

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Special Meeting/Work Session – April 27, 2011

Pursuant to due call and notice, a special meeting/work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Tuesday, April 27, 2011, at 5:30 p.m. in the Conference Room 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 Craig Gray, Building Official Mike Miller, City Clerk Kay Murphy

Others Present: Tim Flathers-HRDC, Andrew Mack-JPB, John Wilder, Patty Brooks

Mayor Larson stated that the purpose of the special work session was to discuss the Quality Neighborhood Initiative Study.

Chattin reviewed staff recommendations to the QNI Study and Council priorities. Chattin stated that the following two priorities were identified by two or more Councilmembers: 1) rental code enforcement and 2) parking. Chattin stated that when it comes to code enforcement he would split it into two groups; one for rental and the other group would encompass everything else. He asked the Council what they believed code enforcement to be.

Hellquist noted that he had concerns with vehicles, including boats and other recreational vehicles, being parked on yards. He commented that if he can see them, he wondered why there was no enforcement. Chattin responded that enforcement for parking of vehicles on yards is the Joint Planning Board's responsibility.

Negard stated that the Joint Planning Board (JPB) staff is small, with minimal enforcement staff. Felix responded that the JPB enforces the City's land use code.

Albrecht agreed that the JPB is understaffed, however, planning is a function of the three LGU's and all LGU's have a shared interest.

Chattin commented that parking on yards is not strictly limited to rental.

Andrew Mack, JPB, stated that the JPB recently adopted enforcement language that clarifies the parking rules. He stated that they have developed a form letter that is sent to the landlord when there is a parking violation. Then it is the landowners' responsibility to fix the parking problem or provide a method to get additional parking. Mack further stated that it is JPB's intent to work with folks for the desired result.

Felix stated that the intent of the JPB is to take the "softer approach"; however, a police officer could issue a citation when it becomes necessary. He noted that one drawback for the JPB is the unavailability of administrative fines. Discussion continued regarding reporting a violation. Felix recommended that Councilmembers contact the Building Office or Joint Planning Board if they believe there is a violation and let the process proceed.

Council discussed the following:

- Grandfathered rentals unable to meet parking requirements due to lot size. Building Official Miller commented that staff is documenting parking on all rentals. New rentals are required to provide a parking site plan for approval.
- Requirement of annual inspection of rentals versus every three years.
- Establishing a rental conversion fee.
- On street parking permits.
- Number of occupants in a rental. Miller stated that enforcing the number of occupants in a rental is one of the most difficult to enforce.
- Requirement to pave driveways. It was noted that the JPB recently did not pass this requirement. Gray stated that the requirement to pave could be based on lot size.
- Types of penalties in place for violations.

Councilor Thompson left the meeting at 6:15 p.m.

John Wilder, Norton Avenue, stated there are different needs in each neighborhood. He stated he was concerned with the idea of a “broad brush” approach to enforcement. He was hoping for neighborhood associations as recommended by Boonestroo.

Rental Inspections

Chattin stated that rental code enforcement is currently driven by complaint or through rental inspections that occur every three years, unless violations demand more frequent inspections. In order to require more frequent inspections, staffing would need to be increased. Currently, the City has 918 permitted rental units.

Motion by Waldhausen, seconded by Johnson, to amend the City rental ordinance to require annual inspection of all rental units. Motion carried unanimously.

Motion by Negard, seconded by Waldhausen, to amend the City rental ordinance to require that all rental property owners provide the city with a list of current renters, vehicle license plates and designated parking areas for all rental units. Motion carried unanimously.

On Street Parking

Chattin stated that parking on streets around BSU campus causes problems for all residents. Where rental units do not have available off street parking, those vehicles add to the congestion on the streets. Chattin recommended implementation of a permit parking system for the blocks around the BSU campus. He further recommended that BSU may be asked to lower their parking fee as this may entice non-residents to use campus lots and not off campus parking.

Patty Brooks, Landlord, stated that it is the landlord’s responsibility to provide parking. She was in favor of continuing with requiring rental inspections every three years and did not understand the need for more often.

Discussion continued regarding establishing parking permits in targeted areas. Albrecht felt that the Council needed to have more discussion and information, i.e., pros and cons, before making a decision on permit parking. Waldhausen commented that BSU is currently doing a parking study.

Consensus of the Council was to wait for the BSU parking study and continue to work with BSU in this regard.

Conversion Fee

Johnson commented that the City may want to consider establishing different conversion and incentive fees. Felix responded that he will have to research the City’s ability to do different conversion fees based on neighborhoods.

Motion by Waldhausen, seconded by Hellquist, directing staff to research the City’s ability to establish a conversion fee program. Additionally, the ability to offer an incentive to anyone converting a rental back to single family. Motion carried unanimously.

Neighborhood Associations

Chattin stated that one of Bonestroo’s core recommendations was to establish Neighborhood Associations. These associations would promote aesthetically pleasing neighborhoods and monitor neighborhood activities. He stated that Phase II of the QNI had Headwaters Regional Development Commission engaged in extending the QNI outcomes. Such an effort would require extensive staff involvement and follow up, something that current city staff can assist with but are not trained for.

Consensus of the Council was that they are not ready to proceed to Phase II at this time.

Code Enforcement

Motion by Waldhausen, seconded by Johnson, to require more aggressive enforcement of the rental ordinance. Motion carried unanimously.

Conduct

Discussion continued regarding properties that disrupt the peace of the neighborhood, in particular, the conduct of tenants. Felix recommended the City consider adopting an amendment similar to Moorhead’s.

Motion by Hellquist, seconded by Johnson, to amend the City rental ordinance regarding the conduct of tenants and to ensure landlords are notified immediately of police calls to their properties. Motion carried unanimously.

ADJOURN

There being no further business, motion by Waldhausen, seconded by Negard, to adjourn the meeting. Motion carried. Meeting adjourned at 7:40 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk