

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### Regular Meeting – July 17, 2017

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, July 17, 2017 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, Plemel, Erickson, Larson

Staff Present: City Attorney Alan Felix, Finance Director Ron Eischens, Public Works Director/City Engineer Craig Gray, Deputy City Clerk Michelle Miller

#### **AMENDMENTS TO AGENDA**

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

#### **MINUTES**

The following minutes were presented for approval:

Council Meeting	July 3, 2017
Work Session	July 10, 2017

**Motion by Erickson, seconded by Larson, to approve the minutes as prepared. Motion carried by unanimous vote.**

#### **CONSENT AGENDA**

The following Consent Agenda items were presented for approval. **Motion by Johnson, seconded by Plemel, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of \$2,231,149.64
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$134,580.61
3. 2017 Business License Renewal
4. Authorize Hiring of Legal Counsel for Public Finance and Bonding Purposes – Kutak Rock LLP
5. Nominate Tim Faver for Appointment to Joint Planning Commission
6. Joint Powers Agreement for the Provision of Planning and Zoning Services by the Greater Bemidji Area Joint Planning Board
7. Conduct Special White-tailed Archery Hunts in Certain Area in Ward 4 beginning in 2018

**Motion carried by unanimous vote.**

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

- Wes Hegna, owner of property located at 120 Paul Drive S, appeared to request that the City pay for the installation of a sidewalk in the front of his business, during the Hwy 197 MnDot road construction project. Hegna stated that MnDot does not intend to build a new sidewalk in this project. Albrecht stated that while Council doesn't usually respond to requests made during this time, she acknowledges that time is of the essence and that if council wanted to make a decision on this, action would need to be taken at this meeting. Staff was directed to inquire of MnDot officials to see if a new sidewalk could be added to the current project.
- Vance Balstad, Bemidji Fishing Has No Boundaries, appeared to thank the council, community members and city staff for their support during the 27<sup>th</sup> Annual Fishing Has No Boundaries event.

#### **REPORTS**

##### **CGMC Update**

Elizabeth Wefel, senior attorney with Flaherty and Hood, stated that going into the 2016 Legislative session the CGMC goals were:

- To return LGA to 2002 funding levels;
- Pass the Greater MN infrastructure in the bonding bill;
- Pass significant environment regulatory reform;

- Ensure final transportation package to include corridors of commerce funding and city street funding for cities of all sizes; and
- Pass Greater MN economic development priorities

Wefel presented significant information on the outcomes of the above goals for the 2016 Legislative Session. The biggest impact for Bemidji was the increase of LGA from \$3.25 million to \$3.35 million with this increase being permanent in the base. Wefel stated with the high cost of tax and transportation bills there could be deficits in the future. She encourages continued involvement by city leaders to help coalition efforts in the legislature.

## **NEW BUSINESS**

### **Public Hearing – Small Cities Development Grant**

Tim Flathers, Executive Director of Headwaters Regional Development Commission reported on the Small Cities Development Grant for the west side Nymore neighborhood. He stated that nine houses have been rehabilitated since the start of the program; one project is pending and three households requested applications but have not yet turned them in. There is a balance of nearly \$100,000 not yet committed. Since DEED will not allow any grant extensions, all funds must be spent by the end of the year. New applications must be received in August in order to use up the balance of grant funds.

Pursuant to posted notice, a public hearing was held to evaluate the progress on the single family housing rehabilitation in the Nymore neighborhood in Bemidji, financed in part with Small Cities Development Program funds provided by the Minnesota Department of Employment and Economic Development. Mayor Albrecht opened the Public Hearing at 7:00 p.m.; hearing no comments, closed the hearing at 7:01 p.m.

### **Consider Request from Beltrami County Administrator Regarding Tax Forfeited Parcels**

A letter was received by County Administrator Kay Mack requesting that the city consider waiving certain special assessments attached to properties that the county feels are negatively impacting the ability to sell these parcels to private individuals. There were three parcels identified having total special assessments of \$24,519.42. The majority of the assessments came from the hazardous building statute and the demolition costs associated with that process. Two of the properties had assessments for street renewal projects and all three had smaller assessments relating to unpaid water, sewer and storm water utilities bills.

Felix stated that tax forfeiture would eliminate any assessments that were attached to the property before forfeiture; however, there is the opportunity to re-assess those after the property goes back into private ownership, if the council chose to do so. If the assessment is done after forfeiture that cost stays on the property and the council would need to waive those costs to allow for a better opportunity to be sold to private owners and put back onto the tax rolls.

Council discussed the following:

- The unknown information regarding if the minimum bid is based on the appraised value or assessed value of the properties.
- No desire to waive the out of pocket costs associated with demolition and street improvements project.
- If these lots are buildable. Gray stated that parcel 80.03280.00 is not buildable because there is no street frontage available.
- Declining to waive any of the costs does not allow the city to gain anything back if they cannot be sold to private individuals.
- A small allocation could be appropriated to the city upon sale of forfeited properties.

**Motion by Meehlhause, seconded by Erickson to waive the delinquent utility bills including water, sewer and storm water costs for all three parcels. Motion carried unanimously.**

## **ORDINANCES**

**ORDINANCE** Amending Chapter 16 of the Bemidji City Code Entitled, “Fire Prevention and Protection” by Amending Articles I and II.

Felix stated that after review of the proposed ordinance he would recommend tabling it so that a clean draft can be presented for a first reading, rather than bringing several amendments to the next reading of the ordinance.

**Motion by Plemel, seconded by Hellquist to table the first reading of the Ordinance Amending Chapter 16 of the Bemidji City Code Entitled, “Fire Prevention and**

**Protection, by Amending Articles I and II until the first meeting in August. Motion carried unanimously.**

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending the City of Bemidji Council-Manager Charter, Section 2.06 (The Mayor). Mayor Albrecht opened the Public Hearing at 7:38 p.m.

- Caleb Newman, 2121 Park Avenue, Chair of the Charter Commission, stated that the Charter Commission met and carefully debated every possible alternative regarding the timing of the state of the city address. Commission members feel it is important to stay consistent in providing the address during a regularly televised council meeting and that the state of the city address should be entered into the official record during that meeting. While not stated in the charter, nothing precludes the mayor from conducting a second address at an alternate venue or time. Members feel a formal state of the city address should be conducted in person at a regular meeting of the city council. Members feel extending the address to be conducted in March would diminish the relevance of the address.
- Chuck Stombaugh, 624 33rd Street NW, member of the Charter Commission, also spoke in support of the friendly amendment and to conduct the state of the city address at a regularly scheduled council meeting and in January or February.

Hearing no further comments, the Mayor closed the public hearing at 7:42 p.m.

**Motion by Erickson, seconded by Johnson, to accept the friendly amendment to Section 2.06 of the ordinance and to modify it as follows: “...Annually, during the months of January or February, the mayor shall, during either a regular or special meeting of the city council, provide a state of the city address to the city residents...” Motion carried unanimously.**

**AN ORDINANCE** Amending the City of Bemidji Council-Manager Charter, Section 2.06 (The Mayor) was given a second reading.

**UPCOMING COUNCIL MEETINGS**

- |                    |             |   |
|--------------------|-------------|---|
| • Monday, July 24  | 5:30 p.m.   | Work Session – Audit Presentation             |
| • Monday, July 24  | 7:0 p.m.    | Special Meeting at Northern Township (Closed) |
| • Monday, August 7 | 5-5:30 p.m. | Council Picture (Full at 5:30 p.m.)           |
| • Monday, August 7 | 6:00 p.m.   | Council Meeting                               |

**COUNCIL/STAFF REPORT**

- Council members provided updates on current events and meetings.

**ADJOURN**

There being no further business, motion by Meehlhause, seconded by Plemel, to adjourn the meeting. Motion carried. Meeting adjourned at 7:57 p.m.

Respectfully submitted,



Michelle R. Miller  
Deputy City Clerk