

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – May 21, 2012

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, 2012 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 following items to be added to the Agenda:

- Transfer of On Sale Liquor License from Brigid's Irish Pub, Inc. to Ktellmiller, LLC (Brigid's Pub)
- Authorized the Mayor to sign a letter to Mn Dept of Revenue recommending waiver of North Central Door JOBZ "clawback" provisions

Motion by Johnson, seconded by Thompson, to approve the agenda as amended. Motion carried by unanimous vote.

MINUTES

Minutes of the May 7, 2012 regular meeting, May 7, 2012 special BEDA meeting, May 8, 2012 Board of Review and May 14, 2012 work session were presented for approval.

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

CONSENT AGENDA

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

1. Claims Submitted by Finance Officer in the amount of \$730,241.28
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$133,281.13
3. Miscellaneous 2012 Business Licenses
4. Transfer of On Sale Liquor License from Blue Ox Bar & Grill Inc. to Blue Ox Inc.
5. On Sale 3.2 Beer License for DaRoo's Pizza of Bemidji at 119 Paul Bunyan Drive Suite B
6. **RESOLUTION NO. 5766:** Approving an Application to Minnesota Historical Society for a Grant to Renovate and Rehabilitate the Carnegie Library Building
7. **RESOLUTION NO. 5767:** Supporting the Concept of Establishing a Joint Powers Entity for Shared Fire and Rescue Services for the Bemidji Area
8. **RESOLUTION NO. 5768:** Initiating Detachment of Certain Lands in Bemidji Township Pursuant to Joint Orderly Annexation Resolution and Minnesota Statutes Section 414.06
9. Waived Permit Fees for Habitat for Humanity (704 Mississippi Avenue NW) (\$1,353.00)
10. Transfer of On Sale Liquor License from Brigid's Irish Pub, Inc. to Ktellmiller, LLC (Brigid's Pub)

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Paul Enger, BYA representative, reported that the Commission is finalizing their band list for the June 7 event. They held their last Listening Lunches for the year and have begun receiving applications for new Commission members for 2012-2013 school year.

Update from DWI Court

Judge Shari Schluchter introduced representatives of the DWI Court collaborative partners which included County Attorney Tim Faver, Captain James Marcotte, Pam Norenberg, Chris Hanson and Mark Smith. She stated that the DWI Court program has many success stories. She thanked the City of Bemidji for their participation and noted that the City is an important part of the process. She invited Councilmembers to attend a future DWI Court graduation. Judge Schluchter noted that the DWI Court is operating on a Department of Public Safety grant which is good through the fall of 2013.

Captain James Marcotte provided an overview of the process and noted that an advantage to the DWI Court program is that it keeps repeat offenders off of the street.

Councilmember Johnson asked if the DWI Court was unique to Bemidji. Pam Norenberg, Coordinator, stated that there are ten other DWI Courts in the State of Minnesota.

NEW BUSINESS

Chief Bemidji Statue

Sandy Kaul, Committee member, stated that the Chief Bemidji Statue Committee interviewed three artists and unanimously selected Gareth Curtiss from Olympic, Washington.

Hellquist stated that he received a call asking why a local artist was not being selected.

Kaul responded that the Committee is comprised of 20 members including 5-6 decedents of Chief Bemidji. Half of the Committee are Native American. The Committee's goal was to select an artist that works in bronze material to create a life-size sculpture of Chief Bemidji. She believed that Mr. Curtiss will provide a finished product that will meet the goals of the Committee.

Carolyn Jacobs, Committee member, stated that to date they have raised \$40,000 of the \$70,000 needed to commission the artist. Donations are being received by the Northwest Minnesota Foundation.

Motion by Waldhausen, seconded by Johnson, to support the Chief Bemidji Committee's selection of artist Gareth Curtiss to provide a new Chief Bemidji sculpture as funding becomes available. Motion carried unanimously.

15th Street Storm Sewer Project

Gray stated that the 2012 Capital Improvement Plan includes \$100,000 from the storm water utility to fund various storm water improvement projects. The City has requested quotes to add a storm water drainage structure at the southeast corner of the 15th Street and Norton Avenue intersection. He stated that this intersection has improper drainage resulting in constant degradation of the roadway surface. The following quotes were received:

Sparky's Construction	\$39,993.00
J.D. Hansen & Sons, Inc.	\$43,716.50
Reiersen Construction	\$45,446.25

Gray stated that the total estimated project cost including engineering and inspection will be \$48,000 paid from the storm water utility fund.

Motion by Thompson, seconded by Negard, to award the 15th Street Storm Sewer Project (#12-05) to Sparky's Construction, Inc., in the amount of \$39,993. Motion carried unanimously.

Ranches on Rako Water Main Project

Gray stated that the 2012 Capital Improvement Plan includes the installation of a watermain in the west side of Ranch Circle SW. He stated that when this area was developed in 1999 the watermain that was installed to provide service to the eight new properties was not looped to another watermain. This, coupled with the low water usage by these properties, has resulted in water quality issues that will continue to persist until the watermain is looped. City staff completed a design for the watermain and the following quotes were received:

J.D. Hansen & Sons, Inc.	\$33,008.00
Sparky's Construction	\$34,077.50
Reiersen Construction	\$49,744.09

Gray stated that the total estimated project cost including engineering and inspection will be \$42,000 paid from the water utility fund.

Motion by Albrecht, seconded by Thompson, awarding the Ranches on Water Main Project (#12-04) to J.D.Hansen, in the amount of \$33,008. Motion carried unanimously.

North Central Door Request

Chattin stated that he received a request from North Central Door asking for a letter supporting the Minnesota Department of Revenue to waive the “clawback” provisions under the JOBZ program. North Central Door (NCD) has been a solid employer in the City and given the trends in the construction industry over the last few years, it seems unreasonable to hold NCD to employment numbers projected during times of record construction. He further stated that this requirement could affect NCD’s viability in our community.

Motion by Hellquist, seconded by Negard, authorizing the Mayor to sign a letter to the Minnesota Department of Revenue supporting the waiving of the “clawback” provisions under the JOBZ program for North Central Door. Motion carried unanimously.

ORDINANCE

Felix noted that there were minor corrections to the Ordinance and the Council would need to adopt the changes by majority vote.

Motion by Hellquist, seconded by Thompson, accepting the revised Ordinance regarding the drainage easement vacation. Motion carried unanimously.

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending an Uncoded Section of Bemidji City Code Pertaining to Drainage Easement Vacation (Bemidji Development Corporation). Mayor Larson opened the Public Hearing at 7:46 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending an Uncoded Section of Bemidji City Code Pertaining to Drainage Easement Vacation (Bemidji Development Corporation) was given a second reading.

UPCOMING COUNCIL MEETINGS

- Monday, June 4 7:00 p.m. Council Meeting
- Monday, June 11 6:00 p.m. Work Session – Meeting w/ Northern Twp (Northern Town Hall)

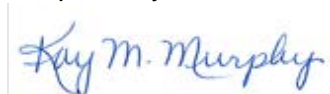
COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

ADJOURN

There being no further business, motion by Thompson, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:08 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk