

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – July 20, 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, July 20, 2015 at 6:20 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, Larson. Absent: Erickson

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

AMENDMENTS TO AGENDA

Mayor Albrecht called for any amendments to the agenda.

Motion by Hellquist, seconded by Olson, to approve the agenda. Motion carried by unanimous vote.

MINUTES

The following minutes were presented for approval:

Regular Council: July 6, 2015
Work Session: July 13, 2015

Motion by Meehlhause, seconded by Hellquist, to approve the minutes as prepared. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Claims Submitted by Finance Officer in the amount of \$2,278,821.93
2. Claims Submitted by Venuworks for the Sanford Center in the amount of \$76,498.85
3. 1 Day Temporary Consumption & Display Permit – Chamber Event 8/11/2015
4. Reapportionment of Special Assessments - Parcel #80.05528.00
5. Waive Permit Fees for Habitat for Humanity (814 10th Street SW)(\$1,194.39)
6. **RESOLUTION NO. 5958:** Accepting a \$1,500 Donation from Statewide Health Improvement Plan (SHIP)
7. Appointment to Library Board – Travis Ricks
8. 2015 and 2016 Audit Contract

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

- Jim Thompson, 1300 Event Center DR NE, #13, stated that he does not support the idea of a city liquor store to be in business with a private business which would give that private business an unfair advantage with other private businesses.

REPORTS

Sustainability Committee

Sustainability Committee members Sara Dennison, Scott Merschman and Erika Bailey-Johnson highlighted the following accomplishments by their group:

- MN GreenStep Cities Progress - Thanks to a lot of hard work and dedication from City Staff, members of our committee, and numerous engaged community members we are now recognized as a Step 3 Green Step City! We are continuing to further our engagement with the Best Practices outlined by the program and are currently investigating options to incentivize better storm water management through the possibility of variable fee rates for property owners that install protective measures
- Pioneer Articles - Our committee representatives Diana Kuklinski and Anna Carlson have established a relationship with the Bemidji Pioneer and have had 6 articles published highlighting Sustainability efforts in our community. The articles have amassed over 2,500 facebook shares and 50 twitter posts!

- Bee Ordinance - Thanks to all the support of Mayana Rice, city staff, JPC, JPB, and community members we passed the Bee Ordinance! It shows that we as a community support/promote pollinators. A great development is the basic permitting rate for all lot sizes.
- Intro to Sustainable Landscaping Workshop & Pollinator Garden Design and Dig - Held May 30, 2015 at BSU; partnered with the DNR, Karvako Engineering, Master Gardeners, GBAJPB to provide information about more sustainable landscaping practices, included specific information about native plants and pollinators; had a hands-on workshop in the afternoon to plant on City property (below the water tower by the Sanford Center).
- 4th Annual Sustainable Places Tour - To be held Saturday, July 25; five locations on this year's tour including the Laurel House, Lueken's Aquaponics, Bemidji Natural Choice Farmer's Market, a home with geothermal and solar photovoltaics, and the Food Shelf Farm.

NEW BUSINESS

Consider Project Management, Grant Agreement & Construction Inspection Services for Lake Bemidji South Shore Restoration & Enhancement – City Project 13-08

Craig Gray, City Engineer, stated that a proposal was received from Landmark Environmental to provide environmental and construction services on the lake shore restoration and clean-up project. The services include:

- Project Management, Contract Administration & Meetings
- Construction & Environmental Inspection
- Grant Management & Reimbursement Processing
- Preparation of a Response Action (RA) Implementation Report

The proposal is for a not to exceed, without prior authorization, amount of \$114,332. This equates to about 9.7% of the construction contract, which for a project of this complexity is a fair construction percentage. It is anticipated that 90-95% of these services will be reimbursed by the Lessard-Sams grant.

Gray recommends that the city council pass a motion authorizing execution of the agreement with Landmark Environmental.

Motion by Hellquist, seconded by Olson, to authorize the execution of the Project Management, Grant Agreement and Construction Inspection Services for the Lake Bemidji South Shore Restoration and Enhancement Project (City Project 13-08) with Landmark Environmental in the amount of \$114,332. Motion carried unanimously.

ORDINANCE

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Vacating/Revoking Ordinance No. 115, 3rd Series, and Amending an Uncoded Section of the Bemidji City Code Pertaining to Street Vacation (Hillside Avenue NW). Mayor Albrecht opened the Public Hearing at 6:41 p.m. The following individuals made the following comments:

- Indra Kenyon and Brendan McManus, 203 Park Avenue SW, spoke against repealing the ordinance and would like the vacation of Hillside Avenue to remain in effect. She spoke of the nuisances on that road because of its location. Since the original vacation the area has been quieter and more people are out walking and riding bikes.
- Roger Heger, 706 Woodland Avenue SW, also spoke against repealing the ordinance and wishes for Hillside Avenue to remain vacated. He spoke of the same nuisance violations as the previous individual. He also spoke of the poor condition of the road and the maintenance needed to keep it passable and up to city street standards. He provided photographs of the road and the issues regarding condition of the road and the drainage problems.
- Bert Mayberry, 708 Woodland Avenue SW, spoke in favor of repealing the ordinance and to keep Hillside Avenue open. She stated concerns of plowing and emergency services being able to get to Woodland Avenue residents. She did state, however, that she would support blocking the road in the spring during the thaw when the road is very sloppy.
- Ruth Web, 704 Woodland Avenue SW, spoke in favor of repealing the ordinance.
- Kelly Dean, 708 Woodland Avenue SW, spoke in favor of repealing the ordinance.

Hearing no further comments, the public hearing was closed at 7:16 p.m.

Gray stated that the Council should not make their decision solely based on plowing and emergency services concerns; if Hillside should remain vacated the City would take steps to make an area big enough for plowing and during a weather emergency the street department is out with emergency services in helping to clear trees from the roadway. Gray further stated, that if the ordinance is repealed the City would bring the road to the usable condition it was last summer; and if the ordinance is not repealed the City would add a dead end sign; make more permanent road blocks (i.e. curb), and would add black dirt so that grass would grow and develop it into a walking trail condition.

AN ORDINANCE Vacating/Revoking Ordinance No. 115, 3rd Series, and Amending an Uncoded Section of the Bemidji City Code Pertaining to Street Vacation (Hillside Avenue NW) was given a second reading.

UPCOMING COUNCIL MEETINGS

- Monday, July 27 5:30 p.m. Special Work Session - Birchmont Drive
- Monday, August 3 6:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

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

ADJOURN

There being no further business, motion by Hellquist, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 7:40 p.m.

Respectfully submitted,



Michelle R. Miller
Deputy City Clerk