

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – August 20, 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, August 20, 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 following item was requested to be added to the Consent Agenda: 1-4 Day On Sale Temporary Liquor License for BSU on 9/13/2012. **Motion by Johnson, seconded by Thompson, to approve the agenda as amended. Motion carried by unanimous vote.**

MINUTES

Minutes of the August 6, 2012 regular meeting were presented for approval. **Motion by Hellquist, seconded by Negard, 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 Negard, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of \$590,022.55
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$84,760.81
3. Miscellaneous Business Licenses
4. 1-4 Day Temporary On-Sale Liquor License – RP Broadcasting (Boomers & Beyond on 8/22/12)
5. 1-4 Day Temporary On-Sale Liquor License – RP Broadcasting (Bridal Show on 9/16/12)
6. **RESOLUTION NO. 5776:** Approving Temporary Off-Premises Liquor Permit and Street Closure for a Street Dance – Bemidji Jaycees & Elks Club on September 15, 2012
7. **RESOLUTION NO. 5777:** Supporting Increased Legacy Funding to Greater Minnesota
8. **RESOLUTION NO. 5778:** City of Bemidji Stating its Support for the Development of the Mississippi River Trail (U.S. Bicycle Route 45)
9. Award of Quote for Wastewater Treatment Plant Main Buss Wiring Project – North Country Electrical Services in the amount of \$23,645
10. 1-4 Day Temporary On-Sale Liquor License – BSU on 9/13/12

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

Linda Lemmer, 143 Gemmel Avenue, thanked police, fire and ambulance for their assistance in keeping the access closed to Gemmel Avenue during the July 2 storm event.

OLD BUSINESS

Lion's Club Signage Request

Mel Milender, Lion's Club President, reviewed the Lion's Club request to place their sign on the population signs coming into Bemidji. He stated that the Lion's Club of Bemidji annually assist 22 non-profits by conducting fundraising events.

Motion by Negard, seconded by Hellquist, approving the placement of the Lion's Club sign and any other "service organization" signs up to the maximum of 12 sf on a first-come first-service basis. Motion carried unanimously.

NEW BUSINESS**Upstream TV**

Mike Bredon, Upstream TV, stated that Channel 18 went on the air January 1, 2012 which was made possible by the City, volunteers and organizations. He stated that the membership base is growing but not as projected. On behalf of Upstream TV, Bredon requested \$20,000 in PEG Fees to purchase equipment and \$20,000 from the General Fund to assist with operations. He suggested that the Council consider an increase in the PEG fees to \$1 which is allowed and that Franchise Fees be designated for public television.

The following concerns were expressed by the Council:

- Website does not provide up to date information
- Program scheduling unclear

The Consensus of the Council was that the request from Upstream TV should go to the Public Affairs Committee. Furthermore, the following information needs to be provided: 1) An update six months to date; 2) Upstream's annual budget; 3) membership usage of equipment; 4) sample list of programming; 5) operating hours; and 6) how will the new equipment planned to be purchased be utilized.

A Public Affairs Committee meeting will be held on September 10 at 5:30 p.m. to discuss public access television with Upstream TV.

ORDINANCE**Alley Vacation**

Gray stated that he has reviewed the request for the alley vacation and it is his recommendation that the City either vacate the entire alley or leave it as is. He stated that if it is left as, the alley could be constructed in the future if needed. Gray further stated that the City does not typically maintain dead-end "driveways".

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending an Uncoded Section of the Bemidji City Code Pertaining to the Vacation of a Paper Alley (Bahr's Subdivision). Mayor Larson opened the Public Hearing at 8:05 p.m.

Stephanie Downey, 1026 6th Street SE, stated she has spoken to a number of the neighbors that abut the alley in question and some have indicated to her that they are in favor of vacating the entire alley.

Jim Korhonen, 1022 6th Street SE, stated that he has lived there for 35 years and the alley has been maintained by the neighbors that utilize it. He stated that there are a number of children that live in the neighborhood and the only people that use the alley live there. He would like to see the entire "paper" alley vacated.

Wendell Smith, 1011 7th Street SE, stated he was in favor of vacating the alley. He asked what would happen to access to the properties if vacated.

City Attorney Felix stated that if the alley was vacated there would no longer be public easement. There would be a legal impact to those that live there but he could not advise the residents in that regard.

Dave Kloha, 3495 Riverside Drive NE, has two vacant lots that he has plans to build homes on. He stated he has not been contacted by the neighbors. He stated the Building office has approved his plans for the proposed garage off the alley.

Public Works Director Gray stated it was his understanding from the Building Official that the garage access would work either way.

Dave Lalone, 617 14th Street NW, stated he is the contractor for Mr. Kloha. He stated that if the alley is vacated, they would like assurance that the location of the house can stay where it is.

Stephanie Downey commented that her garage loads off of Grant Avenue and did not understand why the proposed home could not do the same.

Hearing no further comments, Mayor Larson closed the Public Hearing at 8:25 p.m.

AN ORDINANCE Amending an Uncoded Section of the Bemidji City Code Pertaining to the Vacation of a Paper Alley (Bahr's Subdivision) was given a second reading.

UPCOMING COUNCIL MEETINGS

- **Tuesday**, Aug. 21 5:15 p.m. Special Work Session – Closed to Discuss Labor Negotiations
- **Tuesday**, Sept. 4 7:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Hellquist reported on the DDA's recent meeting stating that they are taking over the "Night We Light" event from the Chamber. However, fundraising is down from past years. Donations can be made through the Northwest Minnesota Foundation. Hellquist also commented that he would like to see another joint meeting with Beltrami County Commissioners.
- Minnesota Design Team will be in Bemidji September 13-15.
- Felix reported that the Developer's Agreement has been completed for the Country Inn & Suites. Chattin stated that hopefully the City will be closing on the sale of the property.

ADJOURN

There being no further business, motion by Hellquist, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:43 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk