

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

March 7, 2005

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, March 7, 2005, at 7:00 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

Upon roll call, the following Councilmembers were declared present: Downs, Markeson, Lehmann, Meuers, Hellquist, Johnson. Absent: Erickson.

AMENDMENTS TO AGENDA:

Lehmann called for any amendments to the agenda. There being no amendments, motion by Meuers, second by Downs to approve the agenda as presented. Motion carried by unanimous vote.

MINUTES:

Minutes of the February 22, 2005 Regular meeting were presented for approval. Motion by Downs, second by Hellquist, to approve the minutes as presented. Motion carried by unanimous vote.

CONSENT AGENDA:

The following Consent Agenda items were presented for approval. A correction on the bill list was noted, #34 should read \$1,970.00, instead of \$11,970.00. Motion by Johnson, second by Downs, to approve the following Consent Agenda items with the correction noted.

1. Approved Claims submitted by the finance officer.
2. Approved Miscellaneous Business Licenses
3. Approved **Resolution No. 5209** Authorizing Use of the Waterfront for Fishing Has No Boundaries
4. Approved **Resolution No. 5210** Authorizing Use of the Waterfront for Jaycees 2005 July 4th Celebration
5. Approved Appointment of Diane Morey to HRA Board
6. Approved Travel for Councilmember Meuers to Attend the 2005 Land Use Planning Work Shop in Little Falls on March 31, 2005
7. Approved Travel for Council members to Attend the 2005 State of the Cities Legislative Conference in St. Paul on March 31, 2005
8. Approved **Resolution No. 5211** Accepting Feasibility Report on City Project #05-06, (Extension of Utilities to Bardwell Park area) and Establishing a Public Hearing Date – April 4, 2005
9. Approved **Resolution No. 5212** Accepting Feasibility Report on City Project #05-04, (Extension of Utilities to Supreme Estates/Senger Subdivision) and Establishing a Public Hearing Date – April 4, 2005

Motion carried by unanimous vote.

COMMITTEE REPORTS:

Bemidji Youth Advisory Commission

No report.

BSU Student Council

Jake Overgaard discussed parking issues at BSU. Johnson observed that many of the parking in lots are used by employees not students.

Oak Hills Student Senate

No report.

PURCHASE OF BROADCASTING EQUIPMENT FROM CHARTER COMMUNICATIONS AND PAUL BUNYAN TELEPHONE

The Public Relations Committee met on March 1 to discuss the steps necessary to move forward on the proposed takeover of the cable access channel to broadcast from City Hall. The following "action items" were identified:

- Timeline – target date end of April to middle of May, 2005
- Support personnel to manage operations. City staff is currently working on a job description. Volunteer help may also be needed.
- Find a location at City Hall to house the equipment.
- Equipment purchase: Prices for used equipment were received from Paul Bunyan Telephone and Charter Communications. Committee members researched equipment costs and found the quoted prices to be competitive. Charter Communications offered to install their equipment at no cost while Paul Bunyan Telephone would do the installation of their equipment for \$500.

The committee recommended purchase of both systems with the intent of blending the good features of each system to make one assembly. Johnson noted that Paul Bunyan Telephone's equipment is newer and more efficient for broadcasting purposes, but they do not have a character generator. Charter Communications has a new character generator and some older cameras, which would be used for back up.

Motion by Downs, second by Johnson, authorizing the City Manager to negotiate a purchase price with Paul Bunyan Telephone and Charter Communications to purchase the equipment, providing that the price falls within the City Manager's authority of \$15,000. Motion carried by unanimous vote.

AWARD BID FOR SURVEY WORK IN CONJUNCTION WITH THE FORMER MN/DOT PROPERTIES

Three bids were received as follows for survey work needed for the redevelopment of the former Mn/DOT properties. This work is required to complete title work for transfer of properties and to determine any easements, encroachments and other issues that may relate to the property.

	<u>Mn/DOT Bldg.</u>	<u>Rako Yard</u>
Northwest Surveying & Engineering	\$ 5,150.00	\$ 7,000.00
<i>Completion Dates</i>	<i>April 5, 2005</i>	<i>April 5, 2005</i>
Murray Surveying	\$11,585.00	\$12,085.00
<i>Completion Dates</i>	<i>June 30, 2005</i>	<i>June 30, 2005</i>
Widseth Smith Nolting	\$17,842.00	\$16,562.00
<i>Completion Dates</i>	<i>June 1, 2005</i>	<i>April 22, 2005</i>

City staff met with the low bidder to review the scope of work and to examine their bid and proposed timelines. The bidder expressed confidence regarding their bid.

Motion by Johnson, second by Hellquist, to award the bid to Northwest Surveying & Engineering for both the survey of the old Mn/DOT headquarters property and the former Rako Storage Yard property. Motion carried by unanimous vote.

DISCUSS ALL-SCHOOL REUNION

An All-School Reunion has been scheduled for August 13, 2005. The reunion committee presented a request to block off certain areas in the downtown and to allow consumption and retail sales of alcoholic beverages within the designated boundaries. City Manager Minke requested Council discussion and direction on the following issues:

- Request for a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor "off premises" at a community festival.
- Request for reunion participants to consume or possess an open container with alcoholic beverage on the street or other public property within the designated festival area.
- Request to set up tents on streets and in city parking lots within the designated festival area to have bands.

At a minimum, City staff recommends:

- Increased insurance requirements for the Permit to Dispense Intoxicating Liquor Off-Premises
- Naming the City as an additional insured on the insurance certificate
- At least one certified and experienced bartender at each offsite location (certified = having undergone alcohol training)
- All alcoholic beverage must be dispensed in plastic cups

During discussion, Councilmembers recalled that the last all-school reunion was set up very similar and went well. Motion by Downs, second by Johnson, to approve the concept as proposed and directing the City Staff to work with the reunion committee to secure the appropriate permits and liability coverage, develop the guidelines for dispensing and consuming alcoholic beverage on streets and public places, and provide appropriate security, etc. to encompass the event and protect the interests of the City. Motion carried by unanimous vote.

ORDINANCES

Sale of 718 9th Street NW

Pursuant to published notice, a public hearing was held to receive input regarding an Ordinance authorizing sale of real property (718 9th Street NW) to Habitat for Humanity. Mayor Lehmann opened the public hearing and invited those present to comment. No one appeared. The public hearing was closed.

AN ORDINANCE AMENDING AN UNCODED SECTION OF THE BEMIDJI CITY CODE AUTHORIZING SALE OF REAL PROPERTY (718 9TH Street NW to Habitat for Humanity) was given a second reading.

Keys in Unattended Vehicles

Pursuant to published notice a public hearing was held to receive input regarding an Ordinance amending Section 9.12 of the Bemidji City Code relating to "Unattended Vehicles". Mayor Lehmann opened the public hearing and noted that the purpose of the ordinance is to reduce the number of vehicle thefts that occur in the City. He invited those present to comment.

City Attorney Felix proposed some amendments to the ordinance, including an exemption for vehicles on private property, and expanded Subdivision 3 to provide for additional exemptions. There were no objections from the Council relating to the amendments.

There being no further comments, the public hearing was closed.

AN ORDINANCE AMENDING CHAPTER 9 OF THE BEMIDJI CITY CODE ENTITLED "UNATTENDED VEHICLES", BY ADDING PROVISIONS RELATING TO THE PREVENTION OF MOTOR VEHICLE THEFTS, ALLOWING EXEMPTIONS FOR CERTAIN VEHICLES, AND BY IMPOSING PENALTIES FOR VIOLATIONS, was given a second reading.

Charter Amendment – Section 2.04

Pursuant to published notice a public hearing was held to receive input regarding an Ordinance amending Section 2.04 of the City of Bemidji Council-Manager Charter. Mayor Lehmann opened the public hearing and invited those present to comment. No one appeared. The public hearing was closed.

AN ORDINANCE AMENDING SECTION 2.04 OF THE CITY OF BEMIDJI COUNCIL-MANAGER CHARTER was given a 2nd reading.

ORDINANCE NO. 393, 2ND SERIES: AN ORDINANCE AMENDING CHAPTER 2 OF THE BEMIDJI CITY CODE (Pertaining to Elected Officials Participation in Employee Group Health Insurance Program) given a final reading and passed by the following vote: Ayes: Lehmann, Meuers, Markeson, Hellquist, Johnson, Downs. Nays: None. Absent: Erickson.

ORDINANCE NO. 394, 2ND SERIES: AN ORDINANCE AMENDING CHAPTER 11 OF THE BEMIDJI CITY CODE ENTITLED, "SUBDIVISION REGULATIONS (PLATTING)" BY ADING SECTION 11.05 RELATING TO THE DEDICATION OF PARKS, OPEN SPACES, TRAILS AND PUBLIC SITES was given a final reading and passed by the following vote: Ayes: Downs, Markeson, Lehmann, Meuers, Hellquist, Johnson. Nays: None. Absent: Erickson.

UPCOMING MEETINGS

Tuesday, March 8

CGMC Day at the Capital

Monday, March 14 – 5:30 p.m. Work Session – 2004 Preliminary End of Year Budget
Summary and Fund Balance Update

Thursday, March 31 LMC State of the Cities Conference
April 12 – 4:30 pm special meeting joint Council/County @ EOC in LEC

April 25 – 5:30 pm School District – tentative

ADJOURN

There being no further business, motion by Hellquist, second by Meuers, to adjourn the meeting. Motion carried. Meeting adjourned at 7:55 p.m.

Respectfully submitted,

Shirley Sherman, City Clerk