

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### Regular Meeting – January 19, 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 Tuesday, January 19, 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, Meuers Absent: Negard, Downs

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 Lehmann called for any amendments to the agenda. The following item was requested to be added to the agenda:

- Authorize Engineering & Design Services for Paul Bunyan Trail Bridge over TH197

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

#### **MINUTES**

Minutes of the January 4, 2010 regular meeting, January 4, 2010 BEDA meeting and January 11, 2010 work session were presented for approval. **Motion by Johnson, seconded by Meuers, to approve the minutes as presented. Motion carried by unanimous vote.**

#### **CONSENT AGENDA**

The following Consent Agenda items were presented for approval. Waldhausen requested the item regarding Commission/Committee Appointments/Reappointments for 2010 be moved to New Business for discussion. **Motion by Waldhausen, seconded by Johnson, to approve the Consent Agenda items as follows:**

1. Claims submitted by the Finance Officer in the total amount of \$21,488,256.99
2. Miscellaneous 2010 Business License Renewals
3. Authorized Council Travel – CGMC Legislative Day, 2-17-10 St. Paul – Johnson
4. Approved a Memorandum of Understanding with Beltrami County – Paul Bunyan Drive Overlay Project

**Motion carried by unanimous vote.**

#### **COMMITTEE REPORTS**

Bemidji Youth Advisory Commission – Kaija Roy, BYA representative, provided an update on the BYAC's upcoming activities.

BSU Student Senate – Waldhausen stated that BSU classes have resumed and the Student Senate will be meeting on January 20.

#### **NEW BUSINESS**

##### 2010 Renewal Projects

Gray stated that the Council authorized a feasibility report on the proposed 2010 Street Renewal project on October 5, 2009. Using a combination of bond funds, utility funds and assessments this project will reconstruct approximately one mile of city streets. The streets were selected due to the poor condition of the bituminous surfacing, poor stormwater surface drainage and the age and deterioration of some of the existing underground utility mains. Portions of Park, Grant and Scott Avenues currently have no bituminous surface and are dirt streets.

Mayor Lehmann noted that three letters were received from residents that will be affected with the assessments.

**RESOLUTION NO. 5613: Accepting Feasibility Report and Calling for a Public Hearing on 2010 Street Renewal Project (City Project #10-01) was offered by Councilmember Waldhausen who moved its adoption, and upon due second by Councilmember Johnson was passed by unanimous vote.**

Bada Bing’s Liquor License

Felix stated that City staff is requesting the Council consider suspension of the on-sale liquor license recently renewed by the Bada Bing Restaurant. The request is due to a recent law enforcement response on January 3 and other concerns. Per the City Code the Council may, in its sole discretion and for reasonable cause, revoke or suspend, for a period not to exceed 60 days, any on-sale liquor license granted. However, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing before the Council. Such hearing shall be called by the Council upon written notice to the licensee not less than 15 days nor more than 30 days prior to the hearing date. Felix further noted that the restaurant has outstanding unresolved building code and Department of Health violations.

**Motion by Meuers, seconded by Hellquist, setting a public hearing before the Council on February 16 to consider possible suspension of the on-sale liquor license for Bada Bing Restaurant, and notify licensee accordingly. Motion carried unanimously.**

Annual Appointments

Council noted a few minor corrections.

**Motion by Waldhausen, seconded by Meuers, to approve the annual Commission/Committee Appointments/Reappointments as corrected. Motion carried unanimously.**

ORDINANCES

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

Mayor Lehmann reopened the Public Hearing of an Ordinance Amending Chapter 12, Article XIII of the Bemidji City Code Relating to Massage Establishments at 7:45 p.m., hearing no comments the public hearing was closed.

**Motion by Hellquist, seconded by Waldhausen, accepting the additional changes to the proposed ordinance. Motion carried unanimously.**

**AN ORDINANCE** Amending Chapter 12, Article XIII of the Bemidji City Relating to Massage Establishments was given a second reading.

**ORDINANCE NO. 50, 3<sup>RD</sup> SERIES**, AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Alley Vacation (Lindsey Request) was given a final reading and passed by unanimous vote.

CITIZEN NOT ON AGENDA

- Vincent Vonhout, Upstream TV, asked if Mr. Felix could visit with him after the meeting. Felix agreed.

UPCOMING MEETINGS

- Monday, January 25 5:30 p.m. Work Session – Annexation
- Monday, February 1 7:00 p.m. Council Meeting
- Monday, February 8 5:30 p.m. Work Session – TBD
- Tuesday, February 16 7:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Councilmember Johnson agreed to appear on the February Chat-A-Bout.
- Mayor Lehmann stated that in light of the termination of the City’s Community Development Director he would like the Council to consider utilizing the JEDC to market the south shore area.
- Waldhausen stated that the Boys & Girls Club will be having a strategic planning meeting. Recently, the Boys & Girls Club added transportation from Lincoln School to the Club. This has been very successful. The Parks & Trails Commission continues to work on the proposed Ridgeway Park with the Hospital. Potential partners for that park are Bemidji Area Tennis Association and Bemidji Baseball.

- Hellquist reported on the annual DDA meeting.
- Gray stated that the 2010 Renewal Project neighborhood meeting for those properties affected is scheduled for Thursday, January 21 at 7:00 p.m. in City Hall.

**ADJOURN**

There being no further business, motion by Meuers, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:15 p.m.

Respectfully submitted,



Kay M. Murphy  
City Clerk