

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – May 21, 2007

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, May 21, 2007 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, Markeson, Hellquist, Johnson, Downs, Meuers. Absent: Erickson.

AMENDMENTS TO AGENDA

Lehmann called for any amendments to the agenda. The following changes were requested:

- Delete the Resolution regarding DDA Paul Bunyan Sidewalk Sale
- Add Resolution to Not Waive the Monetary Limits on Tort Liability Established by M.S. 466.04

Motion by Johnson, second by Hellquist, to approve the agenda as amended. Motion carried by unanimous vote.

MINUTES

Minutes of the May 7 regular meeting, May 8 Board of Review, May 14 work session and May 15, 2007 special meeting were presented for approval. Motion by Meuers, second by Markeson, to approve the minutes as presented. Motion carried by unanimous vote.

CONSENT AGENDA

The following Consent Agenda items were presented for approval. Motion by Downs, second by Hellquist, to approve the Consent Agenda items as follows:

1. Approved Claims submitted by the Finance Officer in the total amount of \$619,276.92.
2. Approved miscellaneous business licenses.
3. Declared 1999 International Bus as Surplus.
4. **RESOLUTION NO. 5409** Adopting the Amended Minnesota General Records Retention Schedule for Cities.
5. Appointed Nancy Erickson as Alternate on the Joint Planning Board.
6. **RESOLUTION NO. 5410** Approving County Project within Municipal Corporate Limits (Power Dam Road NE).
7. **RESOLUTION NO. 5411** to Not Waive the Monetary Limits on Tort Liability Established by M.S. 466.04.

Motion carried by unanimous vote.

PRESENTATION

Motorcycle Tour & Rally – Cindi Jernigan, Director of Northwoods and representing Community Resource Connections, Inc., stated that on behalf of four local non-profits they are requesting the use of the Waterfront Park on September 22 for a Motorcycle Tour & Rally. She suggested that the event would have an economic impact to the community, in particular to the downtown. She has contacted local law enforcement agencies to discuss their concerns and they have included the noise ordinance as part of the waiver for applicants.

Mayor Lehmann stated that he appreciated that they have taken into consideration the noise ordinance. He stated that that this is a good event and good for our community.

RESOLUTION NO. 5412: Approving the Site of the Motorcycle Tour & Rally on September 22, 2007 was offered by Councilmember Downs, and upon due second by Councilmember Johnson was passed by unanimous vote.

PUBLIC HEARING

Capital Improvement Plan (2007-2011)

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending the 2007 to 2011 Capital Improvement Plan. Mayor Lehmann opened the Public Hearing at 7:11 p.m., hearing no comments the public hearing was closed.

RESOLUTION NO. 5413: Amending the 2007 to 2011 Capital Improvement Plan was offered by Councilmember Hellquist, and upon due second by Councilmember Markeson was passed by unanimous vote.

OLD BUSINESS

Special Assessment for Stormwater Improvements

Hellquist reported that the Public Works Committee met and is recommending that the Council amend the Policy for Public Improvement to reflect that no special assessment be charged for stormwater improvements on existing residential property. In addition, the Committee recommended that the Council make the policy retroactive to include the 4th Street SE project.

Downs stated that he has a problem with not collecting special assessment as it will impact the cashflow analysis. Chattin responded that there are no assessments figured into the cashflow analysis.

Eischens stated that typically projects do not have stormwater assessments as part of a project as the curb and gutter are already there. Discussion continued regarding future projects.

Stormwater Charge for Rental Property

Hellquist stated the Public Works Committee reviewed the policy regarding charging a higher stormwater fee for rental single family residential homes. Hellquist stated that this does seem unfair and the Committee recommended changing the policy.

Downs stated that rental units are a business enterprise and should be charged a higher rate.

Motion by Hellquist, second by Markeson, to amend the Policy for Public Improvements to reflect existing residential properties not be special assessed for stormwater improvements. This policy change be retroactive to include the 4th Street SE project. In addition, the stormwater fee charged for single family rental units remain the same. Motion carried unanimously.

NEW BUSINESS

Wetland Replacement

Mayor Lehmann reviewed a request from the City Attorney stating that as part of the 2006 Airport Runway Improvement Project, an interior airport access road was relocated, necessitating the filling of approximately 1.1 acres of wetland. The Airport has restored or replaced 1.4 acres of wetland on adjacent Airport property.

Motion by Downs, second by Hellquist, to authorize the execution of the Declaration of Restrictions and Covenants for Site Specific Wetland Replacement and send it to Beltrami County for their approval and execution. Motion carried unanimously.

Chat-A-Bout Topic

Mayor Lehmann will discuss the legislative impacts for the City on Chat-A-Bout.

ORDINANCES

ORDINANCE NO. 15, 3RD SERIES, AN ORDINANCE Amending Compensation for City Appointed Members on the Bemidji Area Growth Joint Planning Commission was given a final reading and passed by unanimous vote.

The Council received a request from the First Assembly of God to delay the Public Hearing until July 2, 2007, of an Ordinance Vacating an Alley (Located between Grant and McKinley Avenues SE and 3rd & 4th Street SE) by the Applicant. Council concurred.

Pursuant to published notice, a Public Hearing was held to receive input regarding Vacation of a Portion of Norton Avenue. Mayor Lehmann opened the Public Hearing at 7:32 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Vacation of a Portion of Norton Avenue was given a second reading.

CITIZEN NOT ON AGENDA

Paul Ericsson, Branch Manager at Bemidji Public Library, announced that on May 11, 2008 Minnesota will be celebrating its Sesquicentennial (150th Anniversary). He stated that there is a banner and journal that is being circulated to libraries in Minnesota and was delivered to Bemidji. The journal and banner are available for just this week. The project goal is to have residents and elected officials sign the journal and include their thoughts on what Minnesota’s past and future means to them. On May 11, 2008 the banner and journal will be presented to the Governor. The journal will be kept in perpetuity by the Minnesota State Historical Society.

Mr. Ericsson stated that the library hours will be changing starting June 1 and will open at 9 a.m. instead of 10 a.m. The Library is gearing up for the summer reading program which runs from June 12 to August 4 and asking young people to sign up.

UPCOMING MEETINGS

- May 30 5:30 p.m. Leo A Daly – Event Center
- May 31 Noon-8 p.m. Council Visioning Retreat @ BSU Native American Indian Resource Center
- June 4 7:00 p.m. City Council Meeting
- June 11 5:30 p.m. Work Session – 2008 Budget
- June 18 7:00 p.m. City Council Meeting

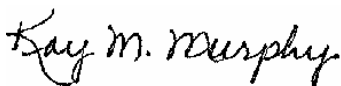
COUNCIL/STAFF REPORT

- Chattin reported that the City received the official acceptance from our new City Engineer, Craig Gray. Chattin stated that there has been extensive digging at Diamond Point Park since the finding of the jawbone and will continue. Chattin stated that he has reached an agreement with the 49ers regarding layoffs. We have received several complaints regarding the sound system in the Chamber and staff is looking at replacing microphones and installing speakers inside the chambers. Estimates for raising the two end podiums to the same height are also being sought.
- Markeson stated that there will be a public meeting at City Hall on May 22 at 7 p.m. regarding the Bemidji Avenue Project.
- Mayor Lehmann commented that it appears that the Council and community are on the same page regarding their vision for the regional event center.

ADJOURN

There being no further business, motion by Downs, second by Meuers, to adjourn the meeting. Motion carried. Meeting adjourned at 7:50 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk