

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – July 7, 2008

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, July 7, 2008 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, Johnson, Erickson, Downs, Meuers, Markeson, Hellquist

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 amendments were offered:

1. Council approval to attend the Coalition of Greater Minnesota Cities Conference - requested by Johnson
2. Discuss attendance on Chat-A-Bout – requested by Johnson

Motion by Markeson, seconded by Downs, to approve the agenda as presented. Motion carried by unanimous vote.

MINUTES

Minutes of the June 16, 2008 regular meeting and June 9, 2008 and June 23, 2008 work session were presented for approval. Markeson commented that his motion for the skatepark should include language regarding the contract not being awarded. City Clerk will verify and amend the minutes accordingly. Motion by Meuers, seconded by Erickson, to approve the minutes as amended. Motion carried by unanimous vote.

CONSENT AGENDA

The following Consent Agenda items were presented for approval. Erickson requested that the item for the Boys & Girls Club be removed to be discussed under new business. Motion by Erickson, seconded by Meuers, to approve the Consent Agenda items as follows:

1. Approved Claims submitted by the Finance Officer in the total amount of \$1,494,344.44
2. Approved miscellaneous business licenses for 2008
3. Approved Budget Change Order No. 3
4. Approved Change Order No. 1 – Nymore Water Tower Project
5. Approved Waiving of the Building & Mechanical Permit Fees for the Habitat for Humanity (2724 Irvine Avenue NW and 221 Mississippi Avenue SW)
6. Authorized Council Travel to the Coalition of Greater Mn Cities Conference in Mankato (July 30-August 1) - Johnson

Motion carried by unanimous vote.

COMMITTEE REPORT

Bemidji Youth Advisory Commission – Sean Campbell, BYA representative, stated that the skatepark project is moving along and the Burton Skate Grant has been applied for and is nearly secured. The BYC members have been selected for 2008-2009: 3 returning members and 11 new members of which 12 members attend BHS and 2 attend Trek North High School.

OLD BUSINESS

Headwaters Science Center

Laddie Elwell, Headwaters Science Center, reviewed the location of the proposed Headwaters Science Center and asked the City Council for a commitment. She stated that the commitment in the form of a deed for land would help in securing grants, etc. The

architect has indicated to Ms. Elwell that they require approximately 5 acres of land for the proposed building. Furthermore, she stated that the building will be built “green”.

Mayor Lehmann stated that City Resolution No. 4823 reaffirmed the support for the Headwaters Science Center.

Discussion continued regarding:

- Parking for the new center;
- Current facility does not meet the current needs to do programs;
- A science center should be more than a place to amuse children;
- The science center provided service last year for over 20,000 individuals;
- Land ownership requirement;
- Received state grant to design the building; and
- The Center should be included in the RDG market study for downtown.

Felix stated that there may be a different type of document that is required and he believed a right vehicle can be found. Felix stated that staff can work with the Headwater Science Center to develop the right document to address their needs if the Council wishes.

Motion by Erickson, seconded by Meuers, that Headwaters Science Center staff work with the City staff to develop a presentation for the Council’s consideration regarding the transfer of this parcel of property to the Science Center. Motion carried unanimously.

Transmission Line Project Update

Roger Moe, consultant to Minnesota Power, MinnKOTA and Otter Tail Power on the proposed transmission line between Cohasset and the Wilton Substation. He stated that in 2003 there was a power outage which had a major impact to the east and out of that grew a number of studies and concern that it could happen to our local systems. This transmission line project is the result of long-range planning study done by several utilities over the last few years. The joint planning effort has become known as CapX2020. The Bemidji-Grand Rapids 230-kV transmission line is needed to maintain the reliability of the transmission system serving the Bemidji area as well as to maintain regional transmission reliability for the larger northwestern Minnesota and eastern North Dakota region. The required applications have been submitted last week to Minnesota Public Utilities Commission for their review and approval.

Council discussed the following:

- The location of the transmission line will be outside the City corporate limits;
- There may be some temporary traffic issues, however, the majority of the line is in rural areas;
- Rate increases may be required;
- Easements will have to be purchased for the transmission line; and
- Opportunity for City to weigh in on route preference.

NEW BUSINESS

Clausen Avenue Railroad Crossing Signal

City Engineer Gray stated that the MnDOT has informed the City that the railroad crossing at Clausen Avenue has received federal and state funds to install railroad crossing signals with flashing lights and gates. The estimated city share of the railroad crossing project is \$17,541. It is recommended that funding for the city’s share come from the 2009 State Aid Maintenance Allotment. Discussion continued regarding MSA funds.

Mayor Lehmann asked if the railroad crossing would become a “silent crossing”. Gray stated that this a safety project unrelated to the trail on Clausen.

RESOLUTION NO. 5492: Entering into an Agreement with BNSF Railway Company and the Commissioner of Transportation (Railroad Crossing Signals at Clausen) was offered by Councilor Downs, who moved its adoption, and upon due second by Councilmember Johnson was passed by unanimous vote.

Chat-A-Bout Discussion

Councilor Johnson asked about the process that has been used for selecting people to appear on the Chat-A-Bout program. He stated that he believed the intent was to give the Council the opportunity to appear on Chat-A-Bout to discuss the upcoming meeting. He stated that special discussions should be discussed at another meeting. The County

Commissioners and School Board members sign up to cover their chat-a-bout time and he suggested that the Council develop a similar policy and schedule.

Hellquist expressed concerns regarding information not available to the Council in a timely manner. Consensus of the Council was that a schedule be developed for Councilors to appear on Chat-A-Bout. It was noted that Council members seeking re-election cannot be on Chat-A-Bout during election time.

Boys & Girls Club Board Appointment

Erickson stated that she had this item pulled for discussion because she did not feel that City staff should be the liaison to the Boys & Girls Club. She further stated that it should be a Councilmember. Councilor Hellquist agreed and volunteered to take the committee assignment to the Boys & Girls Club.

ORDINANCES

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending an Uncoded Section of Bemidji City Code Pertaining to Alley Vacation (Pertaining to McKenzie Place). Mayor Lehmann opened the Public Hearing at 7:59 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending an Uncoded Section of Bemidji City Code pertaining to Alley Vacation (McKenzie Place) was given a second reading.

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending the City of Bemidji Council-Manager Charter Adding Section 12.16 (Administrative Penalties). Mayor Lehmann opened the Public Hearing at 8:00 p.m., hearing no comments the public hearing was closed.

Felix stated that any city code violation currently has a criminal penalty attached to it and fine. The proposed amendment to the City's Charter would authorize the City Council to enact an ordinance establishing Administrative Penalties for violations of City Code or City Ordinances and, where applicable, to specifically assess unpaid penalties against property. He stated that the dog or noise ordinances are good examples. Felix noted that the Charter Commission is not in favor of enforcing the Uniform Traffic Code and felt that these offenses should continue to be handled through the Court system.

AN ORDINANCE Amending the City of Bemidji Council-Manager Charter Adding Section 12.16 (Administrative Penalties) was given a second reading.

AN ORDINANCE Amending Chapter 16, Article II of the Bemidji City Code relating to Fire Code was given a first reading.

EVENT CENTER UPDATE

Chattin stated that he met with representatives from Leo A Daly regarding the latest CMI cost estimates which are very disappointing. He is waiting for a review from Leo A Daly and Kraus Anderson regarding the cost estimates.

LIBRARIAN REPORT

Paul Ericsson, Librarian, stated that the annual book sale will be held on Thursday, July 24 and Friday, July 25 at the Bemidji National Guard Armory. He encouraged everyone to support the Friends of the Library. The proceeds from the sale will assist with the ongoing library updates. The Library's summer reading program continues and it is not too late to sign up. To date, more than 200 children have signed up for the reading program. He reviewed other happenings at the library and highlighted resources available at the KRLS.org website.

UPCOMING MEETINGS

- Wednesday, July 9 6:00 p.m. Greater Bemidji Joint Planning Board
- Thursday, July 10 5:00 p.m. Council Retreat/Visioning Session
 @ Beltrami Electric
- Monday, July 14 5:30 p.m. Work Session – Audit Presentation
- Monday, July 21 7:00 p.m. City Council Meeting

COUNCIL/STAFF REPORT

- Lehmann stated that Jaycees Water Carnival was well attended.

- Markeson stated that the Parks & Trails Commission meet on Tuesday, July 8. He announced that he will not be running for re-election of Ward 1 because he will be moving outside of the city after he retires in one year.
- Chatten stated that budget discussions with the Finance Director and department heads started this week. The Council's visioning session/retreat will be at Beltrami Electric with Cliff Tweedale and Department Heads – 5:00 p.m. to 9:00 p.m. He stated that RDG will be in town next week regarding the market study.
- Eischens provided copies of the 2007 City Audit report and the auditors will be at next week's work session to review the audit with the Council.
- Gray stated that he received a letter from the District Traffic engineer regarding the crosswalk pavement markings on Bemidji Avenue. Previous to the road construction there were crossings, however, the letter from Mn/DOT stated that they have recently adopted the policy that crosswalks are only at signalized intersections. Gray's stated that he would like the crosswalks to go back on Bemidji Avenue as they were previously. Council consensus was that the crosswalks should be marked because of safety issues.

ADJOURN

There being no further business, motion by Downs, seconded by Meuers, to adjourn the meeting. Motion carried. Meeting adjourned at 8:32 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk