

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – August 3, 2009

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, August 3, 2009 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 Chattin, City Attorney Alan Felix, Finance Director Ron Eischens, Public Works Director Craig Gray, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Lehmann called for any amendments to the agenda.

- Resolution Approving Temporary Off-Premises Liquor Permits and Street/Sidewalk Closures for 2009 BSU Homecoming

Motion by Downs, seconded by Johnson, to approve the agenda as amended. Motion carried by unanimous vote.

MINUTES

Minutes of the July 20, 2009 regular meeting were presented for approval. Hellquist asked for a correction on Page 8 of the minutes to reflect the following: "Hellquist asked what would have happened if the vote had not passed. Chattin responded that most of the work had been completed and reviewed by staff with Kraus Anderson."

Motion by Waldhausen, seconded by Negard, to approve the minutes as amended. 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 \$1,178,060
2. Miscellaneous 2009 Business License Renewal(s)
3. One Day Temporary Consumption & Display Permit – Headwaters School of Music & Arts on August 28, 2009
4. **RESOLUTION NO. 5570:** Approving the Temporary Off-Premises Liquor Permit for Nymore Days – September 4 at Corner Bar
5. **RESOLUTION NO. 5571:** Authorizing Signatories on Minnesota State Patrol Grant programs
6. **RESOLUTION NO. 5572:** Supporting Ours to Serve House of Hospitality Application for Financial Assistance with the USDA Rural Development
7. **RESOLUTION NO. 5573:** Authorizing an Agreement with State Transportation for Grant Funds (Irving Loop Access Road – Project #05-01)
8. **RESOLUTION NO. 5574:** Approving Temporary Off-Premises Liquor Permits and Street/Sidewalk Closures for 2009 BSU Homecoming

Motion carried by unanimous vote.

NEW BUSINESS

Parking Lot No. 3 (Project No. 09-01)

Gray stated that the City held a bid opening for the Parking Lot No. 3 project and four bids were received. The low bid from Reierson Construction in the amount of \$98,263.90 is \$1,800 less than the estimate. In addition to the reconstruction of the parking lot, it includes a new security light and landscaping of a center island. Funding for the project comes from the Parking Development Fund.

Motion by Johnson, seconded by Hellquist, awarding the bid for the Parking Lot No. 3 reconstruction to Reierson Construction of Bemidji in the amount of \$98,263.90.

Motion carried with the following vote: Ayes: Waldhausen, Negard, Hellquist, Lehmann, Johnson. Nays: Meuers, Downs.

Left Turn Lane on Irvine Avenue at 7th Street

Gray stated that at the time the Council reviewed the traffic striping on Irvine Avenue questions came up on whether or not to include a left turn lane on 7th Street. He stated that this is the main entrance to the County complex and there is a significant amount of left turning traffic from southbound Irvine Avenue. Paul Bunyan Transit estimates that there are 40-50 daily bus trips that utilize this intersection alone and a left turn lane would remove these buses from the roadway, thereby reducing traffic delays and the risk of rear-end collisions at this intersection.

Mayor Lehmann noted that the homes on the west side of Irvine Avenue have alley access and on the east side there is Northland Apartments and Parking Lot No. 9.

Motion by Meuers, seconded by Johnson, approving the left turn lane at 7th Street on Irvine Avenue. In addition, “no parking” signs are to be posted between 6th Street and 8th Street on Irvine. Motion carried unanimously.

Joint Powers Agreement with Kitchigami Regional Library

Chattin stated that the revised Joint Powers Agreement for the Kitchigami Regional Library System is a culmination of the process and efforts of the KRL Board to address member concerns and to strengthen and support library services. Chattin further stated that the revised Agreement improves the City and County positions and is to our advantage.

Marilyn Heltzer, Library Board member, encouraged the City to adopt the revised Joint Powers Agreement.

Motion by Negard, seconded by Meuers, approving the revised Joint Powers Agreement with Kitchigami Regional Library. Motion carried unanimously.

OLD BUSINESS

Plans and Specs for City Park and Authorize Bids

Marcia Larson, Parks & Recreation Director, stated that the bid package involves construction of softball fields that would begin this fall to establish the turf, including demolition, seeding, and irrigation. In the spring of 2010, the second bid package will come before the Council. Larson stated that relocation of the baseball field is still under discussion to find the best location to serve the community and the baseball association.

Negard inquired about the status of fundraising for a skateboard park.

Larson responded that the group has been working hard raising funds and will be meeting with the Parks & Trails Commission in October and to date has raised approximately \$315,000.

Motion by Meuers, seconded by Waldhausen, approving the plans and specifications and authorizing the advertisement for bids for City Park improvements. Motion carried unanimously.

ORDINANCES

ORDINANCE NO. 40, 3RD SERIES, AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Street and Alley Vacation (Bemidji State University) was given a final reading and passed by unanimous vote.

Vacation – Amundson-Halper

Felix stated that this vacation involves a companion vacation with Frohn Township. Felix stated that Frohn Township needs to have concurrent action to formally record their motion from 1993. Similarly, there needs to be an easement from the property owner to Frohn Township for the “t” turnaround. Mr. Amundson is working on getting these items resolved. Felix stated he feels confident that this will happen and the Council can proceed with the final reading.

ORDINANCE NO. 41, 3RD SERIES, AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Street and Utility Easement Vacations (Portions of River Park Court NE – Halper-Amundson) was given a final reading and passed by unanimous vote.

ORDINANCE NO. 42, 3RD SERIES, AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Street Vacation (Nymore Beach Road) was given a final reading and passed by unanimous vote.

Moratorium on Rentals

Lehmann commented that he has been a renter of both apartments and homes. He believed that most renters are responsible and hopefully will maintain the home they rent as their own. He suggested that perhaps the City needs to encourage those that rent to treat their rental as if they own it and take care of it in that manner.

Meuers stated that the rental situation deserves attention but a moratorium could be too expensive for property owners. Meuers stated that she was in favor of a study.

Johnson stated that the moratorium could be for two days not necessarily 18 months. It is more complex than just involving the renters and enforcement. He stated that the City would be better off by “shutting down” new rental properties to study the moratorium. The HRDC is available to reclaim property and assist with the process. He stated that the most compelling testimony he heard was from Joanne Henningsgard, who lives in a neighborhood full of rentals, and at one point in the past was in support of rental density or a rental moratorium that she is now “on the fence” and if she does have to sell her home believes she will have to sell it to a landlord because of the high rental occupancy in her neighborhood.

Negard stated that something needs to be done but does not feel that the time is right for a moratorium. He stated that approximately 1,000 jobs are coming into our community with Enbridge which will require places to live. He commented that he believed that the City can get what needs to be done without a moratorium.

Waldhausen stated that he has spoken to many Ward 1 residents that are in support of the moratorium, including BSU students. He stated that Ward 1 is in a crisis situation and Wards 2 and 3 are close behind. He strongly supports the moratorium and commented that it is very difficult to do an accurate study if the variables are constantly changing. He stated that he has several citizens, including BSU students, that are interested in serving on a committee.

Mayor Lehmann recommended a committee be formed without doing a moratorium.

Waldhausen stated that whether the moratorium is passed or not a comprehensive study needs to be done on the rental issue.

Final Reading of Interim Ordinance Establishing a Temporary Moratorium on the Issuance of New Rental Registration Licenses for Single Family Homes within the City of Bemidji failed with the following vote: Ayes: Waldhausen, Hellquist, Johnson. Nays: Lehmann, Meuers, Negard, Downs.

Motion by Meuers, seconded by Waldhausen, recommending that Waldhausen, Downs, Johnson serve on a Rental Committee. Motion carried unanimously.

LIBRARIAN’S REPORT

Paul Ericsson, Branch Librarian, reported on current activities at the library. He stated that there has been a great turnout for reading by youth at the library this summer. The annual library book sale begins on Tuesday, August 11 at the Bemidji Armory.

CITIZENS NOT ON AGENDA

No one appeared.

UPCOMING MEETINGS

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|---------------------------|-----------|----------------------------|
| • Monday, August 10 | 5:30 p.m. | Work Session – 2010 Budget |
| • Monday, August 17 | 7:00 p.m. | Council Meeting |
| • Monday, August 24 | 5:30 p.m. | Work Session – Annexation |
| • <u>Tuesday, Sept. 8</u> | 7:00 p.m. | Council Meeting |

COUNCIL/STAFF REPORT

- Johnson highlighted the CGMC Conference and attended the town meeting. The conference focused on LGA and a push to restore or limit the LGA cuts. They also discussed social networking and using Facebook or Twitter.
- Negard noted that with all the events at the waterfront this weekend Parking Lot No. 3 was full with a total of 51 cars parked in the lot. He stated that the loss of parking spots are not as much as believed, as the new design will allow 48 vehicles. Paul Bunyan

Transit will be escorting Congressman Oberstar on August 6 to take a look at the Irvine Avenue project.

- Waldhausen highlighted all the events that happened in the Bemidji area in the past weekend. He stated that the Boys & Girls Club now offers a teen night on Thursday evenings.
- Hellquist reported on the CGMC Conference noting that the sessions were different than those at the LMC Conference which was a nice contrast.
- Meuers reported that at a recent Race Relations meeting they heard a report on the Shared Visions; specifically, the Ojibwa signage that is now appearing in the community.
- Downs congratulated the winner of the Birchmont Open Golf Tournament, Tom Jenkins, who lives in the area. He commented that the 5th Annual Paul Bunyan Trail ride is on Thursday, August 6 at 1:00 p.m. with many representatives attending, including Congressman Oberstar. A reception will conclude the ride at the Hampton Inn at 4:30 p.m.
- Lehmann reported that Bemidji will be hosting the speed skating championship in Bemidji for the third year in a row. Lehmann highlighted upcoming events in the community including the National Night Out on August 4, Depot Days on August 8 and Relay for Life on August 8. Lehmann commented that Waldhausen is on the Sustainability Committee and it is time get that committee going.
- Gray provided an update on the status of current engineering projects.
- Chattin reported that a committee interviewed the first three candidates for the Event Center general manager position. The first three candidates were from Venue Works and tomorrow they will interview three candidates from Global Spectrum. The committee will be bringing a recommendation to the Council at a later council meeting.

ADJOURN

There being no further business, motion by Downs, seconded by Waldhausen, to adjourn the meeting. Motion carried. Meeting adjourned at 8:11 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk