the State of Minnesota for the Minnesota Small Cities Development Program. Mayor Albrecht opened the Public Hearing at 6:44 p.m. with the following comment:

- William Hartwell, expressed support for the grant.

Hearing no further comments, Albrecht closed the hearing at 6:46 p.m.

**RESOLUTION NO. 6284: Authorizing Grant Application to the Minnesota Department of Employment and Economic Development (DEED) for the Minnesota Small Cities Development Program (SCDP) and Accepting Responsibility as Grantee, was offered by Councilmember Rivera, who moved its adoption, and upon due second by Councilmember Meehlhause was passed by unanimous vote.**

**Motion by Meehlhause, seconded by Erickson approving the Citizen Participation Plan and Conflict of Interest Disclosure Form. Motion passed by unanimous voice vote.**

**NEW BUSINESS**

Consider North Country Park Natural Playground Project Consultant Services

Larson stated that since the council approved the Memorandum of Understanding with the Bemidji Rotary Club in August of 2019, a playground committee was formed and has been meeting twice a month regarding the North Country Park Natural Playground project. A request for proposal for consultant services for the full design and construction documents was posted with three proposals received:

Hagstrom Engineering:	\$18,845
Learning Landscapes Designs, LLC	\$23,694
WSB	\$59,400

The proposals were reviewed by a committee consisting of a Park and Recreation Commissioner, Rotarian and City staff members. Based on the extensive background of natural playgrounds as well as their approach to the public design process and understanding of the project goals, Learning Landscapes Design was recommended by the committee.

**Motion by Rivera, seconded by Meehlhause, approving the hiring of Learning Landscapes Designs, LLC in the amount of \$23,694 to provide consultant services for the North Country Park Natural Playground Project. Motion carried unanimously.**

Consider Resolution Declaring a Council Vacancy and Ordering Special Election

Felix stated that due to the resignation of Mike Beard in Ward 2 and pursuant to the terms of the Charter, a special election is required to fill the vacancy. In reviewing Minnesota Statutes 205.10, Subd. 3a provides that special elections may only be held on the following dates:

- Second Tuesday in February (February 11)
- Second Tuesday in April (April 14)

- Second Tuesday in May (May 12)
- Second Tuesday in August (August 11)
- First Tuesday after the first Monday in November (November 3)

The City’s current Charter does not reflect this new law from 2017; therefore, the council will need to determine whether it will follow Statute or deviate from the Charter regarding the timing of a special election. The proposed timeline and process is recommended as follows:

- Pass a resolution declaring vacancy in Ward 2 and order a special election
- Designate Tuesday, May 12 as the initial special election date
- Set filing period for interested candidates at no less than 14 days
- Tentatively designate a “second” election day of August 11, if May 12 serves as a primary
- Schedule a Public Affairs Committee meeting to discuss Phase III annexation boundaries

**Motion by Thompson to invite Mike Beard to reconsider his resignation. Motion died for lack of a second.**

**RESOLUTION NO. 6285: Declaring a Council Vacancy and Ordering a Special Election, Setting the Special Election for May 12 and Setting the Filing Period for Interested Candidates beginning February 10 and ending February 25, was offered by Councilmember Johnson, who moved its adoption, and upon due second by Councilmember Meehlhause was passed by unanimous vote.**

A meeting of the public affairs committee was scheduled for February 11 at 7:00 a.m. to discuss ward boundaries for Phase III annexation.

Consider Resolution Accepting Donation from Enbridge Energy

Mathews stated that the personal protective equipment purchased from this donation will be used to help replace firefighter turnout gear. Rivera expressed concerns accepting donations from Enbridge Energy.

**RESOLUTION NO. 6286: Accepting Donation from Enbridge Energy in the amount of \$1,000.00, was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Johnson. Motion carried by the following vote: Yeas: Erickson, Thompson, Meehlhause, Albrecht, Johnson. Nays: Rivera**

**ORDINANCES**

**ORDINANCE NO. 167, 3<sup>RD</sup> SERIES**, AN ORDINANCE Amending Chapter 12 of the Bemidji City Code, Article XXIV, Entitled “Pawnbrokers, Secondhand and Precious Metal Dealers” was given a final reading and passed by unanimous vote.

**Motion by Meehlhause, seconded by Rivera, approving publication of a summary of Ordinance No. 167, 3<sup>rd</sup> Series. Motion carried unanimously.**

**UPCOMING COUNCIL MEETINGS**

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| • Monday, February 10 5:30 p.m.          | Work Session - City EDA Strategy Discussion |
| • <b>Monday, February 17 HOLIDAY</b>     | <b>President’s Day - Closed</b>             |
| • <u>Tuesday</u> , February 18 6:00 p.m. | Council Meeting                             |
| • Monday, February 24 5:30 p.m.          | 2021 Financial Management Plan (FMP)        |

**ADJOURN**

There being no further business, motion by Meehlhause, seconded by Rivera, to adjourn the meeting. Motion carried. Meeting adjourned at 7:35 p.m.

Respectfully submitted,



Michelle R. Miller  
City Clerk