

BEMIDJI CITY COUNCIL AGENDA

Monday, May 7, 2012

Council Chambers
City Hall – 317 4th Street NW
7:00 P.M.



➤ ROLL CALL

➤ PLEDGE OF ALLEGIANCE TO THE FLAG

➤ AMENDMENTS TO AGENDA

I. MINUTES

- 1) Regular Council: April 2, 2012
- Regular Council: April 16, 2012

II. CONSENT AGENDA

Items in the Consent Agenda are approved with one motion without discussion/debate. The Mayor will ask if any Council member wishes to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.

- 2) Claims Submitted by Finance Officer in the amount of \$1,101,731.60
- 3) Claims Submitted by the Sanford Center in the amount of \$235,357.96
- 4) Miscellaneous 2012 Business Licenses
- 5) 1-4 Day Temporary On-Sale Liquor License – Bemidji Jaycees – July 1-4, 2012
- 6) Budget Modification #1
- 7) Resolution Accepting Donation from Walmart Foundation for Recreation Day Camps (\$1,000)
- 8) Resolution Accepting Donation from Midcontinent Media Foundation (\$1,500)
- 9) Resolution to Not Waive the Monetary Limits on Tort Liability Established by M.S. 466.04 and Appointing Insurance Agent of Record
- 10) Accept Grant from the George W. Neilson Foundation in the amount of \$29,090 to purchase technical rescue equipment
- 11) Award Contract to Michael Burns Architectural for Carnegie Library Condition Assessment (\$10,000)
- 12) Award Concession Operator Contract at City Park to Breakers Inc.
- 13) Award Bid for Demolition of Structure at 1620 Park Ave NW to G&T Excavating in the amount of \$3,635
- 14) Change Order No. 3 for Industrial Park Lighting Repair
- 15) Waive Permit Fees for Habitat for Humanity (726 18th Street NW) (\$1,353.00)
- 16) Declare Surplus Equipment – 1994 Radar Trailer
- 17) Letter of Support – USDA Rural Development Community Facilities Application for the Bemidji Community Food Shelf

III. CITIZENS WITH BUSINESS BEFORE THIS COUNCIL – NOT ON AGENDA

Public Comment – Please give your name, address and state your concern/comment. Visitors may share their concerns with City Council on any issue, which is not already on the agenda. Each person will have 3 minutes to speak. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. The Mayor may also limit the number of individual presentations on any issue to accommodate the scheduled agenda items. All comments will be taken under advisement by the Council. **No action will be taken at this time.**

IV. REPORTS

- Bemidji Youth Advisory Commission
- Bemidji State University Student Senate
- Bemidji Public Library Report – Paul Ericsson

V. PUBLIC HEARING

- 18) Hold Public Hearing regarding the NPDES Permit - Storm Water Pollution Prevention Program (SWPPP)

VI. NEW BUSINESS

- 19) Consider Award of Quote for Reconstruction of 5th & Beltrami Parking Lot (#12-03)
- 20) Consider Notice of Termination of an Agreement for Professional Real Estate Brokerage Services with North Central Commercial Real Estate, LLC

VII. ORDINANCE

- 21) First Reading of an Ordinance Amending an Uncoded Section of Bemidji City Code Pertaining to Drainage Easement Vacation (Bemidji Development Corporation)

VIII. UPCOMING MEETINGS

- Tuesday, May 8 5:30 p.m. Board of Review
- Monday, May 14 5:30 p.m. Work Session – Legislative Update/Standing Committee Discussion
- Monday, May 21 7:00 p.m. Council Meeting

IX. MAYOR AND COUNCIL COMMENTS

- Please limit your comments to 4 minutes

X. ADJOURN

RE-CONVENE AS THE B.E.D.A.

BEMIDJI ECONOMIC DEVELOPMENT AUTHORITY

Special Meeting Agenda **Monday, May 7, 2012**

**City Hall
Council Chambers
7:00 P.M. (or shortly thereafter)**



1. CALL TO ORDER

2. CONSIDER NOTICE OF TERMINATION OF AN AGREEMENT FOR PROFESSIONAL REAL ESTATE BROKERAGE SERVICES WITH NORTH CENTRAL COMMERCIAL REAL ESTATE, LLC

3. ADJOURN

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – April 2, 2012

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, April 2, 2012 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Larson presiding.

Upon roll call, the following Councilmembers were declared present: Larson, Waldhausen, Johnson, Hellquist, Albrecht, Negard, Thompson

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, Chief of Police Mike Mastin, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

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

MINUTES

Minutes of the March 19, 2012 regular meeting and March 19, 2012 special BEDA meeting were presented for approval. **Motion by Negard, seconded by Waldhausen, 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 Thompson, to approve the Consent Agenda items as follows:**

1. Claims submitted by the Finance Officer in the total amount of \$837,269.95
2. Miscellaneous Business License Renewals for 2012
3. **RESOLUTION NO. 5757:** Providing for the Prepayment and Redemption of Certain General Obligation Bonds
4. Establish City Special Revenue Fund to Accept Donations/Contributions for Carnegie Library
5. Travel Authorization – Airport Symposium – Johnson, Hellquist

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

- Howie Baxter, 1312 Minnesota Avenue, asked the City Engineer for an update on the Minnesota Avenue Project that was started last year. Gray responded that work will begin soon to complete the project. Mr. Baxter suggested that the City work with BSU regarding the former high school grounds located along 15th Street.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Kaia Roy, BYA representative, stated that work continues on their June 7 event. She stated that they are looking for t-shirt sponsors.

Librarian's Report - Paul Ericsson, Branch Manager, reviewed the Library's kindergarten reading readiness program. He stated that the library is "poised to serve all families, all children, all year round."

Police Department

Chief Mike Mastin stated that the Bemidji Police Department is committed to active partnerships within the community in order to protect life and property, innovatively solve problems, enhance the safety and quality of life and to provide exemplary police service by enforcing the law in a just and impartial manner. Mastin stated that in his short term as the Chief he has promoted Jim Markert to Captain, hired new police officers and established a new eligibility list. He stated that his goals are to actively recruit, train and retain a professional motivated and diverse workforce; maximize service to the public through positive interaction and meaningful relationships; reduce crime; and learn current technologies and research emerging technologies to improve efficiencies among employees. Mastin stated that he plans to be more proactive in dealing with quality of life issues, i.e., parties. Mastin stated that he hopes to hire another Community Service Officer that would deal primarily with quality of life issues.

PRESENTATION

Walk A Mile in Her Shoes Event

Cassondra Johnson stated that on April 28, 2012 there will be an event at the Rotary Pavilion down by Paul & Babe. The purpose of the "Walk A Mile in Her Shoes" event is to raise awareness to stop rape, sexual assault and gender violence. She invited the "men" in the community to participate.

OLD BUSINESS

Annexation

Chattin stated that the self-imposed deadline for negotiating with Northern and Bemidji Township is here. At the LGU meeting in February, all parties agreed that the City should meet separately with both townships to consider alternatives/amendments to the current annexation agreement. The City was successful in meeting with Northern Township and the committee was pleased with the proposal by Northern to modify the Phase 2 annexation areas and eliminate the 3rd phase altogether. However, Bemidji Township would not agree to meet and instead sought legal counsel. He recommended that the Council proceed with Phase 1 annexation of Northern Township but hold off on Bemidji Township until "such action does not have an adverse fiscal impact to the City".

Johnson stated that at the December work session, the Council decided to move forward with the first phase annexation with both Bemidji and Northern Townships. He provided a history of the annexation stating that all three LGU's worked together in 2004 to develop the agreement and phase-ins. He stated that this agreement has been in place for eight years and the city-taxpayers were "sacrificed" for those years. Then in 2009, the Council delayed the annexation due to the situation with Northern Township. He stated that this is a joint agreement and it should be done together. He stated that Bemidji Township was given time to come up with an alternative for the first phase. He further noted that there is short-term pain for long-term gain through the annexation process.

Negard commented that he was upset with the leadership, or lack of leadership, from Bemidji Township. He stated that it was agreed that there would be individual meetings with the Townships and the meeting with Bemidji Township did not happen. He stated he was intrigued with Northern Township's proposal but moving along with other phases could have an impact

on constituents that had planned for taxes in later phases. Negard noted that many properties in the city now are not on water or sewer.

Johnson stated that the City was looking at the growth for the next 15-20 years. He stated that water and sewer is not part of the plan. He stated that the request for the agreement came from the townships so the City could grow in an orderly fashion. He commented that prior to the agreement the city annexed property as property owners approached the City, the townships tried to stop the annexations but were unable to.

Albrecht stated that she was hesitant to annex Bemidji Township as they have not been in communication with the City. She further stated that she was in favor of the original annexation phases in Northern Township.

Negard stated that the City should not be held hostage to “possible” litigation. He observed that many eyes have looked at the original agreement. City has a joint agreement with Northern and Bemidji and in the “spirit” of the agreement the annexation should happen together.

Waldhausen commented that the City Council agreed to review the OAA and in the spirit of the agreement the City should move forward.

Felix stated that the Phase 1, 2, and 3 dates are “eligibility” dates, which gives the City Council the ability to annex any or all of the areas within those properties.

RESOLUTION NO. 5758: Initiating Annexation of Phase I Properties in the Orderly Annexation Area Pursuant to the Joint Resolution was offered by Councilmember Johnson, who moved its adoption, and upon due second by Councilmember Waldhausen was passed by the following vote: Ayes: Hellquist, Johnson, Waldhausen, Thompson, Negard. Nays: Albrecht, Larson.

NEW BUSINESS

2012 Street Renewal Project

Gray stated that the City went out for bids for the 2012 Street Renewal Project. The streets included within the proposed project are: Miles – Roosevelt Road to Third Street SE and 19th Street NW – Park Avenue to Delton Avenue NW. Four bids were received with the low bid from Reiersen Construction in the amount of \$666,000.07. The bid is under the engineer’s estimate and Gray recommended awarding the bid to include the Nymore Park bid alternate.

RESOLUTION NO. 5759: Awarding Bid for City Project #12-01 to Reiersen Construction in the amount of \$666,000.07 was offered by Councilmember Johnson, who moved its adoption, and upon due second by Councilmember Waldhausen was passed by the unanimous vote.

2012 Prosecution Services Agreement

Felix reviewed the Prosecution Services Agreement with the County Attorney’s office. The contract price has increased from \$128,500 in 2011 to \$134,000 for 2012. He recommended approval of the agreement.

Motion by Albrecht, seconded by Thompson, approving the 2012 Prosecution Services with the County Attorney’s office in the amount of \$134,000. Motion carried unanimously.

Fire Relief Association

Chattin stated that the Fire Relief Association has requested that the Council appoint a Council representative and the Finance Director, Ron Eischens, to the Fire Relief Association. He noted that by statute the membership must be two elected or appointed municipal officials who are designated by the governing board annually and the Fire Chief.

Hellquist stated he would be willing to serve. Mayor Larson appointed Councilor Hellquist and Eischens to the Fire Relief Association for 2012.

UPCOMING COUNCIL MEETINGS

- Monday, April 9 5:30 p.m. Work Session – Year 2011 Financial Review
- Monday, April 16 7:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Albrecht asked if the Council would be reviewing at a work session the proposal for land purchase by Ettesvold. Nothing was decided.

ADJOURN

There being no further business, motion by Negard, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Kay M. Murphy
City Clerk

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – April 16, 2012

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, April 16, 2012 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Larson presiding.

Upon roll call, the following Councilmembers were declared present: Larson, Waldhausen, Johnson, Hellquist, Albrecht, Negard, Thompson

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Finance Director Ron Eischens, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Larson called for any amendments to the agenda. City Clerk Murphy requested that the approval of claims submitted by Sanford Center and travel authorization for Councilors Albrecht, Thompson, Hellquist and Johnson to the LMC Conference be added to the Consent Agenda. **Motion by Waldhausen, seconded by Negard, to approve the agenda as amended. Motion carried by unanimous vote.**

MINUTES

Minutes from the regular meeting on April 2, 2012 and April 9, 2012 work session were submitted for approval. Hellquist stated that he would like to see the discussion regarding the annexation expanded to include points made by Councilor Johnson. City Clerk Murphy responded that she would revise her minutes regarding annexation, but asked that the minutes be tabled for approval until the May meeting.

Motion by Johnson, seconded by Hellquist, to approve the April 9, 2012 minutes as corrected and table approval of the April 2, 2012 Council minutes until May 7, 2012. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Claims submitted by the Finance Officer in the total amount of \$283,509.06
2. Claims submitted by the Sanford Center in the total amount of \$41,284.84
3. Miscellaneous Business Licenses for 2012
4. Wine and 3.2 On Sale Beer Licenses for Giovanni's of Florida dba Giovanni's Pizza
5. **RESOLUTION NO. 5761:** Approving the Site for the 2012 Kraus-Anderson Walleye Classic
6. **RESOLUTION NO. 5762:** of the Bemidji City Council Officially Designating the American Indian Resource Center and National Guard Armory as Official Polling Places for Ward 1 and 2, Respectively
7. Council Travel Authorization – LMC Conference in Duluth – June 20-22 – Hellquist, Johnson, Albrecht, Thompson

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Annikka Roy, BYA representative, reported on the June 7 Youth Day to be held at City Park.

BSU Student Senate – Carrie Cooper and Nick Nelson, introduced themselves as the 2012-2013 BSU Student Senate Co-Presidents. Ms. Cooper stated that their number one priority in 2012 will be encouraging students to “get out and vote”. In addition, they will be encouraging Student Senators to be more involved in the community.

NEW BUSINESS

Save the Carnegie Steering Committee

Lew Crenshaw, Chair of the Save the Carnegie Committee, provided an update on the current committee. The Committee has met a couple of times and has developed a mission statement and designed a website and methods for receiving donations. He stated that an important step in the process is for the Council to officially designate the Save the Carnegie Committee as an ad hoc committee, working under the guidance of the City Council, to lead a project to restore and preserve the Bemidji Carnegie Library. The following names were presented for appointment to the Save the Carnegie Library Committee:

Lew Crenshaw, Chair
Cathy Marchand, Treasurer
Alan Brew, Heritage Preservation Commission
Sandy Kaul, Public Art
Sharon Geisen, Beltrami Historical Society
Roy C. Booth, Downtown Business Owner
Mike Bredon, Upstream TV
David Gurney, Facebook/Fundraising
Sue Liapis, Grants
Cindy Serratore
Kay Murphy, City Clerk/Staff liaison

Crenshaw further stated that the members on this committee may change and expand as the project progresses.

Motion by Albrecht, seconded by Johnson, creating a Save the Carnegie Committee Steering Committee as recommended. Motion carried unanimously.

Standing Committees

Chattin proposed that the Council create seven standing committees which would provide an opportunity for departments to interact with council members. He suggested seven committees as there are seven council members and that they meet every other month. The meeting dates and times of the committees would be established to accommodate the council’s schedule.

Discussion continued regarding the format of the committees with some Councilors stating that they liked the proposed format. Hellquist stated he is not in favor of seven committees or in favor in adding any more meetings. Hellquist suggested that the Council could better utilize the Public Affairs Committee and Public Works Committee already established.

Motion by Hellquist, seconded by Waldhausen, to discuss Standing Committees further at the May 14 Council work session. Motion carried unanimously.

Assignment of Hauling Contract

Felix stated that the City has been approached by Brad Lofgren, owner of Brad's Sanitation, regarding the transfer of his Refuse Hauling Agreement with the City of Bemidji to Waste Management. However, the City has not seen any request in writing.

Darrell Carter, Attorney for Brad's Sanitation, stated that their intent is to close on May 1 to transfer the assets, including trucks and customer lists.

Felix stated that in the 1970's, the City of Bemidji enacted an ordinance which would give it the exclusive right to haul refuse in city limits. Kummer's Landfill challenged that exclusivity and the court dictated that the City would either have to allow Kummer to continue operating or buy the business out. The City opted to allow Kummer to continue operating. Eventually, that business sold to Brad Lofgren and the grandfathered agreement remained in place. In 2007, the City and Brad's Sanitation enacted a refuse agreement through which Brad's provided commercial service and the City provided residential. Staff is in favor of transferring the Agreement with Brad's Sanitation to Waste Management.

Albrecht expressed concerns regarding the inability to control pricing. Felix responded that the City has never been able to set commercial rates.

No action was taken by the Council at this time.

UPCOMING COUNCIL MEETINGS

- Monday, May 7 7:00 p.m. Council Meeting
- Monday, May 14 5:30 p.m. Work Session – Discuss Standing Committees

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Hellquist and Johnson reported on their recent attendance at the Airport Symposium. Johnson commented that the Airport received state recognition and an award.
- Albrecht reported on the results from the recent Deer Survey in Ward 4. Of the 174 surveys returned, approximately 57% were not in favor of a deer hunt.
- Felix provided letters to the Council responding to Bemidji Township and their attorney regarding the annexation.

ADJOURN

There being no further business, motion by Hellquist, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 7:58 p.m.

Respectfully submitted,

Kay M. Murphy
City Clerk

Bill List Summary

May 7, 2012

<u>Check /Wire</u>	<u>Vendor</u>	<u>Amount</u>
70554	Bemidji Coop Association, Inc.	296.54
70555	NW MN AHEC	30.00
70556	Office of Administrative Hearings	200.00
70557	University of Minnesota	60.00
		<hr/>
		586.54
70558	BNSF Railway Company	19,614.36
70559	MN Dept of Natural Resources	35.00
		<hr/>
		19,649.36
70575-70728	See Attached List	1,101,731.60
		<hr/>
		1,101,731.60
	TOTAL	\$ 1,121,967.50

Accounts Payable

Blanket Voucher Approval Document

User: monicae
Printed: 05/01/2012 - 9:54AM
Warrant Request Date: 05/08/2012
DAC Fund:



COUNCIL BILL LIST

Line	Claimant	Voucher No.	Amount
1	3rd Lair SkatePark	000070575	300.00
2	Aazzee's Auto Salvage Inc.	000070576	80.16
3	Ace On The Lake	000070577	27.74
4	Acme Tools-Bemidji	000070578	2,692.69
5	American Library Association	000070579	130.00
6	American Overhead Door Co	000070580	1,156.00
7	American Test Center	000070581	1,248.00
8	Ameripride	000000000	631.88
9	Anderson, Elaine	000070582	52.00
10	ARFF Specialists, LLC	000070583	4,800.00
11	Auto Value Bemidji	000070584	9.29
12	Baker & Taylor	000070585	37.42
13	Battery Wholesale Inc-Bemidji	000070586	226.92
14	Bellboy Corporation	000070587	3,734.58
15	Beltrami County Auditor/Treasurer	000070588	227,248.17
16	Beltrami County Dare Advisory	000070589	57.99
17	Beltrami Electric Coop	000070590	611.35
8	Bemidji Downtown Development Authority	000070591	1,530.90
19	Bemidji Paper Sales, Inc.	000000000	4,111.77
20	Bemidji Regional Airport	000070592	822.00
21	Bemidji Steel Company	000000000	514.95
22	Bemidji Welders Supply, Inc.	000070593	69.30
23	Ben Meadows	000070594	54.52
24	Bemick's	000070595	30,917.00
25	Bert's Truck Equipment of MHD Inc.	000070596	68,258.28
26	Bolton & Menk, Inc.	000070597	3,801.63
27	Border States Electric Supply	000070598	1,171.52
28	Bound Tree Medical, LLC	000070599	43.38
29	Brauer & Associates, Ltd.	000070600	2,469.19
30	BW Distributing	000070601	229.72
31	Capital Payments	000000000	399.72
32	Carquest Auto Parts-Bemidji	000070602	5.06
33	Catco	000000000	261.02
34	Cenex Fleetcard	000070603	19,917.54
35	City of Bemidji	000070604	4,299.05
36	City of Minneapolis	000070605	1,102.20
37	Culligan	000000000	114.79
38	Department of Employment/Econ.Dev.	000070606	78.44
39	Dick's Plumbing & Heating, Inc	000070607	7,645.00
40	Digital Ally, Inc.	000070608	373.00
41	DPC Industries, Inc.	000070609	3,319.92
42	Eagle Construction Co., Inc.	000070610	245,281.45
43	Election Systems/Software, Inc.	000070611	848.65
44	Emergency Apparatus Maint., Inc.	000070612	274.25
45	Environmental Resource Associates	000070613	95.18

Page Total:

\$641,053.62

Line	Claimant	Voucher No.	Amount
46	Era Laboratories, Inc.	000070614	822.00
47	Faegre Baker Daniels	000070615	901.00
48	Fastenal Company	000070616	172.72
49	Fed Ex	000070617	79.51
50	Fenner, Kevin	000070618	66.99
51	Ferguson Enterprises #3093	000070619	132.22
52	Ferguson Waterworks	000070620	638.00
53	Fire Safety U.S.A. Inc.	000070621	120.77
54	Forestedge Winery	000070622	800.40
55	Franek, Kim	000070623	16.01
56	G & K Services Inc	000070624	158.34
57	Gaslin Garage Door	000070625	504.08
58	Gopher State One-Call, Inc	000070626	33.55
59	Guardian Pest Control, Inc	000070627	152.99
60	Hanson, David	000070628	155.40
61	Hawkins, Inc.	000000000	4,688.69
62	HD Waterworks Supply	000070629	939.44
63	Hemstad, Bruce	000070630	609.28
64	HRA	000070631	606.00
65	Hunt, Jon	000070632	64.00
66	Ink Spot Press	000070633	321.75
67	International Inst Municipal Clerks	000070634	135.00
68	J.D. Hansen & Sons, Inc.	000070635	1,036.69
69	Jim Hirt Trucking, Inc	000070636	1,895.01
70	Johnson Bros., Inc.	000070637	13,526.02
71	Keepsr, Inc.	000070638	595.41
72	Keg N' Cork	000070639	432.88
73	Kenny's	000070640	28.01
74	Knife River Materials	000070641	567.77
75	L & M Supply, Inc.	000070642	2,176.50
6	Lakes Concrete Plus Inc.	000070643	376.20
77	Landscape Structures Inc	000070644	265.52
78	Law Enforcement Technology Group, LLC	000070645	2,518.06
79	LaZella, Dave	000070646	105.00
80	League of MN Cities	000070647	1,004.00
81	Leech Lake Brewing Company	000070648	138.60
82	Leffelman, Michelle	000070649	83.00
83	Linke, Jerry	000070650	20.00
84	Maid in Bemidji	000070651	362.30
85	Marcotte, James	000070652	104.00
86	Mastin, Mike	000070653	89.00
87	McKinnon Co., Inc.	000070654	11,669.95
88	McMaster-Carr Supply Co.	000070655	425.69
89	Menards-Bemidji	000070656	210.91
90	Miller, McDonald, Erickson	000070658	15,000.00
91	Miller, Mike	000070657	192.67
92	Minitex	000070659	378.00
93	MN Bureau Criminal Apprehension	000070660	225.00
94	MN Dept of Revenue ACH	000000000	45,029.00
95	MN Energy Resources	000000000	4,705.87
96	MN Pollution Control Agency	000070661	45.00
97	MN Recreation & Park Association	000070662	30.00
98	Mn State Fire Marshal	000070663	80.00
99	MN Treasury Division., Finance	000070664	30.36
100	MN Valley Testing Lab, Inc.	000000000	97.25
101	NAPA Auto Parts	000070665	161.71
102	NCL of Wisconsin, Inc	000000000	161.47

Page Total:

\$115,884.99

Line	Claimant	Voucher No.	Amount
103	Nelson Auto Center	000070666	26,867.00
104	Neofunds By Neopost	000070667	1,000.00
05	Neopost USA , Inc	000070668	86.08
106	Newby's Liquor Store	000070669	41.15
107	NLFX Professional	000070670	106.83
108	North Country Business Product	000000000	531.84
109	North Shore Analytical, Inc.	000070671	830.00
110	Northwoods Ice, Inc.	000070672	255.60
111	Northwoods Landscape & Rec. Inc.	000070673	2,885.63
112	Northwoods Lumber Company	000070674	82.34
113	NW Tire, Incorporated	000070675	37.82
114	Otter Tail Power Company	000070676	53,727.05
115	Paul Bunyan Broadcasting Co.	000070677	150.00
116	Paul Bunyan Communication	000070678	1,572.88
117	Peterson Sheet Metal, Inc.	000070679	1,248.55
118	Phillips Wine & Spirits	000070680	18,302.19
119	Pioneer	000070681	166.00
120	Postmaster	000070682	343.44
121	Praxair Distribution Inc	000070683	418.54
122	Printers Service, Inc.	000070684	54.00
123	Pro-build	000070685	29.49
124	Quill Corporation	000070686	491.45
125	Reierson Construction, Inc.	000070687	134,787.36
126	Richards Publishing Company	000070688	260.33
127	Roger's Two Way Radio, Inc.	000070689	2,043.46
128	Rohlfing of Brainerd, Inc.	000070690	386.60
129	Sadeks Repair & Welding, Inc.	000070691	4,329.48
130	Safety Kleen Systems, Inc.	000070692	1,516.74
131	Salam International, Inc.	000070693	100.48
132	Sanford Center	000070694	149.63
33	Schaeffer Mfg. Co.	000070695	1,206.41
134	Schmitt, Chase	000070696	125.00
135	Select Account	000070697	117.12
136	Sherwin-Williams Co	000070698	140.49
137	Showers, April	000070699	52.00
138	Skumave, Kori	000070700	337.27
139	Southern Wine & Spirits of Minnesota	000070701	8,607.71
140	Southside Tow & Rec, Inc	000070702	748.68
141	Spartz, Ron	000070703	13.89
142	Spee-Dee Delivery Service, Inc.	000070704	149.90
143	Springbrook Software, Inc	000070705	457.00
144	Stewart-Miyake, Landy	000070706	48.00
145	Streightiff, Nancy	000070707	15.00
146	Sunny Hill Distr., Inc.	000070708	9,272.46
147	TDS Metrocom-MN	000000000	880.68
148	Team Laboratory Chemical Co.	000070709	87.64
149	Terry's Auto Electric	000070710	594.01
150	The Radar Shop, Inc.	000070711	59.00
151	Thomas, JR., Chuck	000070712	680.00
152	Tires Plus of Bemidji	000070713	65.61
153	Traffic & Parking Control Co., Inc.	000070714	526.57
154	USA Bluebook	000070715	40.49
155	Venu Works of Bemidji, LLC	000070716	668.00
156	Verizon Wireless	000070717	1,855.21
157	Village One Stop	000070718	70.08
158	VisitBemidji	000000000	16,477.14
159	Wastequip	000070719	17,621.00

Page Total: \$313,718.32

Line	Claimant	Voucher No.	Amount
160	Weiher, Dwayne	000070720	500.00
161	Wells Fargo Bank, N.A.	000070721	800.00
162	Wells Fargo-ACH	000000000	6,108.92
163	Wes Plumbing & Heating	000070722	732.90
164	West Payment Center	000070723	111.69
165	White, Nicholas	000070724	573.21
166	Widseth, Smith & Nolting	000070725	1,543.25
167	Wine Merchants	000070726	636.25
168	Wirtz Beverage Minnesota Wine & Spirits, Inc	000070727	19,898.32
169	Zee	000070728	170.13
Page Total:			\$31,074.67
Grand Total:			\$1,101,731.60

VenuWorks of Bemidji, LLC
Unpaid Bills Detail
As of April 20, 2012

	<u>Open Balance</u>
ACE on the Lake	
	615.54
Total ACE on the Lake	<u>615.54</u>
 AmeriPride Services	
	134.22
Total AmeriPride Services	<u>134.22</u>
 Beltrami County Solid Waste	
	236.07
Total Beltrami County Solid Waste	<u>236.07</u>
 Bemidji Coca-Cola Company	
	-1,492.15
	1,612.50
	95.40
	211.00
	108.80
	108.80
	219.55
	2,885.85
	198.00
Total Bemidji Coca-Cola Company	<u>3,947.75</u>
 Bemidji Cooperative Association	
	37.22
Total Bemidji Cooperative Association	<u>37.22</u>
 Bemidji Paper	
	89.64
Total Bemidji Paper	<u>89.64</u>
 Bemidji Welders Supply, Inc.	
	71.41
	151.14
	107.64
	125.21
Total Bemidji Welders Supply, Inc.	<u>455.40</u>
 Bemidji Youth Soccer	
	165.01
	280.42
Total Bemidji Youth Soccer	<u>445.43</u>

VenuWorks of Bemidji, LLC

Unpaid Bills Detail

As of April 20, 2012

Open Balance

Blackduck Community Education

295.17

203.66

157.37

143.00

Total Blackduck Community Education

799.20

Bonded Lock and Key

102.49

Total Bonded Lock and Key

102.49

Border States Electric Supply

342.53

Total Border States Electric Supply

342.53

Brad's Sanitation

272.10

Total Brad's Sanitation

272.10

Brad Rockstad

149.85

Total Brad Rockstad

149.85

Brothers Fire Protection Co

775.00

Total Brothers Fire Protection Co

775.00

BSU Athletic Department - Hockey

190.18

Total BSU Athletic Department - Hockey

190.18

Cable One Advertising

792.20

234.60

Total Cable One Advertising

1,026.80

Carla Quinn

250.00

Total Carla Quinn

250.00

Charter Media

621.18

598.84

Total Charter Media

1,220.02

VenuWorks of Bemidji, LLC

Unpaid Bills Detail

As of April 20, 2012
Open Balance

City of Bemidji MN	
	2,827.50
Total City of Bemidji MN	<u>2,827.50</u>
ColePapers	
	109.33
	269.47
Total ColePapers	<u>378.80</u>
Dennis Noska	
	266.67
Total Dennis Noska	<u>266.67</u>
Dippin' Dots/Tom Kennedy	
	328.82
	361.75
	37.44
	209.83
	55.04
	204.50
	207.85
Total Dippin' Dots/Tom Kennedy	<u>1,405.23</u>
DOCU Shred Inc	
	34.64
Total DOCU Shred Inc	<u>34.64</u>
Dunn Bros Coffee	
	323.70
Total Dunn Bros Coffee	<u>323.70</u>
Evensen Creative	
	300.00
Total Evensen Creative	<u>300.00</u>
Farner-Bocken Company	
	774.33
Total Farner-Bocken Company	<u>774.33</u>
Fastenal	
	71.94
	259.63
Total Fastenal	<u>331.57</u>

VenuWorks of Bemidji, LLC

Unpaid Bills Detail

As of April 20, 2012
Open Balance

First Insurance Funding Corp	
	2,437.18
Total First Insurance Funding Corp	<u>2,437.18</u>
G&K Services	
	113.79
	138.66
	165.06
	194.21
	251.74
Total G&K Services	<u>863.46</u>
Granite City Armored Car, Inc.	
	112.35
Total Granite City Armored Car, Inc.	<u>112.35</u>
Guardian Pest Solutions, Inc.	
	202.94
Total Guardian Pest Solutions, Inc.	<u>202.94</u>
Headwaters Science Center	
	197.35
	141.50
	247.53
Total Headwaters Science Center	<u>586.38</u>
iSpace Furniture, Inc.	
	628.64
Total iSpace Furniture, Inc.	<u>628.64</u>
K&KH Enterprises	
	78.23
	585.68
	176.03
	139.34
Total K&KH Enterprises	<u>979.28</u>
KKWB-FM Bemidji Radio, Inc.	
	425.00
Total KKWB-FM Bemidji Radio, Inc.	<u>425.00</u>
Ladco Leasing	
	31.14
Total Ladco Leasing	<u>31.14</u>

VenuWorks of Bemidji, LLC

Unpaid Bills Detail

As of April 20, 2012
Open Balance

Lueken's - North	
	28.30
Total Lueken's - North	<u>28.30</u>
Luekens - South	
	296.30
Total Luekens - South	<u>296.30</u>
Merchant Services	
	225.45
Total Merchant Services	<u>225.45</u>
Meyers SignSource	
	53.69
	53.69
	556.55
	5,178.70
Total Meyers SignSource	<u>5,842.63</u>
Micros Systems, Inc.	
	-51.36
	463.02
Total Micros Systems, Inc.	<u>411.66</u>
Minnesota Energy Resources Corp	
	5,151.52
Total Minnesota Energy Resources Corp	<u>5,151.52</u>
MN Dept of Health	
	150.00
Total MN Dept of Health	<u>150.00</u>
Neopost	
	128.69
Total Neopost	<u>128.69</u>
North Country Business Products	
	182.54
	10.78
	6.35
	196.22
	377.05
Total North Country Business Products	<u>772.94</u>

VenuWorks of Bemidji, LLC

Unpaid Bills Detail

As of April 20, 2012
Open Balance

North Country Tap Service	172.59
	<u>88.00</u>
Total North Country Tap Service	260.59
OfficeMax	45.48
	<u>95.99</u>
Total OfficeMax	141.47
Paul Bunyan Broadcasting Co	1,402.50
	765.00
	<u>1,232.50</u>
Total Paul Bunyan Broadcasting Co	3,400.00
Paul Bunyan Television	1,260.00
	<u>1,260.00</u>
Total Paul Bunyan Television	1,260.00
Peterson Sheet Metal	7,844.45
	<u>7,844.45</u>
Total Peterson Sheet Metal	7,844.45
Phillips Wine & Spirits	2,825.25
	<u>2,825.25</u>
Total Phillips Wine & Spirits	2,825.25
R.P Broadcasting, Inc.	2,118.62
	<u>2,118.62</u>
Total R.P Broadcasting, Inc.	2,118.62
Relerson Construction, Inc.	4,500.00
	<u>4,500.00</u>
Total Relerson Construction, Inc.	4,500.00
Relay for Life	279.08
	175.22
	<u>195.53</u>
Total Relay for Life	649.83

VenuWorks of Bemidji, LLC

Unpaid Bills Detail

As of April 20, 2012
Open Balance

Security Bank USA	
	45.61
Total Security Bank USA	<u>45.61</u>
Security Bank USA - Petty Cash	
	10,000.00
Total Security Bank USA - Petty Cash	<u>10,000.00</u>
SimplexGrinnell	
	1,014.69
Total SimplexGrinnell	<u>1,014.69</u>
Sysco North Dakota, Inc.	
	-98.22
	109.57
	3,474.79
	3,356.48
	201.73
	1,401.26
	22.69
	60.92
Total Sysco North Dakota, Inc.	<u>8,529.22</u>
Tom Quinn	
	128.49
	816.41
Total Tom Quinn	<u>944.90</u>
VenuWorks, Inc.	
	6,102.07
	801.79
	9,870.00
Total VenuWorks, Inc.	<u>16,773.86</u>
Verizon	
	726.90
Total Verizon	<u>726.90</u>

VenuWorks of Bemidji, LLC

Unpaid Bills Detail

As of April 20, 2012
Open Balance

Manual Checks/Debits	
Mckinnon	388.50
Ladco Lease	31.14
Merchant Services	1,304.33
Merit Resources	57,639.24
Simplex Grinnell	332.75
Neopost	1,000.00
RiverMusic Mgmt	408.00
Big North	1,576.50
BSU Athletics	1,982.25
Merit Resources	40,031.12
Bemidji Pioneer	500.00
Visit Bemidji	511.90
Georgette Bloom	156.20
NPRA	31,454.90
Total Manual Checks/Debits	<u>137,316.83</u>
TOTAL	<u><u>235,357.96</u></u>

GENERAL LICENSES - 2012

Type of License	Business Name	Business Location	Fee Paid
Carnivals/Circus			
	BEMIDJI JAYCEES	WITHIN BEMIDJI CITY LIMITS	\$240.00
Fireworks (Non-exclusive)			
	BIG K-MART #9204	1401 PAUL BUNYAN DR NW	\$100.00
	DOLLAR TREE STORES, INC.	2022 PAUL BUNYAN DR NW	\$100.00
	TARGET STORE T657	2100 PAUL BUNYAN DR NW	\$100.00
Secondhand Goods/Precious Metal Dealer			
	BACK N TIME ANTIQUES	1105 W. 15TH STREET	\$95.00



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 444 Cedar Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization <i>Bemidji Jaycees</i>		Date organized <i>July 1-4th, 2012</i>	Tax exempt number
Address <i>P.O. Box 293</i>		City <i>Bemidji</i>	State <i>Minnesota</i>
Name of person making application <i>Eva Fisher</i>		Business phone	Home phone <i>218-766-8325</i>
Date set ups will be sold <i>July 1-4th</i>		Type of organization <input checked="" type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other non-profit	
Organization officer's name <i>[Signature]</i>		City <i>Bemidji</i>	State <i>Minnesota</i>
<input checked="" type="checkbox"/> Add New Officer		Zip <i>56609</i>	

Location where permit will be used. If an outdoor area, describe.

Under Entertainment tent at the waterfront of the Lake Bemidji. We will have the bars set up on one end opposite the staging and live music, under our 80x140 tent

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

N/A

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Insurance By Design \$1,000,000

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City/County <i>\$120.00</i>	Date Approved
City Fee Amount	Permit Date
Date Fee Paid <i>5-3-12</i>	

Signature City Clerk or County Official

Approved Director Alcohol and Gambling Enforcement

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the permit for the event.

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Approve Budget Modification # 1

Prepared By: Ron Eischens, Finance Director *Ron*

Reviewed By: John Chattin, City Manager

Based on financial activity through March, there are several 2012 budget adjustments required as follows:

- During late 2011 several special revenue funds were closed out in order to comply with a new governmental accounting standard. Two of the closed out funds had budget amounts included for 2012 that should be zero.
- Several budget line items need adjustment to reflect actual or projected activity.
- The City had bonding activity, including refinancing, which was not reflected in the original budget.
- The 2012 street improvement project budget of \$982,000 was coded to the incorrect department.
- The Waste Water Treatment Plant improvement project was scheduled to be completed in 2011. Due to weather related construction delays, the project will be completed in the 2012 budget year, creating the need for the budget increase.

Recommendation:

Approve 2012 budget modification # 1.

**CITY OF BEMIDJI
BUDGET CHANGE FORM
MODIFICATION # 1**

Account #	Account Name	Explanation	Revenue Increase (Decrease)	Expenditure Increase (Decrease)
205-00000-36210	Interest Income	Close Special Revenue Funds	(11,000)	
205-46510-40229	Misc Exp	Close Special Revenue Funds		(20,000)
228-00000-36210	Interest Income	Close Special Revenue Funds	(10,000)	
230-00000-36210	Interest Income	Adjust budget projections	(995)	
206-00000-36210	Interest Income	Adjust budget projections	75	
209-00000-35108	DUI Fines	Adjust budget projections	15,000	
604-00000-34954	Misc Revenue	Sanford and Neilson Payments	400,000	
604-00000-36210	Interest Income	Adjust budget projections	10,000	
101-42100-40101	Salaries	Adjust budget projections		(64,423)
101-42100-40104	Part Time Salaries	Adjust budget projections		25,000
101-42100-40121	PERA	Adjust budget projections		(5,677)
307-47116-40301	Prof Fees	Bond refinancing		41,000
307-00000-39310	Bond Proceeds	Bond refinancing	915,000	
307-47116-40611	Interest Expense	Bond refinancing		84,803
307-00000-39101	Land Sales	Bond refinancing	456,202	
601-49486-40611	Interest Expense	Bond financing		227,940
502-47109-40710	Transfer Out	Close out bond fund		14,447
375-00000-39219	Transfer In	Close out bond fund	14,447	
226-48934-40520	Buildings & Structures	Reclassify		(982,000)
226-49961-40520	Buildings & Structures	Reclassify		982,000
601-49482-40520	Buildings & Structures	WWTP Project carryover from 2011		2,500,000
TOTAL			1,788,729	2,803,090

Budget Change Request Form

Requestor Information

Department: Various Date: 05/07/2012
 Dept. Head: Ron Eischens

Reallocation Request

<u>Account Number</u>	<u>Account Name</u>	<u>Amount Added</u>	<u>Amount Deducted</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Additional Appropriation Request

<u>Account Number</u>	<u>Account Name</u>	<u>Amount Requested</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Reason for additional appropriation: Close out two special revenue funds, adjust projections, bond refinancing, reclassify expenses, WWTP project carryover costs, record Sanford & Neilson Foundation Payments, correct budgeting error

Action Taken

City Manager Action: Approved Rejected Recommended to Council
 City Council Action: Approved Rejected on the ___ day of _____ 20__.

Attach any additional information desired to support/clarify your request.

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Approve Resolution Accepting Walmart Donation

Prepared By: Marcia Larson, Parks and Recreation Director *ml*

Reviewed By: John Chattin, City Manager

Background

The Parks and Recreation will be offering day camps for six weeks during the summer. The camps will be based out of Diamond Point Park and we will be partnering with BSU at both the OPC and the Gillette Recreation Center.

In order to meet our goal of providing recreation programming/day camps at a low cost, we have requested and received a \$1000.00 donation for the day camps from Walmart.

Recommendation:

Approve the Resolution Accepting Walmart Donation for the Parks and Recreation Department.

RESOLUTION NO.

A RESOLUTION ACCEPTING DONATION (Walmart Foundation)

WHEREAS, the City Council of the City of Bemidji encourages public donations to help defray the costs to the general public of providing services and improving the quality of life in the City of Bemidji; and

WHEREAS, Walmart Foundation has offered to donate \$1,000 for use by the City of Bemidji Parks & Recreation Department for Summer Day Camps; and

WHEREAS, Minnesota Statutes 465.03, requires that all gifts and donations of real or personal property, including money, be accepted by adoption of a resolution approved by two-thirds of the members of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bemidji, Beltrami County, Minnesota, that this donation is hereby accepted for the use it was intended.

BE IT FURTHER RESOLVED that the City sincerely thanks Walmart Foundation for its gracious and generous donation.

The foregoing resolution was offered by Councilmember _____, who moved its adoption, and upon due second by Councilmember _____, was passed by the following vote:

Ayes:

Nays:

Absent:

Passed:

ATTEST:

APPROVED:

Kay M. Murphy, City Clerk

David A. Larson, Mayor

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Approve Resolution Accepting Midcontinent Donation

Prepared By: Marcia Larson, Parks and Recreation Director *ML*

Reviewed By: John Chattin, City Manager

Background

In order to meet the needs expressed by the community and provide a potential opportunity to establish the interest in an indoor playspace, the Parks and Recreation Department developed an program for children ages two to five years old - MAP TIME (Movement and Playtime).

The goal of MAP Time is to provide a time and place for all types of play: motor/ physical play, social play, constructive play, fantasy play, and games with rules. The program provides a free, safe, and social atmosphere for both the children and adults. The program is fully supported by fundraising efforts and donations from local organizations and businesses. We have, on average, 30 children participating in the program on a weekly basis.

In order to meet our goal of providing recreation programming at a no cost to participants, we have requested and received a \$1,500.00 donation for the purchase of equipment from Midcontinent Media Foundation. The

Recommendation:

Approve the Resolution Accepting Midcontinent Media Foundation Donation for the Parks and Recreation Department.

RESOLUTION NO.

A RESOLUTION ACCEPTING DONATION FROM MIDCONTINENT MEDIA FOUNDATION

WHEREAS, the City Council of the City of Bemidji encourages public donations to help defray the costs to the general public of providing services and improving the quality of life in the City of Bemidji; and

WHEREAS, Midcontinent Media Foundation has offered to donate \$1,500 for use by the City of Bemidji Parks & Recreation Department for the purchase of equipment for MAP Time, a preschool program; and

WHEREAS, Minnesota Statutes 465.03, requires that all gifts and donations of real or personal property, including money, be accepted by adoption of a resolution approved by two-thirds of the members of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bemidji, Beltrami County, Minnesota, that this donation is hereby accepted for the use it was intended.

BE IT FURTHER RESOLVED that the City sincerely thanks the area businesses/organizations for their gracious and generous donation.

The foregoing resolution was offered by Councilmember _____, who moved its adoption, and upon due second by Councilmember _____, was passed by the following vote:

Ayes:

Nays:

Absent:

Passed:

ATTEST:

APPROVED:

Kay M. Murphy, City Clerk

David A. Larson, Mayor

RESOLUTION NO.

A RESOLUTION OF THE BEMIDJI CITY COUNCIL TO NOT WAIVE THE MONETARY LIMITS ON TORT LIABILITY ESTABLISHED BY M.S. 466.04 AND APPOINTING INSURANCE AGENT OF RECORD

WHEREAS, the City of Bemidji reviewed their excess liability insurance coverage with the League of Minnesota Cities Insurance Trust effective June 1, 2012. In doing so, the City Council is required to exercise the option of either waiving or not waiving the monetary limits on tort liability established by Minnesota Statutes 466.04;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bemidji that the City does not waive the monetary limit on tort liability coverage established by Minnesota Statutes 466.04.

BE IT FURTHER RESOLVED, the City Council appoints InsureForward of Bemidji, Minnesota, as the insurance agency of record.

The foregoing resolution was offered by Councilmember _____, who moved its adoption, and on due second by Councilmember _____, was passed by the following vote:

Ayes:

Nays:

Absent:

Passed: May 7, 2012

ATTEST:

APPROVED:

Kay M. Murphy, City Clerk

David A. Larson, Mayor

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Accept grant from the George W. Neilson Foundation for the amount of \$29,090 for the fire department.

Prepared By: David Hoefer, Fire Chief *DAH*

Reviewed By: John Chattin, City Manager

Background:

The Cass Lake and Bemidji Fire Departments have been recently working cooperatively to prepare for an advanced rope or confined space rescue emergency in our area. The departments have completed training sessions together and identified a need for additional rescue equipment.

The fire departments recently completed a joint grant application to the George W. Neilson Foundation for the purchase of rescue equipment in the amount of \$29,090. We have received notification from the Foundation that our application has been approved for the requested amount.

Bemidji Fire Department will be the purchaser of the equipment and fiduciary agent for the grant. Equipment purchased will be staged in Cass Lake and Bemidji and will be available for use by either department.

Recommendation:

Accept the George W. Neilson Foundation grant for the purchase of technical rescue equipment in the amount \$29,090.

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Condition Assessment Contract – Carnegie Library

Prepared By: Kay M. Murphy, City Clerk *Kay*

Reviewed By: John M. Chattin, City Manager

On April 16, 2012 the "Save the Carnegie Committee", on behalf of the City of Bemidji, requested proposals for architectural services for a condition assessment and provision of cost estimates for moving and renovation/restoration of the Bemidji Carnegie Library. Ten (10) requests were mailed to area architects and to firms recommended by the State Historical Society. Of those ten, we received only one response that was able to meet our timeline, Michael Burns Architects from Moorhead.

The Committee has received over \$10,000 in donations to date and there are sufficient funds to cover the cost of these services.

RECOMMENDATION

Authorize the Mayor and City Manager to enter into a contract for professional services in the amount of \$10,000 with Michael Burns Architects.



MICHAEL J. BURNS ARCHITECTS, LTD.

April 12, 2012

Kay Murphy
City Clerk
City of Bemidji
317 4th St. NW
Bemidji, MN 56601

- ARCHITECTURE
- INTERIOR DESIGN
- HISTORIC PRESERVATION

Re: RFP: Condition Assessment of the Carnegie Library

Members of the Selection Committee:

Michael J. Burns Architects, Ltd. (MJBA) and our team of consultants submit our qualifications and proposal to you for professional services to complete a conditions assessment of the historic Carnegie Library.

MJBA's experience with historic structures is extensive and unparalleled in northwestern Minnesota/North and South Dakota. We have enclosed numerous examples of relevant projects that we have completed or are currently working on. One current project is the Renovation of the Carnegie Library in Thief River Falls, MN. This project is in its final phase of construction and is scheduled to be fully operational in August.

Our design team is committed to completing the project on or before the June 15, 2012 deadline. A similar report was completed in the same timeframe for the Carnegie Library in Thief River.

Please find a copy of our professional liability, general business and worker's comp insurance certificates for your perusal.

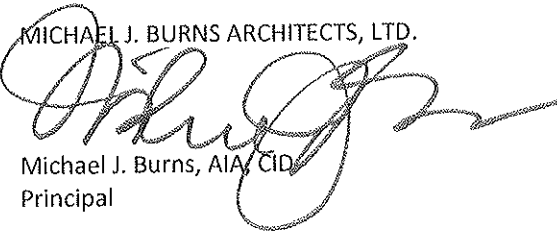
Our proposed fee based upon the information included in the RFP is \$10,000 plus an estimated \$700 for expenses that include mileage, food and printing. The fee includes two trips to the site—one to meet with the committee and field verify and ascertain existing conditions and the other to review the prefinal document with you; preparation of two design concepts; cost estimates and phasing recommendations.

The contents of this proposal are true and accurate to the best of my knowledge. The MJBA Team will begin the work promptly upon notice of award, committing both the named personnel and the necessary support staff to meet the needs of this project.

We look forward to the forthcoming interview.

Sincerely,

MICHAEL J. BURNS ARCHITECTS, LTD.


Michael J. Burns, AIA, CID
Principal

Enclosures

■ 824 CENTER AVENUE
MOORHEAD, MN
56560

■ 2878 LILAC LANE NE
FARGO, ND
58102

■ (218) 233-6620
(701) 298-0140

■ FAX:
(218) 233-6621

■ www.mjbaltd.com

April 16, 2012

Ms. Kay Murphy
City Clerk
City of Bemidji
317 4th Street NW
Bemidji, MN 56601

**RE: Bemidji Carnegie Library Conditions Assessment
MDA #P2012-039**

Dear Ms. Murphy:

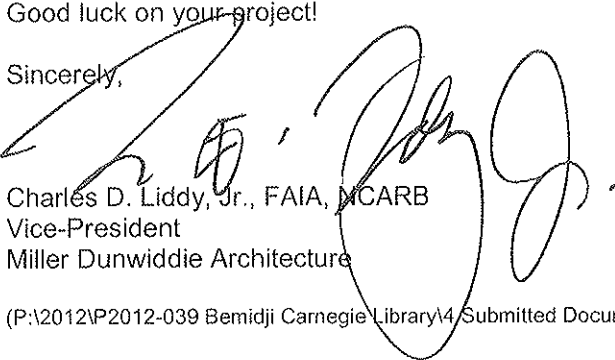
It has been a pleasure speaking with you over the last week or so about the effort to save the Carnegie Library in Bemidji. Although Miller Dunwiddie Architecture has completed many similar projects, including Carnegie libraries in Little Falls and Stillwater, we regret that we are not able to respond to your request at this time. We could not accommodate the quick schedule and dates for the desired delivery of services. However, having participated in dozens of reuse studies and similar reports, as you move forward with whichever firm you select to assist you, I offer the following suggestions as to how to possibly approach the project. As a preface, please forgive my ignorance of local conditions or facilities that may already exist. My suggestions/comments are as follows:

- Could the building be used as a trail facility (rest stop, snacks, toilets, etc.) along the Paul Bunyan Trail? We recently moved and converted a brick pump house in Mound, MN for such a use. The DNR could be approached for teaming with the City for such a venture.
- If you could do a trail center, you could plan to only use the upper level and keep the lower level for mechanical spaces, storage, etc. Then you only might need to make the upper level accessible. This might be able to be done with landscaping and/or walkways on the lake side, saving the cost of an elevator.
- I would recommend not moving the building. It would be expensive and remove it from the National Register; and there is no guarantee that it would be placed back on it. The potential for Tax Credits (up to 40%) and other grant opportunities could be lost.
- Related to the point above, MnDOT could be contacted about adjusting the traffic lanes to move traffic away from the front of the building. Because of the turn lanes, there appears to be the possibility of doing so in order to gain some or all of the ten feet that was envisioned to be gained by moving the building.
- If it is too badly deteriorated, the stone veneer on the street side of the building could be replaced to match the original. That would be less expensive than moving the building as well.

I hope that these observations may be helpful. I'm sorry that we aren't responding to the RFP, since we recently completed the restoration of the Sanitation Building at the beach at Itasca State Park, as well as the additions to and renovations of the Bemidji Airport Terminal. We enjoy working in your area of the State! Please include MDA on any project solicitations you may have in the future.

Good luck on your project!

Sincerely,



Charles D. Liddy, Jr., FAIA, NCARB
Vice-President
Miller Dunwiddie Architecture

(P:\2012\2012-039 Bemidji Carnegie Library\4 Submitted Documents\Decline Letter.docx

EAPC Architects
222 3rd Street NW
Bemidji, MN 56601

Lucachick Architecture
481 Mag Seven Court SW
Suite 9
Bemidji, MN 56601

Richard Rude Architectural
4111 Technology Drive NW
Suite 201
Bemidji, MN 56601

MJ Architectural Studios
819 Paul Bunyan Drive NW
Bemidji, MN 56601

Widseth Smith Nolting
315 5th Street NW
Bemidji MN 56601

Michael Burns Architects, Ltd
824 Center Avenue
Moorhead, MN 56560

Claybaugh Preservation Architecture, Inc.
361 West Government Street
Taylors Falls, MN 55084

MacDonald & Mack Architect, Ltd
400 South 4th Street
Suite 712
Minneapolis, MN 55415

Miller Dunwiddie Architure, Inc.
123 North Third Street
Suite 104
Minneapolis, MN 55401

Mutchler Bartram Architects PC
505 Broadway N # 201
Fargo, ND 58102-4489

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012
Action Requested: Approve Concession Agreement with Breakers Inc
Prepared By: Marcia Larson, Parks and Recreation Director *ml*
Reviewed By: John Chattin, City Manager

Background

As part of the City Park Development Project, a concession stand was built in the main building for use during softball leagues and tournaments. A Request for Proposals (RFP) was sent out in April. Included in the RFP was a request for years of experience running a concession, information regarding the organization or business, and the percentage of gross sales that would be paid to the City.

Three proposals were received as follows:

<u>Organization/Company</u>	<u>Year's Experience</u>	<u>Percentage of Sale</u>
Breakers Inc	16	12%
Kazo Concession	New Business	5%
Boys and Girls Club	Non-Profit/New	3%

The Boys and Girls Club contacted me at the end of April to withdraw their proposals based on budget and staffing concerns and their ability to allocate enough staff to operate the concession.

A small committee consisting of Parks and Trails Commissioners and staff met on May 2nd to review the proposals and is recommending entering into an agreement for concession operation with Breakers Inc based on their years of experience and higher percentage of sales to be paid to the city. The agreement is for one year with an option of continuing the agreement if A draft of the agreement is attached.

Recommendation:

Authorize City Manager and Mayor to sign the Concession Agreement with Breakers Inc.

City of Bemidji
Seasonal Vendor/Concessionaire Agreement
(City Park – 1224 23rd Street NW)

This Agreement is made this _____ day of _____, 2012 by and between the City of Bemidji, Minnesota (hereinafter the "City"), and Breakers Inc, (hereinafter the "Concessionaire")

WITNESSETH:

WHEREAS, the City is the Owner of a park and athletic complex, known as City Park and located at the above-stated address in the City of Bemidji, on which the City has constructed a building containing, among other improvements, a fully equipped concession stand and concession service area; and

WHEREAS, the City is willing to contract with the Concessionaire to operate the aforementioned concession stand during such times and under those circumstances as described in the terms and conditions hereinafter set forth.

NOW, THEREFORE, subject to the terms and conditions hereinafter stated, the parties agree as follows:

I. Concessionaire Services.

Concessionaire shall furnish all labor and materials necessary or incidental to the provision of food concession services from the concession stand at City Park, which concession stand and related premises are more particularly described and shown on **Exhibit A** attached (hereinafter the "Premises").

A. Concession Services

1. Food concession services do not include the sale of goods, unless agreed to under a separate written instrument between the parties hereto.
2. The Concessionaire shall take reasonable care in the use and operation of the Premises, including of the equipment or other items furnished by the City, and shall make no alterations to the Premises and other items furnished by the City without written authorization by the City.
3. The Concessionaire shall be responsible for maintaining a high standard of cleanliness of and about the Premises. The Concessionaire is responsible

on a daily basis for picking up debris near the Premises and adjacent areas and disposing of it in trash barrels and dumpsters provided by the City.

4. The Concessionaire shall endeavor to recycle materials when and where feasible, as aided by the City's solid waste collection system. For the purpose of this Agreement, recyclable materials shall include glass, corrugated cardboard and metal cans.
5. The Concessionaire may utilize volunteer help and/or hire and retain on its payroll all employees/independent contractors that the Concessionaire requires for its on-site concession services on the Premises. All persons providing services for the Concessionaire shall be deemed employees of the Concessionaire and neither the Concessionaire nor any of its agents, employees, or volunteers shall be or be deemed to be an employee of the City.
6. The Concessionaire shall coordinate with the City's Park and Recreation Department respecting access to the concession stand premises.

II. City Responsibilities.

The City has furnished the necessary equipment and shall furnish and maintain electricity and water required to operate the concessionaire services. The City agrees to use its best efforts to maintain ongoing electrical and water services during the term of the Agreement, except in an emergency. In such a case, the City agrees to notify the Concessionaire immediately of any interruptions or proposed interruption. The Concessionaire must also contact the City of Bemidji Parks Department as soon as possible when it experiences electrical and water emergencies.

The City shall operate the Premises with its own personnel and resources at those times agreed to hereinafter by the parties. (???)

III. Term.

The initial term of the Agreement will be from late May (Memorial Weekend) through early September (Labor Day), with two additional summer season extensions, if agreeable to both parties, subject to earlier termination in accordance with the Agreement's terms and provisions.

IV. Gross Sales and Commission Payment(s) to City.

In consideration of the rights and privileges granted herein, The Concessionaire shall pay a monthly/seasonal commission of \$ _____ to the City. Additionally, Concessionaire shall remit to the City _____ % of the daily gross sales (including product sales).

V. Operation.

The Concessionaire will provide services at the City Park Concession Stand during the period it is open by the City from Memorial Weekend Saturday through Labor Day Monday. Hours of operation for concession sales would typically be between the hours of 6:00 and 10:00pm Monday through Thursday and every other Sunday, dependent on weather and attendance. The City reserves the right to modify the time period and hours for on-site services.

In addition Concessions will be available during softball tournaments and special events in the park. Including, but not limited to:

June 7th Youth Rally – June 7, 2012 (4:00 – 10:00 p.m.)
Skatepark Competition – July 14, 2012 (5:00p.m. – 10:00p.m.)
Softball Association Tournament – July 21st and July 22nd
Sr. Softball Tournament – July 28th and July 29th

*City also reserves the right to operate the Premises with its own resources and employees for those events and occasions described as follows:

The City will need access to the popcorn maker for Movie Night at the Waterfront on June 16th and July 21st.

A. Accounting

The Concessionaire shall be responsible for all bookkeeping for its concession operations and shall submit a monthly statement/report of gross sales along with the commission payment. At a minimum, this statement/report will include a breakdown by daily gross sales, product sales, and commissions generated. The reports along with the commission payment shall be submitted to the City Parks and Recreation Director on or before the 10th day of the following month.

B. Personnel and Staffing

1. The Concessionaire shall maintain adequate staff for efficient operation.
2. The City shall have the right to review staffing patterns and levels, and to require the Concessionaire to take the appropriate staffing actions to insure adequate services.
3. The Concessionaire must have a process for responding to customer complaints and requests for refunds.

4. Each employee shall wear an identification badge, which easily and appropriately identifies the Concessionaire and the employee by name.
5. At a minimum, Concessionaire shall have at least one food manager certified by the Minnesota Department of Health (MDH).

C. Products

Prior to the start of the Agreement term, the Concessionaire shall submit a menu of products to be sold and associated prices for approval by the City. The Concessionaire shall be responsible for notifying the City of any product changes during the term of the Agreement.

D. Product Pricing

The Concessionaire and the City shall mutually agree upon the prices for products being provided. Minor price/product adjustments may be negotiated based on documented product and price changes in the overall snack and food industry.

VI. Miscellaneous.

These provisions are considered minimum requirements and may be increased or expanded if it is agreed to be in both parties' interests.

A. Permits

The Concessionaire shall obtain all other necessary governmental permits required to operate concession stand services, including a permit from the Minnesota Department of Health.

B. Compliance with Applicable Laws

The Concessionaire shall at all times comply with state and local requirements for the services provided, including but not limited to, State Health Guidelines and local food ordinances.

C. Indemnification

Concessionaire agrees to indemnify, defend, and hold harmless the City, its officers, employees and agents for any and all claims arising out of Concessionaire's activities related to the services provided under this Agreement. No other provision of this Agreement shall serve to limit in any way the obligations of the Concessionaire to indemnify and defend the City under this clause.

D. Insurance Requirements *(Discuss and negotiate with Concessionaire)

Concessionaire agrees that in order to protect itself as well as the City from claims arising out of Concessionaire's activities under this Agreement, it will at all times during the term of this Agreement keep in force policies of insurance providing:

1. General Liability, and Automobile Liability Insurance.
2. Workers' Compensation Insurance. Limits per applicable State and Federal Laws.
3. All such policies shall provide limits not less than the tort liability limitations set forth in Minnesota Statutes Section 466.04.
4. City shall be endorsed as an Additional Insured on all policies obtained and maintained under this clause. All policies shall provide that they shall not be canceled, materially changed, or not renewed without thirty (30) days prior notice thereof to the City.
5. Certificates of Insurance evidencing the insurance required under this clause must be provided to the City before the effective date of this Agreement and at other times during the term of this Agreement as requested by the City.

E. Mediation

All claims and/or disputes arising out of or relating to this Agreement or breach thereof, may be submitted to and decided by binding mediation (utilizing rules of the American Arbitration Concessionaire). Unless otherwise agreed in writing, the Concessionaire shall continue to provide services during any dispute, whether such dispute is submitted to mediation or handled otherwise.

F. Non-discrimination

The Concessionaire shall not discriminate against any volunteer, employee, applicant for employment, or patron because of race, religion, color, sex, national origin or age. The Concessionaire shall take affirmative action to insure the volunteers and employees are treated during employment without regard to their race, religion, color, sex, national origin or age. The Concessionaire agrees to post in conspicuous places, available to volunteers, employees and applicants for employment, notices setting forth the policies of non-discrimination.

The Concessionaire shall, in all solicitations or advertisements placed by it or on its behalf, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin or age.

G. Data Privacy

All data collected, created, received, maintained, or disseminated, or used for any purposes in the course of the Concessionaire's performance of the Agreement is governed by the Minnesota Government Data Practices Act, Minnesota Statutes 1984, Section 13.01, et seq. or any other application state statutes and state rules adopted to implement the Act, as well as state statutes and federal regulations on data privacy. The Concessionaire agrees to abide by these statutes, rules and regulations and as they may be amended.

H. Audits, Reports, Records and Monitoring Procedures

The Concessionaire will maintain records, which reflect all revenues, costs incurred, and services provided in the performance of this Agreement.

The Concessionaire will agree that for a period of six (6) years after completion of the Concessionaire's provided services, the City, State Auditor, or legislative authority, or any of their duly authorized representatives at any time during normal business hours and as often as they may deem reasonably necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any book, documents, papers, records, etc., and accounting procedures of the Concessionaire that are relevant to the Agreement.

I. Possession of Firearms on City Premises

No person shall carry or possess a firearm on City premises or while acting on behalf of the City of Bemidji pursuant to the terms of this Agreement. Non-compliance with this provision shall be considered a substantial breach of Agreement and may result in immediate termination by the City.

J. No Use or Sale of Alcohol or Tobacco Products.

The City of Bemidji has a Parks Policy which prohibits the consumption of alcoholic beverages and the use of tobacco products within City parks and/or on City park property. The Concessionaire shall not allow the use or sale of either alcoholic beverages or tobacco products from the concession premises. Consumption of alcoholic beverages at City Park is prohibited unless permission is sought and received from the City.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands on the day and year first written above.

CITY OF BEMIDJI, MN

By _____

David Larson

Its Mayor

By _____

John Chattin

Its City Manager

BREAKERS INC

By _____

(Name)

Its

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Award Bid for Demolition of Building

Prepared By: Mike Miller, Building Official

Reviewed By: John M. Chattin, City Manager

The City went out for bids for structures to be demolished located at 1620 Park Ave NW. The following bids were received:

Gary Skime	\$ 3,635.00
Sparky's Construction	\$ 3,800.00
Devon Bunker	\$ 3,875.00
North Country Excavation	\$ 7,489.00
Reierson Construction	\$10,975.00

Recommendation:

Staff recommends that the City Council direct staff to take the appropriate steps to accomplish the demolition of the building to Gary Skime, d/b/a G&T Excavating, LLC.

A handwritten signature in black ink, appearing to be "MJ" or similar initials, written in a cursive style.

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Consider Approval of Change Order for Industrial Park Street Lights – City Project 11-07

Prepared By: Craig J. Gray, P.E.
Director of Public Works/City Engineer

A handwritten signature in black ink, appearing to be "CJG", written over the printed name of Craig J. Gray.

Reviewed By: John Chattin, City Manager

Background:

On July 5, 2011 the city council awarded a bid for \$42,475 to Bessler Brothers' Electric for the repair of the industrial park street lights. At the time of the bid award staff noted that we might find additional areas that needed new wire or conduit when we started digging. Since then we have indeed found a few areas that needed additional repair and Bessler Brothers is wrapping that work up this week. The attached change order is for those additional repairs and will complete this project.

Financing

The amount of the change order is \$5,057.50 which will result in a new contract price of \$57,755.25. In 2011 the project was authorized to be funded from reserves and staff recommends that this additional amount also come from reserves.

Recommendation:

It is recommended that the city council pass a motion approving the attached change order for City Project 11-07.



AIA[®]

Document G701[™] – 2001

Change Order

PROJECT (Name and address): Industrial Park Street Lighting Bemidji, MN	CHANGE ORDER NUMBER: 003 DATE: March 19, 2012	OWNER: <input type="checkbox"/> ARCHITECT: <input type="checkbox"/> CONTRACTOR: <input type="checkbox"/> FIELD: <input checked="" type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Bessler Brothers Electric 37455 County Road 91 Lake George, MN 56458	ARCHITECT'S PROJECT NUMBER: 20118260 CONTRACT DATE: July 18, 2011 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

This work includes additional underground distribution needed to correct quantity 6 additional light fixtures. These fixtures include poles 6, 7, 8, 9, 10, 11 and poles 1, 2, 3, 4, 5. This also includes five hours labor for fault locating. See attached additional quantities spreadsheet identifying required changes.

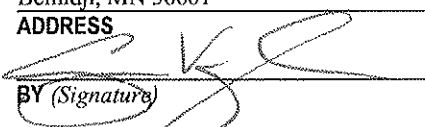
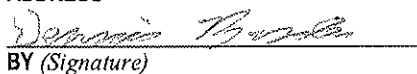
The original Contract Sum was	\$	<u>42,745.00</u>
The net change by previously authorized Change Orders	\$	<u>9,952.75</u>
The Contract Sum prior to this Change Order was	\$	<u>52,697.75</u>
The Contract Sum will be increased by this Change Order in the amount of	\$	<u>5,057.50</u>
The new Contract Sum including this Change Order will be	\$	<u>57,755.25</u>

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is unchanged.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<u>EAPC Architects Engineers</u> ARCHITECT (Firm name)	<u>Bessler Brothers Electric</u> CONTRACTOR (Firm name)	<u>City of Bemidji</u> OWNER (Firm name)
<u>222 Third St NW</u> <u>Bemidji, MN 56601</u> ADDRESS	<u>37455 County Road 91</u> <u>Lake George, MN 56458</u> ADDRESS	<u>1351 5th Street NW</u> <u>Bemidji, MN 56601</u> ADDRESS
 BY (Signature)	 BY (Signature)	 BY (Signature)
<u>Cory Vaughn, PE</u> (Typed name)	<u>Dennis Bessler</u> (Typed name)	<u>Craig Gray, PE</u> (Typed name)
<u>4/23/2012</u> DATE	<u>4/24/2012</u> DATE	 DATE

CHANGE PROPOSAL 003
 BEMIDJI INDUSTRIAL PARK STREET LIGHTING REPAIR
 Bemidji, MN 56601
 April 23, 2012

EAPC Architects Engineers
 222 Third Street NW, Bemidji, MN 56601
 (218) 751-0151 (218) 751-0170

Item No.	Mn/DOT No.	Item Description	Unit	Quantity	Bessler Brothers' Electric	
					Unit Price	Amount
1	2502.603	TRENCHING	LIN. FT.	450	\$ 1.25	\$ 562.50
2	2545.531	UNDERGROUND WIRE 1 COND NO 4 ALUMINUM	LIN. FT.	980	\$ 0.75	\$ 735.00
3	2545.531	UNDERGROUND WIRE 1 COND NO 10 COPPER	LIN. FT.	490	\$ 0.50	\$ 245.00
4	2545.523	1.5" NONMETALLIC CONDUIT	LIN. FT.	470	\$ 2.00	\$ 940.00
5	2545.523	PULL BOX 12x12	EACH	1	\$ 275.00	\$ 275.00
6		ADDITIONAL LABOR FOR FAULT LOCATE ABOVE	EACH	1	\$ 500.00	\$ 500.00
7	2502.603	TRENCHING	LIN. FT.	80	\$ 1.25	\$ 100.00
8	2545.523	1.5" NONMETALLIC CONDUIT (DIRECTIONAL BORE	LIN. FT.	100	\$ 10.25	\$ 1,025.00
9	2545.523	PULL BOX 12x12	EACH	1	\$ 275.00	\$ 275.00
10	2545.531	UNDERGROUND WIRE 1 COND NO 4 ALUMINUM	LIN. FT.	400	\$ 0.75	\$ 300.00
11	2545.531	UNDERGROUND WIRE 1 COND NO 10 COPPER	LIN. FT.	200	\$ 0.50	\$ 100.00
TOTAL						\$ 5,057.50

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Waive Building & Mechanical Permit Fees - Habitat for Humanity

Prepared By: Kay M. Murphy, City Clerk *Kay*

Reviewed By: John M. Chattin, City Manager

Habitat for Humanity is constructing a new home in Bemidji and request that the Council waive the following permit fees:

726 18th Street NW

(Building Permit value \$70,000/Mechanical Permit value \$7,750)

Building Permit Fee	\$ 784.00
Plan Review	\$ 255.00
Mechanical Permit Fee	\$ 154.00
Addressing Fee	\$ 50.00
Digging Permit	\$ 50.00
Water Inspection	\$ 30.00
Sewer Inspection	\$ 30.00
TOTAL	\$1,353.00

Habitat has paid the following fees:

State Surcharge	\$ 35.00 (Building Permit)
State Surcharge	\$ 4.00 (Mechanical Permit)
Water Meter	\$ 225.00
SAC/WAC	\$2,675.00
Erosion Control	\$ 250.00
Bituminous Repl.	\$ 400.00
	\$3,589.00

Their letter of request is attached for your reference.

Recommendation:

Historically, the City has waived the building, plan review and mechanical fees for Habitat for Humanity as a way to support the creation of affordable housing in Bemidji.



Walter & Rachel Scott Center
1357 Industrial Park Drive SE
P.O. Box 1067
Bemidji, MN 56619-1067
218-751-4649
habitat@paulbunyan.net
www.habitatbemidji.org

April 26, 2012

Kay Murphy, City Clerk
City of Bemidji
317 4th Street NW
Bemidji, MN 56601

Dear Ms. Murphy,

Northwoods Habitat for Humanity is respectfully requesting that the City waive its permit fees, outlined below, of \$1,353.00. This home will be located at 726 18th Street NW.

784.00 Building permit
255.00 Plan Review
50.00 Addressing Fee
154.00 Mechanical Permit Fee
50.00 Digging Permit
30.00 Water Inspection
30.00 Sewer Inspection
\$1353.00 TOTAL

Since 1990 Habitat for Humanity has built or renovated 38 simple, decent, affordable homes in partnership with families who would otherwise not realize the dream of homeownership. In 2012, we hope to, again, increase our building efforts to four homes, and in 2013 we hope to build five. We value our partnership with the City of Bemidji in regards to increasing taxable properties that bring value to our community.

We truly appreciate the past support of the Council. Continued support will allow us to further our mission of eliminating poverty housing in our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Geri Hickerson".

Geri Hickerson
Executive Director

United Way
of Bemidji Area



COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Surplus Equipment

Prepared By: Mike Mastin, Police Chief

Reviewed By: John M. Chattin, City Manager

According to the Bemidji City Code Subdivision IV, Sec. 2-541, Disposal of Excess Property, the City Manager may, from time to time, recommend to the Council that certain personal property owned by the City is no longer needed for a municipal purpose and should be sold.

The Police Department recommends that the following be declared surplus:

1994 Radar Trailer (VIN 1K9BS0819RK118086 – Mfd by Kustom Signals)

Recommendation:

Staff recommends that the City Council declare the radar trailer surplus and authorize the City Manager to dispose of said property.



Bemidji City Hall • 317 4th Street NW
Bemidji, Minnesota 56601-3116
Phone 218-759-3560 • Fax 218-759-3590
www.ci.bemidji.mn.us

May 3, 2012

**RE: BEMIDJI COMMUNITY FOOD SHELF
USDA - Rural Development Community Facilities Application**

At their regular meeting on May 7, 2012, the City Council of the City of Bemidji unanimously approved this letter of support the Bemidji Community Food Shelf's application for financial assistance with the USDA – Rural Development.

Furthermore, the proposed project will provide much needed services and will have no adverse impact on other facilities providing similar services.

If you have any questions in this regard, please feel free to contact me.

Sincerely,

David A. Larson
Mayor

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: NPDES Permit – Storm Water Pollution Prevention Program (SWPPP) Public Hearing

Prepared By: Craig J. Gray, P.E.
Director of Public Works/City Engineer *CGJ.*

Reviewed By: John Chattin, City Manager

Background:

One of the requirements of the City's National Pollutant Discharge Elimination System (NPDES) permit is that an annual meeting must be held to update the city council and to allow the public to make oral and/or written comments on the adequacy of the City's Storm Water Pollution Prevention Program (SWPPP). This meeting has been advertised as a public hearing and after a presentation by city staff the city council should ask for any public questions or comments.

The provisions of the permit require that over the 5-year life of the permit, we address the following six minimum control measures.

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Controls
5. Post Construction Storm Water Management for New Development & Redevelopment
6. Pollution Prevention / Good Housekeeping for Municipal Operations

The annual meeting that we are holding tonight satisfies one of the requirements of the first minimum control measures – public education and outreach.

Permit accomplishments from the past year (2011) include:

1. Completed 21 commercial site plan reviews within the city. Development and designs were reviewed for compliance with city and state runoff treatment and runoff requirements.
2. Articles were published in the city's newsletter about storm water management.
3. We updated our storm water system map in the City of Bemidji.
4. Inspected and recorded approximately one third of the city's total outfalls and storm water ponds condition for 2011.
5. The 2011 Street Renewal Project reconstructed a number of streets in the center of Bemidji. 63 new storm structures with pollution control devices were installed and 3,400 lineal feet of new storm sewer was placed.

6. The 2011 Street Maintenance Projects replaced old deteriorated structures and storm sewer piping at two street intersections in Bemidji. Refer to the items below for details:
 - Installed 7 new storm structures with pollution control devices
 - Installed 100 lineal feet of Reinforced Concrete Pipe (RCP)
7. Cameron Park Boat Access was reconstructed with curb and gutter, paved parking lot, two concrete boat ramps. Refer to the items below for details:
 - Installed a primary sediment pond and a secondary sediment pond
 - Installed an invasive species retention pond
8. North Country Park was constructed and included many storm water treatments. Refer to the items below for details:
 - Installed
 - Installed storm water sediment ponds (swales)
9. Erosion Control Residential & Commercial Site Inspections for 2011 totaled 30 sites inspected (16 sites under construction and 14 sites were completed and closed out).
10. The Street Department purchase a rubber tired back hoe to use for storm water maintenance. Refer to the items below for details:
 - Cleaning ends of culverts (outfalls)
 - Ditch dredging
 - Pond dredging (small ponds or swales)
 - Installing rip rap materials
11. The street department used considerably less sand in 2011 by focusing on just intersections, curves and hills.
12. There was 1,120 LF of storm water pipe cleaned.
13. 409 miles of street sweeping (250 hours).
14. 1500 cubic yards of material was removed from city stormceptors and vault sumps.
15. Manholes and catch basins with minor repairs (25% of the storm sewer system).
16. Drainage ditch cleaning and removal of debris from beavers (120 hours).
17. 60 cubic yards of material was removed from the Diamond Point Park sediment ponds.

We will continue to expand the required work and provisions that the City of Bemidji needs to do for the MS4 Permit. Each year we will evaluate and improve our record keeping providing the most accurate information on file for the MPCA, the public and the City of Bemidji.

In the coming year we continue to use the Erosion Control Residential & Commercial Site Application, review new site development areas, review and update storm water resolutions, include storm water information on the city web site, at City Hall and the Public Work Facility.

Recommendation:

The city council should conduct the public hearing and if any comments are received they can be referred to City Staff for response either at the hearing or in a future report back to the City Council.

- LEGAL ADVERTISEMENT -
Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the City Council of the City of Bemidji will meet in the Council Chambers of City Hall, 317 4th Street NW, Bemidji, MN on Monday, May 7, 2012 at 7:00 p.m. or as soon thereafter for the purpose of to allow the public to make oral and/or written comments on the adequacy of the City's Storm Water Pollution Prevention Program (SWPPP).

Persons with special needs are asked to contact City Hall at 759-3570 to allow staff to provide information in alternative language or format. Additional information will be available at the public hearing.

Kay M. Murphy, Bemidji City Clerk


Note: 30 day notice

COUNCIL AGENDA ITEM



Meeting Date: May 7, 2012

Action Requested: Consider Award of Quote for Reconstruction of 5th & Beltrami Parking Lot

Prepared By: Craig J. Gray, P.E.
Director of Public Works/City Engineer 

Reviewed By: John Chattin, City Manager

Background:

The 2012 Capital Improvement Plan includes the reconstruction of the parking lot at 5th and Beltrami. City staff has completed the design and sent it out for quotes. The following quotes were received:

Christiansen Industrial Development	\$33,470
Knife River Materials	\$34,930
Reiersen Construction	\$39,433

The project was presented to the Downtown Development Authority on April 11 and they unanimously supported the project. Our engineer's estimate on the project was \$49,500.

The contractor has 18 consecutive days to complete the project and everything must be done by May 31. These dates were set to minimize inconvenience to the downtown business community.

Financing

The estimated total project cost, once engineering and inspection is accounted for, will be about \$45,000. The project will be paid for from the Parking Development and Maintenance Fund which has a balance at the end of 2011 of \$87,592.

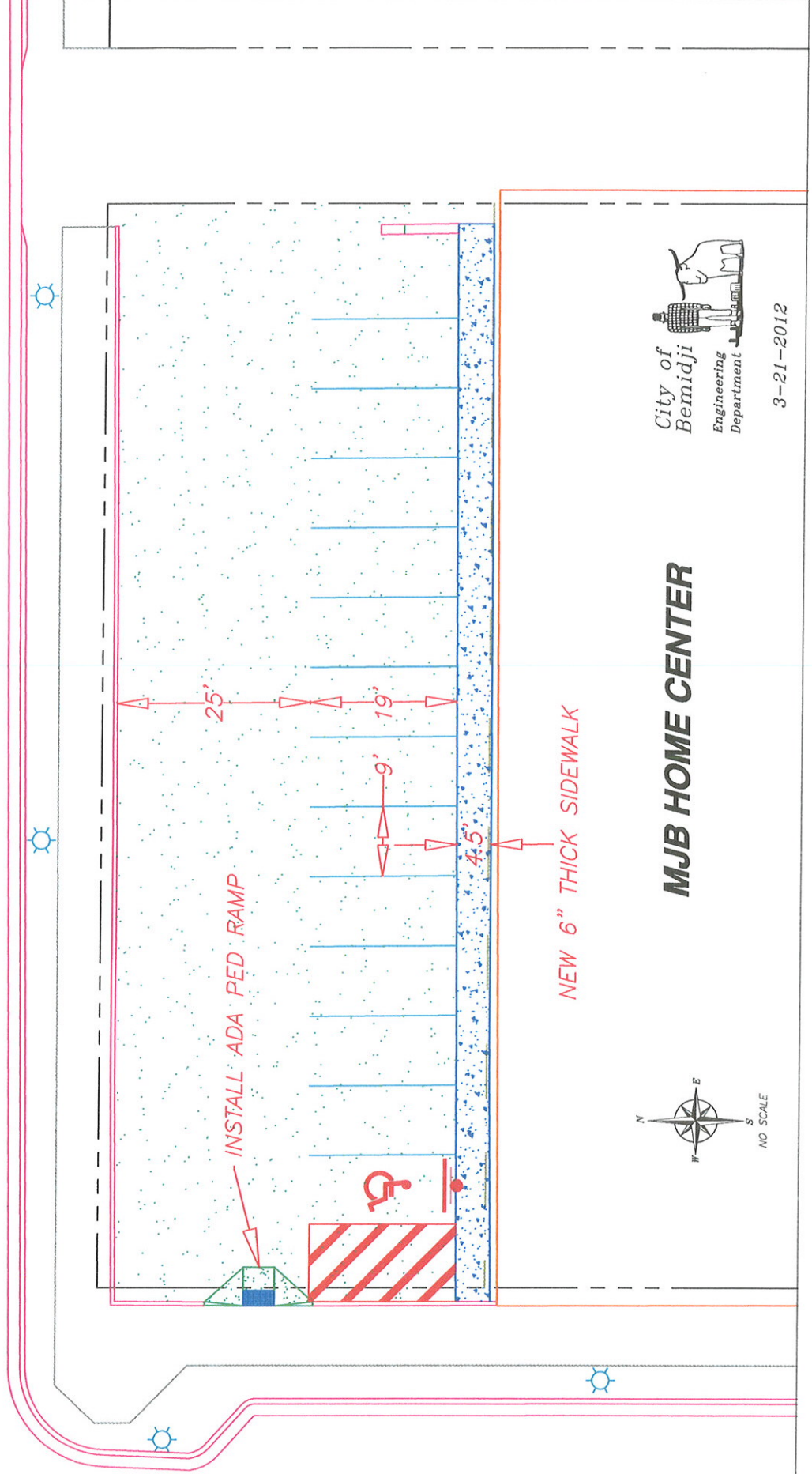
Recommendation:

It is recommended that the city council pass a motion awarding the quote for the reconstruction of the 5th and Beltrami Parking Lot to Christiansen Industrial Development in the amount of \$33,470.

**5TH STREET PARKING LOT IMPROVEMENTS
BEMIDJI AVE - BELTRAMI AVE**

5TH STREET NW

BELTRAMI AVE



MJB HOME CENTER

3-21-2012

PROJECT # 12-03

THIS YEAR!





Bemidji City Hall • 317 4th Street NW
Bemidji, Minnesota 56601-3116
Phone 218-759-3560 • Fax 218-759-3590
www.ci.bemidji.mn.us

May 1, 2012

Mr. Russell McGinty, Chief Manager
North Central Commercial Real Estate, LLC
1075 Marsh Ridge Circle
Maple Plain, MN 55359

Re: 60-day Notice of Termination
Agreement for Professional Real Estate Brokerage Services

Dear Russ:

On behalf of the Bemidji Economic Development Authority and the City of Bemidji, please be advised of their collective decision to terminate the above-entitled agreement. Pursuant to Paragraph II of the Agreement, this letter is tendered to you in compliance with the 60-day advance written notice of termination required thereunder.

In that we've not spoken in the past several months, please do not hesitate to call with respect to any prospects that you would like to make us aware of as we move through the 60-day termination period and, thereafter, the 120 day "Override Period".

As an aside, the City and BEDA have yet to close on the Country Inn and Suites transaction, though we certainly hope to do so in the not so distant future.

Look forward to hearing back from you.

Very truly,

John M. Chattin
City Manager

Cc BEDA
Bemidji City Council
HRDC

CITY OF BEMIDJI

ORDINANCE NO. ____, 3RD SERIES

ORDINANCE AMENDING
AN UNCODED SECTION OF BEMIDJI CITY CODE
PERTAINING TO Public DRAINAGE EASEMENT VACATION
(Bemidji Development Corporation)

THE CITY OF BEMIDJI DOES ORDAIN:

SECTION 1. Pursuant to the Petition to Vacate a Public Way filed by the Bemidji Development Corporation (hereinafter "the Petitioner") in furtherance of a proposed sale to and commercial building development by FedEx (hereinafter "the Project"), and subject to the condition(s) stated in Section 2 hereinafter, that portion of a platted, dedicated public drainage easement in the Second Addition to Industrial Park, is hereby vacated as follows:

The east 15 feet of Lots 1, 2, 3, Block 1, Second Addition to Industrial Park and the west 15 feet of Lots 8, 9, 10, Block 1, Second Addition to Industrial Park

SECTION 2. The vacation of the aforementioned portion of the dedicated public drainage easement shall not take effect unless and until the Petitioner has sold the lots burdened by the easement to FedEx and, in turn, FedEx has received the City Engineer's approval of the Project's Final Site, Grading, and Storm-water Management Plans.

SECTION 3. The City Clerk is hereby authorized and directed to publish the passage of this ordinance according to law; however, the Clerk shall take no action to record a duly certified copy of this Ordinance in the office of the County Recorder for Beltrami County, Minnesota, unless and until the conditions described in Section 2 above are satisfied.

SECTION 3. This Ordinance shall become effective only upon satisfaction of the conditions set forth in Section 2 and the Ordinance is recorded pursuant to Section 3, and in no case sooner than thirty (30) days after publication.

Ayes:
Nays:
Absent:

First Reading:
Second Reading:
Final Reading:

ATTEST:

APPROVED: