

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – October 3, 2011

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, October 3, 2011 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Larson presiding.

Upon roll call, the following Councilmembers were declared present: Larson, Waldhausen, Johnson, Hellquist, Albrecht, Negard, Thompson

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

AMENDMENTS TO AGENDA

Mayor Larson called for any amendments to the agenda. The City Clerk requested the addition of the September 26, 2011 Work Session minutes for approval. **Motion by Johnson, seconded by Thompson, to approve the agenda as amended. Motion carried by unanimous vote.**

MINUTES

Minutes of the September 19, 2011 regular meeting, September 19, 2011 special work session and September 26, 2011 special work session were presented for approval. **Motion by Albrecht, seconded by Johnson, 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 Thompson, to approve the Consent Agenda items as follows:**

1. Claims submitted by the Finance Officer in the total amount of \$989,128.76
2. Claims submitted by the Sanford Center in the total amount of \$41,888.54
3. Miscellaneous Business License for 2011
4. **RESOLUTION NO. 5716:** Adopting Assessment Roll for Delinquent Utility Accounts Reflecting Costs for Services Provided During the Year 2011
5. **RESOLUTION NO. 5717:** In Support and Commitment for the Clausen Avenue Trail Project and Authorization to Submit a Grant Application to the DNR Trails Legacy Grant Program

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Kaija Roy, BYA President, stated that the Commission did not have enough applications for members and had another drive the first of the school year. This resulted in a nice turnout and members have now been selected. At this time, BYAC member introductions were made.

Librarian's Report - Paul Ericsson, Branch Manager, reviewed October events. He stated that Library Board member Richard Olson has resigned and applications will be taken for this opening until Tuesday, October 11.

NEW BUSINESS

Assessment for Misc. Charges

Pursuant to published notice a public hearing was held regarding input on costs associated with lot maintenance and other miscellaneous work done by the City on private property in 2011. Mayor Larson opened the Public Hearing at 7:15 p.m., hearing no comments the public hearing closed.

RESOLUTION NO. 5718: Adopting Assessment Roll for Costs Associated with Lot Maintenance and Other Miscellaneous Work Done by the City on Private Property in

2011 was offered by Councilmember Hellquist, who moved its adoption, and upon due second by Councilmember Albrecht was passed by unanimous vote.

Lakeland TV Request

Chattin reviewed a request from Lakeland Public Television (LPTV) for Council's support for State Bonding Appropriation in the 2012 Legislative Session for development and construction of a building. The building will be located on Lakeland TV's property at 1st Street and Grant Avenue.

Bill Sanford, CEO – Director of Engineering – Lakeland Public Television, stated that they have completed the site layout and the design of the building. In addition to local funding, their funding strategy includes a State of Minnesota bonding request in the 2012 bonding bill. The project is \$4 million in total with a \$3 million bonding component and a \$1 million local match provided by Lakeland Public Television. LPTV is getting ready to kick off their capital campaign.

Councilmember Johnson stated he would be abstaining as he is an employee of Lakeland Public Television.

RESOLUTION NO. 5719: Supporting Official Application for State Bonding Appropriation in 2012 Legislative Session for Development and Construction of the Lakeland Public Television Building in Bemidji and making it the City's first priority for bonding was offered by Councilmember Thompson, who moved its adoption, and upon due second by Councilmember Hellquist was passed by the following vote: Ayes: Larson, Waldhausen, Albrecht, Hellquist, Negard, Thompson. Nays: None. Abstain: Johnson.

ORDINANCES

Charter Amendment - Recall

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending the City of Bemidji Council-Manager Charter Adding 5.07 Recall. Mayor Larson opened the Public Hearing at 7:26 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending the City of Bemidji Council-Manager Charter Adding 5.07 Recall was given a second reading.

Lodging Tax Ordinance

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending Chapter 12, Article XXV of the Bemidji City Code Relating to Lodging Tax. Mayor Larson opened the Public Hearing at 7:28 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending Chapter 12, Article XXV of the Bemidji City Code Relating to Lodging Tax was given a second reading.

Rental Ordinance

Motion by Albrecht, seconded by Waldhausen, to adopt the proposed amendment regarding "retaliation" to the Rental Registration ordinance. Motion carried unanimously.

ORDINANCE NO. 69, 3RD SERIES, AN ORDINANCE Amending Chapter 10, Article II of the Bemidji City Code Relating to Rental Housing Registration Code was given a final reading and passed by unanimous vote.

Motion by Hellquist, seconded by Johnson, approving publication of a summary of Ordinance No. 69, 3rd Series. Motion carried unanimously.

Fee Schedule Ordinance

ORDINANCE NO. 70, 3RD SERIES, AN ORDINANCE Amending the 2011 Fee Schedule was given a final reading and passed by unanimous vote.

Motion by Hellquist, seconded by Johnson, approving publication of a summary of Ordinance No. 70, 3rd Series. Motion carried unanimously.

Sales & Use Tax Ordinance

ORDINANCE NO. 71, 3RD SERIES, AN ORDINANCE Amending Chapter 23 of the Bemidji City Code entitled "Sales and Use Tax" to Address Collection of Extended Sales and Use

Tax to Pay Eligible Costs for Regional Event Center Project was given a final reading and passed by unanimous vote.

Motion by Waldhausen, seconded by Albrecht, approving publication of a summary of Ordinance No. 71, 3rd Series. Motion carried unanimously.

Franchise Fee – Beltrami Electric

ORDINANCE NO. 72, 3RD SERIES, AN ORDINANCE Amending Ordinance No. 418, 2nd Series, Modifying the Rate Design and Corresponding Electric Utility Franchise Fee in Franchise Fee Agreement with Beltrami Electric Cooperative, Inc., Based on the Provision of Electric Service within the City of Bemidji was given a final reading and passed by unanimous vote.

Motion by Waldhausen, seconded by Thompson, approving publication of a summary of Ordinance No. 72, 3rd Series. Motion carried unanimously.

Franchise Fee – Otter Tail Power

ORDINANCE NO. 73, 3RD SERIES, AN ORDINANCE Amending Ordinance No. 420, 2nd Series, Modifying the Rate Design and Corresponding Electric Utility Franchise Fee in Franchise Agreement with Otter Tail Power Company Based on the Provision of Electric Service within the City of Bemidji was given a final reading and passed by unanimous vote.

Motion by Waldhausen, seconded by Hellquist, approving publication of a summary of Ordinance No. 73, 3rd Series. Motion carried unanimously.

Franchise Fee – Minnesota Energy

Motion by Albrecht, seconded by Thompson, to adopt the proposed amendment regarding striking out the words “per meter” on Exhibit A. Motion carried unanimously.

ORDINANCE NO. 74, 3RD SERIES, AN ORDINANCE Amending Ordinance No. 422, 2nd Series, Modifying the Rate Design and Corresponding Natural Gas Utility Franchise Fee in Franchise Agreement with Minnesota Energy Resources Corporation, Based on the Provision of Gas Service within the City of Bemidji was given a final reading and passed by unanimous vote.

Motion by Waldhausen, seconded by Thompson, approving publication of a summary of Ordinance No. 74, 3rd Series. Motion carried unanimously.

UPCOMING COUNCIL MEETINGS

- Monday, October 10 5:30 p.m. Work Session – Final Draft Parks Master Plan
- **Tuesday, October 11** 5:30 p.m. Special Work Session - VenuWorks
- Monday, October 17 7:00 p.m. Regular City Council Meeting

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Albrecht stated the Minnesota Go Steering Committee process has completed their visioning process for the transportation system. The draft is available for public review and comment.
- Councilmembers stated they have received calls regarding their decision to not include the Carnegie Library in the Park Plan. Discussion followed. Negard stated that nothing will happen for two years and challenged community members that wanted to “save the Carnegie” to find a way to fund moving the building.
- There will be a Chamber sponsored forum at the County Administration Building on October 13 at 7:30 a.m. regarding the change in the Market Value Homestead Credit.
- Gray updated the Council on the status of the street renewal project and the light project in the Industrial Park.

ADJOURN

There being no further business, motion by Hellquist, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully submitted,


 Kay M. Murphy
 City Clerk