

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – February 1, 2010

Pursuant to due call and notice, a regular meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, February 1, 2010 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

Upon roll call, the following Councilmembers were declared present: Lehmann, Waldhausen, Johnson, Hellquist, Downs, Negard, Meuers

Staff Present: City Manager John Chatten, City Attorney Alan Felix, City Engineer Craig Gray, Finance Director Ron Eischens, Fire Chief Dave Hoefer, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

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

MINUTES

Minutes of the January 19, 2010 regular meeting and January 29, 2010 work session were presented for approval. **Motion by Downs, 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 Downs, to approve the Consent Agenda items as follows:**

1. Claims submitted by the Finance Officer in the total amount of \$186,835.43
2. Miscellaneous 2010 Business License Renewals
3. 1 day Temporary Consumption & Display Permit – BSU Alumni on 2/19/2010
4. Commercial Property Lease with 3B Rentals LLC
5. Council Travel Authorization – Parks & Trails Day at the Capitol, Feb. 23 - Downs

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Stiina Stocker, BYA representative, stated that the BYA is finalizing their plans for a winter youth rally on February 19 with the Boys & Girls Club. In addition, they are working on a Youth Assessment of Bemidji. This assessment will be a report card on the City of Bemidji viewed by the youth in our community.

BSU Student Senate - Leo Clark, Co-Chair, stated that the college students would be interested in partnering with the BYAC regarding the Youth Assessment. The Student Senate continues to work on environmental stewardship at the campus, educating students on Census and other activities. He stated his personal mission is to see improvements to the “white” tunnels at BSU.

PRESENTATION

Fire Chief Dave Hoefer presented the 2009 Annual Fire Report. The department protects 522 square miles with an estimated population of 35,000. In 2009 the department responded to 2,600 calls for service. This included 77 fires, 95 rescues, 687 emergency medical responses and 1,371 airport standbys. Responses within the City totaled 2,427 and 173 were in the rural service area. He noted that department members spent 1,870 hours on numerous training topics in 2009.

NEW BUSINESS

Fund Balance Policy

Finance Director Eischens stated that the City has long held the position that general fund balances should be sufficient to cover 50 percent of the subsequent year’s budgeted expenses. However, a formal written policy on this matter has not been adopted. He recommended that the Council formalize past City practice regarding fund balance by adopting a policy.

Motion by Hellquist, seconded by Johnson, to adopt the formal Fund Balance Policy, as presented. Motion carried unanimously.

Comparable Cities for Springsted Study

Chattin reviewed the proposed cities for the compensation study being prepared by Springsted Study. He stated that the Labor Management Committee reviewed the proposed list from the last compensation study, Coalition of Greater Minnesota Cities and Springsted and recommended a list of 18 cities for the Council's consideration.

Hellquist noted that Virginia and Hibbing both receive taconite aid and questioned those cities as comparables.

Motion by Hellquist, seconded by Meuers, to approve the Labor Management Committee's recommendation except for the cities of Hibbing and Virginia. Motion carried unanimously.

Annexation

Tim Mountain, Northern Town Board, requested the Council reconsider their action to annex at this time. Mountain stated that the township does not oppose the annexation plans, but would rather the City annex all or none of the property. He stated that the Township does not want to be "fractured". He referred to a letter to the Council from the Town Board which stated that the Board has a strong concern with the Council's plan to proceed forward without including seven properties in the Phase I annexation. Furthermore, it stated that the contested assessments in the Birchmont project have created a situation where it is to the benefit of all parties to delay the first stage of the orderly annexation agreement until all assessments impacted by possible annexation have been resolved.

City Attorney Felix stated that his interpretation of the agreement is that it is legal for the city to move forward on all but the seven properties, but recognized that Northern Township is facing a significant reassessment process. This process will involve appraisal fees in addition to the ongoing legal fees Northern Township is accumulating. Felix stated that the hope by the Township is to reassess those added costs to those property owners who appealed the original assessment. However, if that is not possible, Northern Township would raise those funds through a township-wide tax levy. If the City annexes in all properties eligible, that would leave Northern Township with a smaller pool of taxable properties.

Negard commented that City staff, in particular the manager, engineer, finance director and attorney have advised against annexation at this time and questioned why the council was not taking their advice.

Council discussed the possibility of renegotiation of the pay structure established in the orderly annexation. Council directed the City Clerk to arrange a special meeting on Tuesday, February 9 at 6 p.m. with Northern and Bemidji Townships, if agreeable, to discuss the annexation.

ORDINANCES

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending an Uncoded Section of Bemidji City Code Pertaining to Street Vacation (Citizens State Bank). Mayor Lehmann opened the Public Hearing at 8:10 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Street Vacation (Citizens State Bank) was given a second reading.

ORDINANCE NO. 51, 3RD SERIES, AN ORDINANCE Amending Chapter 12, Article XIII of the Bemidji City Relating to Massage Establishments was given a final reading and passed by unanimous vote.

EVENT CENTER UPDATE

Seating Bid

Chattin stated that the low bidder will have chairs available at the next regular Council meeting and the Council will consider awarding the bid at that meeting.

Change Orders

Gerry Domino provided an update on the progress at the event center site noting that the project is on schedule. Steve Parker, Leo A Daly, was present to answer Council questions regarding the proposed change orders.

Motion by Hellquist, seconded by Waldhausen, to approve the Change Orders in the amount of \$26,452.63 for the Event Center project. Motion carried with the following vote: Ayes: Lehmann, Waldhausen, Hellquist, Johnson, Negard, Downs. Nays: Meuers.

LIBRARIAN’S REPORT

Paul Ericsson, Branch Manager, stated that activities at the library continue thanks to a Legacy Amendment Grant. He revised plans for the first annual book festival in Bemidji, August 9-14. He introduced Barb Treat who will be the Bemidji Public Library Book Festival Event Coordinator. It is a contract worker position (not a regular employee), hired by the Region and fully funded by the Legacy Amendment funds.

CITIZEN NOT ON AGENDA

No one appeared.

UPCOMING COUNCIL MEETINGS

- Monday, February 8 5:30 p.m. Work Session – Parks & Trails Priorities
- Tuesday, February 16 6:00 p.m. Special Work Session – BREC Scoreboard
- Tuesday, February 16 7:00 p.m. Council Meeting
- Monday, February 22 5:30 p.m. Work Session - TBD

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Waldhausen noted that the Sustainability Committee’s regular meeting is the first Wednesday of each month at 6:30 p.m.
- Johnson commented that Chat-A-Bout can be pre-recorded which may allow other Councilors to participate in the program.
- Gray updated the Council on the street light situation on the Mississippi River Bridge and along Bemidji Avenue.
- Chattin stated that he is working with the CGMC regarding a response to the Governor’s comments regarding Bemidji. There will be a press conference at City Hall on Thursday, February 11.

ADJOURN

There being no further business, motion by Waldhausen, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 9:10 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk