

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – May 2, 2011

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, May 2, 2011 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, City Engineer Craig Gray, Finance Director Ron Eischens, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Larson called for any amendments to the agenda. The following item was requested by the City Clerk to be added to the agenda: Authorization to Publish a Summary of the Ordinance Amending the City Code prohibiting Skateboard Use on the City's Sanford Center property. **Motion by Waldhausen, seconded by Thomspson, to approve the agenda as amended. Motion carried by unanimous vote.**

MINUTES

Minutes of the April 18 regular meeting and April 25 work session were presented for approval. **Motion by Johnson, seconded by Thompson, 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 Negard, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of \$485,560.15
2. Claims Submitted by the Sanford Center in the amount of \$284,768.05
3. Miscellaneous Business License Renewals for 2011
4. **RESOLUTION NO. 5691:** Approving the Site for the 2011 Jaycees July 4th Celebration
5. 1-4 Day Temporary On-Sale Liquor License – Jaycees July 4th Celebration (July 1-4)
6. 1 Day Temporary On-Sale 3.2 Malt Liquor License – Jaycees (June 30)
7. Letter of Support for BSU as Host Site for Mn Green Corp
8. Waived Permit Fees in the amount of \$1,324 for Habitat for Humanity House at 1220 Irvine Avenue NW
9. **RESOLUTION NO. 5692:** Approving State of Minnesota Joint Powers Agreements with the City of Bemidji on behalf of its Attorney and Police Department
10. Travel Authorization to attend MnDOT Transportation Steering Committee Meeting in St. Cloud on May 6- Albrecht
11. Travel Authorization – CGMC Lobby Day - May 11 – St. Paul - Johnson

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

Jeremiah Liend, Upstream TV, wondered if Upstream TV would be on the Public Affairs Committee meeting scheduled in May.

Councilmember Johnson stated that the purpose of the Public Affairs Committee meeting was to discuss the City's plans to upgrade the government access channel and associated cost.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Lilly Heltzer, BYA representative, updated the Council on the June 7 event planning and other Commission activities.

BSU Student Senate – Michael Meehlhause, Senate Co-Chair, reported on upcoming commencements at the Sanford Center. Charlie Woodson and David Andrade introduced themselves and will be the Senate Co-Chairs for the 2011-2012 school year.

PUBLIC HEARING**NPDES Permit - Storm Water Pollution Prevention Program (SWPPP)**

City Engineer Gray noted that 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 council and allow the public to make oral and/or written comments. He noted that the permit requires that over the 5-year life of the permit, the city address the following 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 and redevelopment; and 6) pollution prevention/good housekeeping for municipal operations. He stated that the city has accomplished a number of items over the past year; in particular, 1,100 miles (561 hours) of street sweeping, 110 structures with sumps were cleaned of sediment with a total of 15-20 cubic yards of accumulated material, and constructed a 24,000 SF storm water pond to detain water at the City Park.

Pursuant to published notice a public hearing was held regarding input regarding the NPDES Permit - Storm Water Pollution Prevention Program (SWPPP). Mayor Larson opened the Public Hearing at 7:13 p.m. and hearing no comments closed.

NEW BUSINESS**Industrial Park Street Lights (City Project #11-07)**

Gray stated that the lights in the Industrial Park were installed in 1979 and close to half of them are not working. City staff has, in the past, attempted to perform makeshift wiring repairs on the system to get some of the lights working. Gray stated that he hired an electrical engineer and an electrician to investigate the situation and report back on the problem and what could be done. He reviewed a proposal from Cory Vaughn, EAPC Architects, for the required design work. The proposal is for a fee up to \$5,000 to prepare construction drawings and specifications for the necessary repair work. The estimated construction cost of the project is \$50,000. However, it is impossible to know until the work begins the true extent of the problem and thus project costs. Gray noted that the \$50,000 project does not include replacing all of the existing 1979 wiring with new conduit and wiring. It is just an estimate to repair the lights that are not working. To replace all of the 1979 wiring would cost an estimated \$125,000-\$150,000. Gray recommended that the Council allocate \$60,000 at this time. He stated that the project is not in the 2011 budget and financing for the project would have to come from General Fund Reserves.

Mayor Larson noted that he would be abstaining from any vote as his firm, EAPC Architects, is designing the project.

Motion by Hellquist, second by Thompson, authorizing the City Engineer to prepare Plans and Specifications and Advertise for Bids for the Industrial Park Street Light Project (#11-07) with project cost not to exceed \$60,000 utilizing general fund reserves. RESOLUTION NO. 5693: Authorizing a Contract with EAPC Architects Engineers for professional services in an amount not to exceed \$5,000. Motion carried with the following vote: Ayes: Negard, Hellquist, Johnson, Albrecht, Thompson, Waldhausen. Abstain: Larson.

State Gambling

Councilmember Albrecht stated that the request for the Resolution regarding expansion of gambling in the State came from the Executive Director of the Leech Lake Band of Ojibwe. Albrecht stated she is employed by the Leech Lake Band of Ojibwe and recused herself from the discussion. At this time, Albrecht stepped down from the Council table.

A Resolution in Support of Leech Lake Band of Ojibwe in its Opposition to Expand Gambling in the State of Minnesota was offered by Councilmember Thompson. Motion died due to lack of a second.

Councilmember Albrecht returned to her place at the Council table.

ORDINANCES

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending an Uncoded Section of Bemidji City Code Pertaining to Alley Vacation (St. Philip's Church). Mayor Larson opened the Public Hearing at 7:28 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Alley Vacation (St. Philip's Church) was given a second reading.

ORDINANCE NO. 63, 3RD SERIES, AN ORDINANCE Amending Chapter 24, Sec. 24-52 regarding Use of skateboards, roller skates and roller blades prohibiting the use on the City of Bemidji's Sanford Center property was given a final reading and passed by unanimous vote.

Motion by Waldhausen, seconded by Negard, approving publication of a summary of Ordinance No. 63, 3rd Series. Motion carried unanimously.

LIBRARIAN'S REPORT

Paul Ericsson, Branch Manager, reported on behavior at the library noting that there has been a decrease in use of personal cell phones. He then reviewed May library events.

UPCOMING COUNCIL MEETINGS

- Tuesday, May 3 5:00 p.m. Annual Board of Review
- Monday, May 9 5:30 p.m. Work Session – TBD
- Monday, May 16 7:00 p.m. Council Meeting
- Monday, May 23 5:30 p.m. Special Work Session – Sanford Center
Close-out (if ready)

COUNCIL/STAFF REPORT

- Chattin confirmed that Kraus-Anderson and Leo A Daly are preparing to close-out the Sanford Center at the Council's Special Work Session on May 23.
- Council members provided updates on current events and meetings.
- Felix reported that the placement of solar panels at the Sanford Center would trigger a review by the State. Eischens stated he has been in contact with the State regarding the grant and eligible costs for the solar panel project and will report back when he gets answers.

ADJOURN

There being no further business, motion by Thompson, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk