

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – November 18, 2013

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, November 18, 2013 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Albrecht presiding.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Johnson, Hellquist, Olson, Erickson, Thompson

Staff Present: City Manager John Chatten, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, Deputy City Clerk Michelle Miller

AMENDMENTS TO AGENDA

Mayor Albrecht called for any amendments to the agenda. **Motion by Erickson, seconded by Thompson, to approve the agenda as presented. Motion carried by unanimous vote.**

MINUTES

The following minutes were presented for approval:

Council Meeting	November 4, 2013
Sp Work Session	November 4, 2013

Motion by Erickson, seconded by Thompson, to approve the minutes as prepared. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Claims submitted by the Finance Officer in the total amount of \$705329.55
2. Claims submitted by Venuworks for the Sanford Center in the total amount of \$130,123.69
3. Miscellaneous Business License Renewals for 2013
4. First Reading of Off/On Sale Beer License Renewals for 2014
5. Declare Surplus Equipment – 2007 Chevy Impala (Police Dept.)
6. Declare Surplus Equipment – 1979 Ford Fire Engine
7. Purchase of 2014 Engineering Inspection Truck
8. Nominate Joint Planning Commission Members for Reappointment (Judy David and Nicki Lemmer)
9. Travel Authorization – Greater Minnesota Regional Parks & Trails Commission – St. Cloud on 11/20/13 & 11/27/13 – Albrecht (expenses are paid for by the Commission)

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission

BYAC representative, Kalli Wilson reported that the Commission is working on the youth leadership awards ceremony. She also reported on the Holiday Mail for Heroes event that will be held November 21 at the Bemidji High School Commons.

BSU Student Senate

BSU representative, Dan Rekuski reported that the BSU Student Senate will be voting on a bill to ban the sale of bottled water on campus. This bill was brought to encourage students to use the refilling water stations located on the campus and to also reduce litter on campus. Personally, he does not support the bill; however, he does not know if the bill will pass or not because he does not know the positions of other student senate representatives.

NEW BUSINESS

2014 Street Renewal Program

Gray stated that each fall/winter the process of selecting streets to be reconstructed is done. The street segments that are proposed to be included the 2014 feasibility study include Lake Ave SE from Roosevelt Road to First Street; and 23rd Street NE from Bemidji Avenue to Birchmont Drive. Gray recalled that the Lake Avenue project was recommended in 2012 but the feasibility process did not proceed due to assessment issues with the Southeast 40 project and a recommendation to delay it a couple of years. Gray stated that the feasibility study will be completed by the Engineering Department and should be completed in 4-6 weeks.

Council discussed the following:

- Erickson questioned the \$350,000 designated in the budget for street, sewer and water projects and the resolution stating that a benefited property is assessed “all or a portion...” Gray stated that the \$350,000 goes toward the street project and is not used for the utility project. The words “all or a portion” is used to keep options open for the council in the assessment process.
- Erickson also inquired about the work around the corner from Lake Avenue to First Street. Gray stated that First Street will need to be disturbed to make the water connection to Lake Avenue. Gray stated that in the feasibility report process they will look at who has been previously assessed and if any property owners benefit from this project.
- Erickson expressed concern for the 5th Street property owners having to pay an additional assessment for this project. Gray stated that corner lots having streets on two sides, each property owner, pursuant to the assessment policy will pay (at some point) one assessment unit. Therefore, if they paid a half in the past for 5th Street then they would pay a half for Lake Avenue. Also, if there is a parcel in between 4th and 5th Street that has already paid one-half for 4th Street and one-half for 5th Street, they would not be assessed for Lake Avenue. No one will pay more than one assessment unit for all projects combined.
- Thompson inquired if BSU would be assisting in the cost of 23rd Street because of the trucks going in and out and damaging the street. Gray stated that BSU will be assessed for a majority of the south side of 23rd Street.
- Johnson inquired if this is less miles than has previously been done. Gray stated that in 2013, ten road segments were done which varied from one block to four blocks. This project is about a half mile.

RESOLUTION NO. 5862: Ordering Feasibility Report on 2014 Street Renewal Project #14-01 was offered by Councilmember Johnson, how moved its adoption, and upon due second by Councilmember Meehlhause was passed by unanimous vote.

City Manager’s 2013 Performance Review

Mayor Albrecht read the following summary of City Manager’s Performance Review:

“The Council reviewed Mr. Chattin’s performance and noted some areas where improvement was desired. The Council will meet with Mr. Chattin in three months to assess his progress.”

ORDINANCES

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending an Uncoded Section of the Bemidji City Code Pertaining to Street Vacation (Portion of Link Street SW). Mayor Albrecht opened the Public Hearing at 7:24 p.m. hearing no comments the public hearing was closed at 7:26 p.m.

AN ORDINANCE Amending an Uncoded Section of the Bemidji City Code Pertaining to Street Vacation (Portion of Link Street SW) was given a second reading.

Pursuant to published notice, a Public Hearing was held to receive input regarding Vacating a Portion of an Alley and Street (2nd Mill Park Addition). Mayor Albrecht opened the Public Hearing at 7:28 p.m., hearing no comments the public hearing was closed at 7:29.

AN ORDINANCE Vacating a Portion of an Alley and Street (2nd Mill Park Addition) was given a second reading.

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending Chapter 14 of the Bemidji City Code Adding Article IX Relating to enforcement of the Statutory Prohibition of the Use and Sale of Coal Tar Sealant Products. Mayor Albrecht opened the Public Hearing at 7:29 p.m., hearing no comments the public hearing was closed at 7:30.

AN ORDINANCE Amending Chapter 14 of the Bemidji City Code Adding Article IX Relating to enforcement of the Statutory Prohibition of the Use and Sale of Coal Tar Sealant Products was given a second reading.

ORDINANCE NO. 93, 3RD SERIES, Amending the Fee Schedule for 2014 was given a final reading and passed by unanimous vote.

Motion by Meehlhause, seconded by Thompson, approving publication of a summary of Ordinance No. 93, 3rd Series. Motion carried unanimously.

ORDINANCE NO. 94, 3RD SERIES, Amending Chapter 12 of the Bemidji City Code entitled “Tobacco”, by amending provisions related to Licensing and Sale of Tobacco to Include Electronic Delivery, commonly referred to as E-Cigarettes was given a final reading and passed with the following vote: Ayes: Albrecht, Meehlhause, Olson, Johnson. Nays: Hellquist, Erickson, Thompson.

Motion by Meehlhause, seconded by Olson, approving publication of a summary of Ordinance No. 94, 3rd Series. Motion carried unanimously.

UPCOMING COUNCIL MEETINGS

- Monday, December 2 7:00 p.m. Council Meeting
- Truth In Taxation Hearing
- Monday, December 9 5:30 p.m. Work Session - TBD

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

ADJOURN

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

Respectfully submitted,



Michelle R. Miller
Deputy City Clerk