

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – June 21, 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, June 21, 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, Negard Absent: Meuers, Downs

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

AMENDMENTS TO AGENDA

Mayor Lehmann called for any amendments to the agenda. The following items were requested to be added to the agenda:

- Reapportionment of Special Assessments for 1826 Anne Street NW (Tieglund)
- Waiver of Release/Hold Harmless Agreement – Freedom Defenders Veterans Memorial Board

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

MINUTES

Minutes of the June 7, 2010 regular meeting were presented for approval. **Motion by Johnson, 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 Waldhausen, seconded by Hellquist, to approve the Consent Agenda items as follows:**

1. Claims submitted by the Finance Officer in the total amount of \$3,863,992.69
2. Miscellaneous 2010 Business License Renewals
3. Awarded quote for design and installation of Variable Frequency Drives to Automatic Systems Company (\$31,962.03)
4. Awarded bid for demolition of buildings at 209 7th Street NW to Gary Skime (\$6,327)
5. Approved purchase of portable radios for Fire Department to Roger's Two Way Radio (\$34,659.56)
6. Approved reapportionment of special assessments for 1826 Anne Street NW (Parcel Nos. 80.05535.00 and 80.05536.00) (Tieglund)

Motion carried by unanimous vote.

COMMITTEE REPORT(S)

Bemidji Youth Advisory Commission – Waldhausen stated that the Youth Advisory Commission had their last meeting for the school year. They discussed the June 7 event and it was noted that there were no incidents. In addition, the Commission has elected officers for the upcoming school year. Waldhausen reported that the Commission has the highest number of students interested in participating in the Commission.

OLD BUSINESS

Pine Haven Townhomes

Mayor Lehmann stated that at the June 7 Council meeting, the Council took no action on specifying either building permit or WAC/SAC fee subsidies. The Council should consider either rescinding the Resolution adopted on May 17, 2010 or consider what portion of the building permit fees and SAC/WAC fees that the City would donate.

Bill Reinke, representing Pine Haven Townhomes, stated that their application to MHFA will score better if the City contributes to the project. He further noted that a split between building permit fees and SAC/WAC fees was good.

Waldhausen commented that a small investment by the City gets us closer to fulfilling a need in our community. Discussion continued regarding the City Council priorities.

Motion by Hellquist, seconded by Waldhausen, to approve a reduction of \$8,389.30 for the Pine Haven Townhomes fees for building permit (\$2,406.80) and SAC/WAC (\$5,982.50) based on the findings that the project provides low to moderate income housing in our community. Motion carried unanimously.

NEW BUSINESS

Upstream TV

Johnson reviewed Upstream TV's request for a community access channel. He stated that the Public Affairs Committee has met several times with Upstream TV representatives. He commented that the City has accumulated the funds to purchase the needed equipment to upgrade its government access channel and get it into the 20th century and into the digital age. He noted that PEG fees cannot be used to cover the cost of staff. Johnson stated that the City's goal has been to develop its governmental access channel and then add public access.

Jeremiah Liend, 9821 Peace Lane, stated that Upstream TV has 501C(3) project status. He stated that there are grants available for programming that they can get as 501(3) that would not be available otherwise.

Mike Bredon, 223 29th Street, commented that the public should have the same abilities as the City to air content.

Motion by Johnson, seconded by Negard, to table the request for one month to see if the city could find partners that would allow it to hire a employee who would be dedicated to improving the government channel along with developing a public access channel. Motion failed with the following vote: Ayes: Johnson, Negard. Nays: Lehmann, Hellquist, Waldhausen.

Motion by Hellquist, seconded by Waldhausen, authorizing staff to work with Bob Vose, Kennedy & Graven, to develop a six month contract with Upstream TV for a public access channel. Furthermore, said contract could be cancelled if the Council did not feel Upstream TV was providing services as envisioned. Motion carried unanimously.

Committee Staff Support

Waldhausen stated he would like the opportunity to meet with the Heritage Preservation Commission and Sustainability Committee regarding staff support which includes posting the agenda and taking minutes. He stated that the Chair of the Heritage Preservation Commission is opposed to eliminating staff support.

Motion by Waldhausen, seconded by Negard, to table the discussion regarding staff support at commissions/committees until the July 19 Council meeting. Motion carried unanimously.

FF & E – BREC

Motion by Hellquist, seconded by Johnson, to award the bid for FF&E - Food and Beverage - Kitchen and Concession Equipment to Direct South, Inc., Buford, GA in the amount of \$435,545. Motion carried unanimously.

Freedom Defender's Request

Chattin reviewed a request from Lee Coe, Chairperson – Freedom Defenders Veterans Memorial Board. He stated that they are requesting that the City waive the liability insurance requirement which would cost approximately \$500 and would cut into the funds that they hope to raise for the Freedom Defender Memorial maintenance.

Discussion continued regarding the requirement and if the City had a policy. Felix responded that there currently is no written policy; however, the League of Minnesota Cities provides insurance coverage (TULIP) which may be affordable. Council directed staff to develop a policy regarding liability insurance requirements for events on city property.

Motion by Hellquist, seconded by Johnson, waiving the liability insurance requirement for the fundraising event on City property by the Freedom Defenders Veterans Memorial Board on July 25, 2010. Motion carried unanimously.

ORDINANCES

Liquor Amendment

Motion by Hellquist, seconded by Waldhausen, to continue the 3rd reading and directing staff to provide language for the Council’s consideration which would limit the number of liquor licenses issued. Motion carried unanimously.

AN ORDINANCE Amending the City of Bemidji Council-Manager Charter Section 4.02 (Primary Election) of the Bemidji City Charter to reflect recent Legislative Change of Primary Election Date was given a first reading.

EVENT CENTER UPDATE

Gerry Domino provided an update on the progress at the event center site noting that the building is 85% complete. The BSU area is 98% done with a few minor items to complete. All curbs and sidewalks are 99% complete with a few minor spots to finish. Work on the Terrazzo floor in the concourse has begun and there will not be any tours of the BREC for 4 to 6 weeks.

Motion by Hellquist, seconded by Johnson, to approve the Change Orders in the amount of \$79,010.17 for the Event Center project. Motion carried by unanimous vote.

CITIZEN NOT ON AGENDA

No one appeared.

UPCOMING COUNCIL MEETINGS

- Monday, June 28 5:30 p.m. Work Session – Springsted-Job Study
- Tuesday, July 6 7:00 p.m. Council Meeting
- Monday, July 12 5:30 p.m. Work Session – Audit Presentation

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

ADJOURN

There being no further business, motion by Johnson, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 8:46 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk