

# BEMIDJI CITY COUNCIL AGENDA

Monday, August 4, 2014

Council Chambers  
City Hall – 317 4<sup>th</sup> Street NW  
7:00 P.M.



➤ ROLL CALL

➤ PLEDGE OF ALLEGIANCE TO THE FLAG

➤ AMENDMENTS TO AGENDA

I. MINUTES

- 1) Regular Council: July 21, 2014

II. CONSENT AGENDA

*Items in the Consent Agenda are approved with one motion without discussion/debate. The Mayor will ask if any Council member wishes to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.*

- 2) Claims Submitted by Finance Officer in the amount of **\$742,236.81**
- 3) Claims Submitted by Venuworks for the Sanford Center in the amount of **\$31,539.16**
- 4) General Business Licenses Renewals for 2014
- 5) Appointment to Parks & Trails Commission – Tina Kaney
- 6) Resolution Approving Temporary Off-Premises Liquor Permits and Street Closures for the 2014 BSU Homecoming Street Dance – October 18, 2014
- 7) Accept Assistance to Firefighters Grant from the United States Fire Administration in the amount of \$55,103

III. CITIZENS WITH BUSINESS BEFORE THIS COUNCIL – NOT ON AGENDA

**Public Comment** – Please give your name, address and state your concern/comment. Visitors may share their concerns with City Council on any issue, which is not already on the agenda. Each person will have **3 minutes** to speak. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. The Mayor may also limit the number of individual presentations on any issue to accommodate the scheduled agenda items. All comments will be taken under advisement by the Council. **PLEASE BE ADVISED THAT THE COUNCIL WILL TAKE NO ACTION AT THIS TIME.**

IV. REPORT(s)

- Librarian's Report



# **BEMIDJI ECONOMIC DEVELOPMENT AUTHORITY**

## **A G E N D A**

**August 4, 2014**

**7:00 p.m. (or soon thereafter)  
City Hall Council Chambers**

1. CALL TO ORDER
  
2. CONSIDER REQUEST FOR PROPOSALS FOR MULTIPLE LISTING  
AND MARKETING SERVICES FOR THE SOUTH SHORE  
DEVELOPMENT
  
3. ADJOURN

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### Regular Meeting – July 21, 2014

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, July 21, 2014 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 Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, Parks & Recreation Director Marcia Larson, City Clerk Kay Murphy

#### **AMENDMENTS TO AGENDA**

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

#### **MINUTES**

The following minutes were presented for approval:

City/County Meeting	July 1, 2014
Council Meeting	July 7, 2014
Special BEDA	July 7, 2014
Work Session	July 14, 2014

Erickson suggested the following corrections to the July 7, 2014 council minutes:

Motion by Hellquist, seconded by Olson, to award the bid for the Chief Bemidji Platform to Diversified Builders in the amount of \$62,250, \$5,000 of which the Chief Bemidji Committee has agreed to pay for.

"Erickson stated that she felt to have a street behind Walgreen's would not improve the traffic flow onto Irvine from Walgreen's."

**Motion by Meehlhause, seconded by Johnson, to approve the minutes as amended. Motion carried by unanimous vote.**

#### **CONSENT AGENDA**

The following Consent Agenda items were presented for approval. Meehlhause requested to be added to the travel authorization for CGMC Summer Conference. **Motion by Johnson, seconded by Olson, to approve the Consent Agenda items as amended:**

1. Claims Submitted by Finance Officer in the amount of \$2,660,916.14
2. Claims Submitted by Venuworks for the Sanford Center in the amount of \$63,745.84
3. General Business Licenses Renewals for 2014
4. 1 Day Temporary Consumption & Display Permit – Chamber on August 12, 2014
5. **RESOLUTION NO. 5900:** Repair or Remove Structure(s) Located at 702 19th Street NW

6. **RESOLUTION NO. 5901:** Repair or Remove Structure(s) Located at 718 19th Street NW
7. Purchase of New Air Compressor in the amount of \$13,423 from Ziegler, Inc. – Street Department
8. Change Order #1 – Chief Bemidji Statue Platform - Add Alternate #3 (decorative columns) in the amount of \$3,600 (paid by Chief Bemidji Committee)
9. Travel Authorization – CGMC Summer Conference in Rochester – August 20-22 – Hellquist, Meehlhause

**Motion carried by unanimous vote.**

#### **CITIZENS NOT ON AGENDA**

No one appeared.

#### **COMMITTEE REPORTS**

Sustainability Committee – Erica Bailey-Johnson reviewed past successes of the Sustainability Committee. Sara Denison highlighted the 3<sup>rd</sup> Annual Sustainable Places Tour on Saturday, July 26 which has been coordinated by the Bemidji Sustainability Committee, with members from our university and surrounding community.

#### **PRESENTATIONS**

Update from Coalition of Greater Minnesota Cities – Bradley Peterson, CGMC, reviewed the 2014 Legislative session. He reported that the 2014 legislative session was short, intense and yielded modest gains for Greater Minnesota. The CGMC will continue to advocate for Bemidji and other Greater Minnesota cities interests in 2015. Discussion continued on transportation.

TXT4Life, A Minnesota Suicide Prevention Program – Ayla Koob, Steilher Human Services, Inc., provided an overview of a new suicide prevention program that is being introduced to certain regions in Minnesota. TXT4Life works by texting “Life” to 612-22 and then the texter is connected to counselors. The counselors can listen, provide resources, help with coping skills, or intervene in a suicidal situation if deemed necessary. Ms. Koob stated there are two trainings offered to those who are interested which are Question Persuade, Refer (QPR) trainings and Applied Suicide Intervention Skills Training (ASIST).

ACT on Alzheimer’s Action Team – Carol Priest, Northwoods Caregivers, shared information about the ACT on Alzheimer’s Action Team. It is a four phase process for bringing people together to make Bemidji a dementia-friendly community. A dementia-friendly community is informed, safe, and respectful of people with Alzheimer’s disease, and offers services and support for these people and their caregivers. There will be a meeting on Wednesday, August 6 to begin the community assessment. Councilor Thompson will attend on behalf of the City Council.

#### **OLD BUSINESS**

##### **Chief Bemidji Statue Model**

Sandy Kaul, Public Arts Commission, reviewed the final clay model of Chief Bemidji statue. The Chief Bemidji Statue Committee and the Public Arts Commission have recommended the Council approve the final clay model by artist Gareth Curtiss.

**Motion by Olson, seconded by Thompson, to approve the Chief Bemidji Statue model and approved the second of three payments to Gareth Curtiss in the amount of \$23,000 per his contract. Motion carried unanimously.**

**Mural – WWTF Digester Building**

Mike Forbes, WWTF Co-Superintendent, stated that on July 7 the WWTF Artist Selection Committee interviewed artists and reviewed their proposals. The Selection Committee unanimously selected Wesley May and his design for the mural commission for the new digester building. On July 9, the Public Arts Commission met and agreed with the Selection Committee’s decision and is recommending the Council approve the Wesley May Mural for the WWTF public art project. Discussion continued regarding the murals longevity and types of materials to be used. Forbes stated that Mr. May plans to complete the mural by mid-September.

Gray stated that funding for this project is in the 2014 CIP utilizing the Sanitary Sewer fund.

Thompson stated it would be nice to have a viewing platform with explanation. Forbes stated that they have been discussing placing trail signage along the bike trail.

**Motion by Olson, seconded by Thompson, approving the Wesley May Mural for the Wastewater Treatment Facility public art project in the amount of \$22,000. Motion carried unanimously.**

**NEW BUSINESS**

**Downtown Parking Lot Permit Increase**

Denise Koenigsberg, Downtown Business Alliance (DBA) representative, provided an overview of recent administrative activities, current issues and plans for future development of the downtown parking lots. She stated that the DBA is requesting an increase to the downtown parking lot fees as follows:

<u>Parking Lot</u>	<u>Current Rates</u>	<u>Proposed 2014-2015</u>	<u>Proposed 2015-2016</u>	<u>Proposed 2016-2017</u>
Lot 2	\$85	\$90	\$95	\$100
Lot 3	\$125	\$133	\$142	\$150
Lot 4	\$100	\$108	\$117	\$125
Lot 5	\$85	\$90	\$95	\$100
Lot 6	\$75	\$82	\$89	\$96
Lot 7	\$125	\$133	\$142	\$150

Koenigsberg noted that there has been no increase to the parking lot rates since 2005. In addition, Lot 8 located at the Waterfront will be closed after the construction. The question becomes does the City want to replace that lot. Koenigsberg noted that there was a Parking Committee which had City Council representation. Mayor Albrecht indicated that the members of the City's Public Works Committee would be the Council's representatives and asked her to communicate upcoming meetings with the City Clerk.

**Motion by Thompson, seconded by Olson, approving the downtown parking lot fee increase over the next three years as proposed by the Downtown Business Alliance. Motion carried unanimously.**

Wastewater Treatment Facility Roof Replacement (City Project 14-09)

Gray stated that the 2014 CIP includes \$150,000 for the replacement of the WWTF administration roof based on an inspection completed in 2008. The following two bids were received on July 15:

Thelen Heating & Roofing, Inc.	\$125,700
Herzog Roofing, Inc.	\$127,820

Gray stated that the total project cost is approximately \$145,000, providing there are no unforeseen circumstances discovered. The project will be funded with sanitary sewer utility funds.

**Motion by Erickson, seconded by Meehlhause, to award the bid for the Wastewater Treatment Facility Roofing Roof Replacement (City Project #14-09) to Thelen Heating & Roofing, Inc. in the amount of \$125,700. Motion carried unanimously.**

Request from Upstream TV

Mike Bredon, Executive Director for Upstream, stated that Upstream TV operates the Bemidji's public access channel under an agreement with the City and has been expanding programming of local and accessible television. Bredon stated that their proposal is to provide access and insight into government operations. They propose to combine and expand public and government broadcasts onto a newly established Government Access TV Channel.

Albrecht stated that she is supportive of Upstream but the challenge is funding, particular since the budget is set for 2014. Eischens concurred with the City Manager's direction and recommended that the City Council add it to the August 11, 2015 budget discussion.

Meehlhause commented that providing government access is an important communication tool and he would like further discussion.

Erickson stated she would like to see Upstream's monthly financials before making any decision about Upstream's request. Bredon stated that it was provided but would be happy to provide it again.

Johnson stated that part of the problem with Upstream getting support is access to the present location. Bredon commented that co-locating is essential.

Mayor Albrecht directed the Finance Director to include Upstream's request as a budget item for possible consideration by the Council at the 2015 Budget discussion in August.

Waterfront/Library Parks Bids

Parks & Recreation Director Larson reviewed the two bids received for Paul Bunyan/Library Park improvements stating that the low bid exceeded the engineer's estimate by \$255,609.57. Larson recommended that the Council reject all the bids at this time and rebid the project in 2015.

Olson asked if there would be an opportunity to find more funding. Larson responded that she will be looking for additional grants.

**Motion by Olson, seconded by Thompson, to reject all bids for Paul Bunyan/Library Park project and rebid in 2015. Motion carried unanimously.**

**ORDINANCES**

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Vacating a Portion of 23rd Street. Mayor Albrecht opened the Public Hearing at 9:04 p.m., hearing no comments the public hearing was closed.

**AN ORDINANCE** Vacating a Portion of 23rd Street was given a second reading.

Pursuant to published notice, a Public Hearing was held to receive input regarding n Ordinance Amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property) (Becker). Mayor Albrecht opened the Public Hearing at 9:06 p.m., hearing no comments the public hearing was closed.

**AN ORDINANCE** Amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property) (Becker) was given a second reading.

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property) (Reise). Mayor Albrecht opened the Public Hearing at 9:07 p.m., hearing no comments the public hearing was closed.

**AN ORDINANCE** amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property) (Reise) was given a second reading.

**UPCOMING COUNCIL MEETINGS**

- Wednesday, July 23 5:30 p.m. Joint LGU Meeting @ City Park Building
- Monday, August 4 7:00 p.m. Regular Council Meeting
- Monday, August 11 5:30 p.m. 2015 Budget / Arena Discussion

**COUNCIL/STAFF REPORT**

- Council members provided updates on current events and meetings.

**ADJOURN**

There being no further business, motion by Meehlhause, seconded by Olson, to adjourn the meeting. Motion carried. Meeting adjourned at 9:23 p.m.

Respectfully submitted,

Kay M. Murphy  
City Clerk



# Bill List Summary

August 4th, 2014

<u>Check /Wire</u>	<u>Vendor</u>	<u>Amount</u>
14547 - 14659	See Attached List	<u>742,236.81</u>
		\$ 742,236.81
	TOTAL	\$ 742,236.81

# Accounts Payable

## Blanket Voucher Approval Document

User: denisea  
Printed: 07/30/2014 - 12:36PM  
Warrant Request Date: 08/05/2014  
DAC Fund:



### COUNCIL BILL LIST

Line	Claimant	Voucher No.	Amount
1	Ace On The Lake	000014547	1,014.50
2	Alliance Benefit Group	000014548	90.00
3	Ameripride	000000000	473.66
4	Anderson-Cameron, Clara	000014549	5.00
5	Artisan Beer Company	000014550	239.60
6	B & B ENTERPRISES	000014551	30.33
7	B & B ENTERPRISES	000014552	31.82
8	Bahl, Matthew	000000000	228.00
9	Bahr, Kent C.	000014553	500.00
10	Baker & Taylor	000000000	473.03
11	Bellboy Corporation	000000000	104.00
12	Beltrami County Auditor/Treasurer	000014554	65,365.48
13	Beltrami County Solid Waste	000014555	1,559.33
14	Bemidji Bituminous Inc	000014556	225.00
15	Bemidji Coca-Cola Bottling Co, Inc	000014557	612.15
16	Bemidji Oil & Propane Inc	000000000	1,072.50
17	Bemidji Paper Sales, Inc.	000000000	1,411.21
18	Bemidji Steel Company	000000000	112.94
19	Bemidji Welders Supply, Inc.	000014558	10.11
20	Bemidji Youth League Baseball	000014559	500.00
21	Bergquist, Cody	000014560	10.00
22	Bernick's	000000000	27,768.15
23	Best of the North Real Estate	000014561	1,000.00
24	Big North Distr. Co, Inc.	000014562	25,675.15
25	BNSF Railway Company	000014563	4,031.75
26	Bobcat of Bemidji	000000000	75.00
27	Bonded Lock & Key of Bemidji	000014564	9.50
28	Bound Tree Medical, LLC	000014565	336.80
29	BW Distributing	000014566	15.99
30	California Contractors, Inc	000014567	349.80
31	Carquest Auto Parts-Bemidji	000014568	271.44
32	Cenex Fleetcard	000014569	19,918.87
33	Chris Ellis Towing & Recovery	000014570	242.00
34	City of Bemidji	000000000	7,700.02
35	City of Minneapolis	000014571	1,176.30
36	Country Greenhouse	000014572	1,977.56
37	Court Surfaces & Repair, Inc	000014573	5,980.00
38	Crazy About Cleaning	000000000	545.00
39	Curtiss, Gareth	000014574	23,000.00
40	D & D Beverage, LLC	000014575	829.95
41	Dakota Supply Group, Inc.	000000000	947.88
42	Design Angler Inc.	000014576	300.00
43	Dick's Plumbing & Heating, Inc	000014577	5,371.75
44	DMK Properties, LLC	000014578	250.00
45	DPC Industries, Inc.	000014579	5,657.70

Page Total: \$207,499.27

Line	Claimant	Voucher No.	Amount
46	Dress Club Cleaners	000014580	11.00
47	Eischens, Ron	000000000	308.97
48	Electric Pump, Inc	000000000	1,147.82
49	Emergency Apparatus Maint.,Inc.	000000000	81.90
50	Fastenal Company	000014581	19.16
51	Felix, Al	000000000	150.00
52	Fenner, Kevin	000000000	51.24
53	Ferguson Enterprises #3093	000014582	251.73
54	Fisher, Carolyn	000014583	25.00
55	FLATEN, DELORES	000014584	2.13
56	FleetPride, Inc.	000014585	13.84
57	Flint Trading ,Inc.	000014586	690.57
58	Forestedge Winery	000014587	510.60
59	Friberg, Tami	000014588	10.00
60	Froehlich, Eve	000014589	5.00
61	G & K Services Inc	000014590	98.17
62	G4 Construction Management, LLC	000014591	500.00
63	Grainger	000014592	43.30
64	Graphic FX	000014593	349.50
65	Guardian Pest Control, Inc	000014594	150.30
66	HARSH, MARJORIE	000014595	2.13
67	Hawkins, Inc.	000000000	9,421.58
68	Hayft, Jade	000000000	528.00
69	HD Waterworks Supply	000014596	590.88
70	Headwaters Science Center	000014597	200.00
71	Ink Spot Press	000014598	30.90
72	Jim Hirt Trucking, Inc	000014599	1,598.50
73	John Deere Financial	000014600	154.15
74	Johnson Bros., Inc.	000014601	28,829.67
75	Knife River Materials	000014602	159,549.22
76	L & S Electric Inc	000014603	2,899.00
77	Ladner, Jaimie	000014604	120.00
78	Larry's Machine Shop	000014605	19.41
79	Larson Construction	000014606	100.00
80	League of MN Cities	000014607	15.00
81	League of MN Insurance Trust	000014608	735.77
82	Leech Lake Brewing Company	000000000	432.60
83	Lewandowski, M.S.Ed, Doug	000014609	175.00
84	Locators & Supplies, Inc.	000000000	75.98
85	Lundmark Construction	000014610	440.00
86	M&T Excavating, Inc.	000014611	4,305.00
87	Macqueen Equipment, Inc.	000000000	644.24
88	Maid In Bemidji, Inc.	000000000	309.00
89	Maintenance Engineering	000014612	627.24
90	Marco, Inc.	000000000	160.25
91	McKinnon Co., Inc.	000014613	12,581.45
92	MN Dept of Commerce	000014614	1.35
93	MN Energy Resources	000000000	2,130.77
94	MN Valley Testing Lab, Inc.	000000000	169.00
95	MoeCo Fire & Safety	000014615	26.45
96	NAPA Auto Parts	000000000	349.88
97	NCL of Wisconsin, Inc	000000000	98.96
98	Nei Bottling, Inc.	000014616	365.87
99	Norfarm Seeds, Inc.	000014617	725.00
100	North Country Business Product	000000000	513.66
101	Northwoods Habitat for Humanity	000014618	250.00
102	Northwoods Ice, Inc.	000014619	906.60

Page Total: \$234,502.74

Line	Claimant	Voucher No.	Amount
103	Ogren, Anna	000014620	5.00
104	Otter Tail Power Company	000014621	51,125.75
105	Paul Spring Music, LLC	000014622	155.08
106	Paustis & Sons	000014623	1,576.01
107	Pete's Place South	000014624	44.66
108	Phillippe, Denise	000014625	100.00
109	Phillips Wine & Spirits	000014626	21,807.23
110	Pine Products, Inc	000014627	1,110.00
111	Potlatch No. 1 Federal Credit Union	000014628	62.50
112	Public Financial Mgmt., Inc.	000000000	750.00
113	Quality Flow Systems, Inc.	000000000	11,389.00
114	Quill Corporation	000014629	786.93
115	Reierson Construction, Inc.	000014630	84,489.18
116	RMB Environmental Laboratories, Inc.	000014631	405.00
117	Roberts, Bert	000014632	5.00
118	Roger's Two Way Radio, Inc.	000014633	25.00
119	Sadeks Repair & Welding, Inc.	000014634	532.58
120	Sanford Bemidji Medical Center	000014635	500.00
121	Schwaab, Inc	000014636	53.44
122	Seasonal Services of Bemidji, Inc.	000014637	675.00
123	Sherwin-Williams Co	000014638	174.82
124	Skeeter Stitch	000014639	213.95
125	Southern Wine & Spirits of Minnesota	000014640	14,307.78
126	Southside Tow & Rec, Inc	000014641	148.84
127	Spartz, Ron	000014642	13.00
128	Spee-Dec Delivery Service, Inc.	000014643	41.67
129	Staples Advantage	000014644	82.16
130	STP RENTAL LLC	000014645	1.33
131	Strategic Insights, Inc	000014646	675.00
132	Streicher's	000014647	1,162.96
133	T & K Outdoors, Inc.	000014648	2,056.08
134	Tires Plus of Bemidji	000014649	1,029.62
135	Tolman Painting & Wallcovering	000014650	325.00
136	Uline	000014651	1,093.03
137	Verizon Wireless	000014652	140.21
138	Vinocopia, Inc.	000000000	656.00
139	VisitBemidji	000000000	32,119.37
140	Waste Management of WI-MN	000014653	48.00
141	Widseth, Smith & Nolting	000014654	1,825.00
142	Wild Hare Bistro & Coffeehouse	000014655	50.00
143	Wilson, Paul	000014656	21.28
144	Wine Merchants	000014657	841.47
145	Wirtz Beverage Minnesota Wine & Spirits, Inc	000014658	18,018.49
146	WSB & Associates, Inc.	000000000	47,457.48
147	Zee	000000000	134.90
148	Zetah Construction, Inc	000014659	2,000.00

Page Total: \$300,234.80

Grand Total: \$742,236.81

VenuWorks of Bemidji, LLC  
Unpaid Bills Detail  
As of July 25, 2014

Open Balance

**Beltrami County Solid Waste**

347.80

Total Beltrami County Solid Waste

347.80

**Brittany Gapinski**

12.35

12.35

Total Brittany Gapinski

24.70

**Dakota Supply Group**

64.05

Total Dakota Supply Group

64.05

**DFC's Cutting Edge**

35.00

Total DFC's Cutting Edge

35.00

**Fastenal**

10.06

41.24

Total Fastenal

51.30

**G & R Controls, Inc.**

6,915.00

Total G & R Controls, Inc.

6,915.00

**G&K Services**

337.89

Total G&K Services

337.89

**Granite City Armored Car, Inc.**

115.74

Total Granite City Armored Car, Inc.

115.74

**GreenSpring Media**

1,000.00

Total GreenSpring Media

1,000.00

**Holmes Murphy**

114.00

21.00

144.00

21.00

VenuWorks of Bemidji, LLC  
**Unpaid Bills Detail**  
As of July 25, 2014

	<u>Open Balance</u>
Total Holmes Murphy	300.00
<b>Johnson Brothers Liquor Co.</b>	
	164.67
	<u>156.02</u>
Total Johnson Brothers Liquor Co.	320.69
<b>Lueken's - North</b>	
	468.47
Total Lueken's - North	<u>468.47</u>
<b>Luekens - South</b>	
	417.62
Total Luekens - South	<u>417.62</u>
<b>Marco</b>	
	27.00
Total Marco	<u>27.00</u>
<b>Minnesota Energy Resources Corp</b>	
	2,617.14
Total Minnesota Energy Resources Corp	<u>2,617.14</u>
<b>NLFX Professional</b>	
	56.91
	<u>1,073.75</u>
Total NLFX Professional	1,130.66
<b>OfficeMax</b>	
	63.67
	42.39
	9.40
	<u>116.90</u>
Total OfficeMax	232.36
<b>Phillips Wine &amp; Spirits</b>	
	-1,376.14
	-623.53
	<u>401.63</u>
Total Phillips Wine & Spirits	-1,598.04
<b>Sysco North Dakota, Inc.</b>	
	-29.84
	-6.56

VenuWorks of Bemidji, LLC  
**Unpaid Bills Detail**  
As of July 25, 2014

	<u>Open Balance</u>
	-223.30
	-79.25
	-31.89
	-76.00
	1,432.04
	855.29
	813.97
	1,462.04
	22.69
Total Sysco North Dakota, Inc.	<u>4,139.19</u>
<b>VenuConnection 2014</b>	
	450.00
Total VenuConnection 2014	<u>450.00</u>
<b>VenuWorks, Inc.</b>	
	9,653.13
	4,489.46
Total VenuWorks, Inc.	<u>14,142.59</u>
<b>TOTAL</b>	<u><u>31,539.16</u></u>

# GENERAL BUSINESS LICENSES - 2014

Type of License	Business Name	Business Location	Fee Paid
<b>Hotel/Motel</b>			
	COUNTRY INN & SUITES	927 LAKE SHORE DR SE	\$65.00
<b>Massage Therapist</b>			
	KATE ANN FARNSWORTH	WITHIN BEMIDJI CITY LIMITS	\$120.00



# **COUNCIL AGENDA ITEM**



City Manager's Office

**Meeting Date: August 4, 2014**

**Action Requested: Appointment to Parks & Trails Commission**

**Prepared By: Kay M. Murphy, City Clerk** *Kay*

**Reviewed By: John M. Chattin, City Manager**

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The Parks & Trails Commission currently has one vacancy. Tina Kaney, 804 Grant Avenue SE has applied for this appointment. Ms. Kaney's application is attached for your review.

Mayor Albrecht and Parks & Recreation Director Larson have reviewed the application and recommend appointment.

**Recommendation:**

Approve appointment of Tina Kaney to the Parks & Trails Commission (term ending 1/31/2017).



CITY OF BEMIDJI  
317 4<sup>th</sup> Street NW  
Bemidji, MN 56601

Phone: 218-759-3570 Fax: 218-759-3590  
Website: [www.ci.bemidji.mn.us](http://www.ci.bemidji.mn.us)

Date Received:

7/18/14

Received By:

Kan

## BOARD/COMMISSION APPLICATION

APPLYING FOR (check only one):

- |   |  |
|---|--|
| <input type="checkbox"/> Charter Commission                 | <input type="checkbox"/> City Library Board                        |
| <input type="checkbox"/> Heritage Preservation Commission   | <input type="checkbox"/> Merit Hearing Board                       |
| <input type="checkbox"/> Housing & Redevelopment Commission | <input checked="" type="checkbox"/> Parks & Trails Commission      |
| <input type="checkbox"/> Housing Appeals Board              | <input type="checkbox"/> Greater Bemidji Joint Planning Commission |
| <input type="checkbox"/> Public Arts Commission             |  |

NAME: Tina Kaney

FULL ADDRESS: 804 Grant Ave SE Bemidji, MN 56601

PHONE (HOME): 218-407-2197

PHONE (WORK): 218-444-7011

EMAIL: tinahanke@gmail.com

ARE YOU A RESIDENT OF THE CITY OF BEMIDJI?  YES  NO

DO YOU MEET THE QUALIFICATIONS TO SERVE ON THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING AS STIPULATED IN THE CITY'S POLICY ON APPOINTMENTS TO BOARDS & COMMISSIONS?  YES  NO

STATEMENT OF INTEREST, WHY YOU ARE INTERESTED IN SERVING ON THIS BOARD/COMMISSION:

I would like to serve on the Bemidji Parks & Trails Commission because as an avid user of area parks and trails, I am interested in their use and development as well as having them recognized as a community asset and driver of tourism. I hope to use my strengths and connections to help further the good work that has already been done to make Bemidji's parks and trails some of the best I've had the privilege to use.

**PLEASE LIST YOUR QUALIFICATIONS, EXPERIENCE/EDUCATION THAT IS RELATIVE TO YOU SERVING ON THIS BOARD/COMMISSION:**

I feel that I am well qualified to serve on the Parks & Trails Commission and my qualifications include:

-Worked as a part-time Recreation Leader for the City of Bemidji for over a year, so I am very familiar with different parks and trails and their uses.

-Also, as a local business owner and young leader, I am well-connected to residents and have a good pulse on local events and issues.

-My background also includes outdoor education positions, as well as event and program coordination.

-My education and B.A. degree in Geography, with an emphasis on People-Environment Interactions, helps me understand how people connect with and utilize their surroundings.

*Jana Ekaney* 7-17-2014

**AVAILABILITY:** Are you able to meet as necessary to fulfill the responsibilities of appointment to this board/commission?  Yes  No

**REFERENCES: (Optional)**

Name Address Phone

Name Address Phone

Name Address Phone

*Incomplete applications will not be considered.*

**NOTE:** This application is of public record. Public Service opportunities are offered by the City of Bemidji without regard to race, color, national origin, religion, disability, sex or sexual orientation.

**(For Office Use Only)**

Was application submitted by due date?  Yes  No

The Applicant is:  A New Applicant  Applying for Reappointment

This appointment is for a:  Partial Term  Full Term

Date submitted to Council: 8/14/14 Council Action:  Not Appointed  Appointed (Exp: \_\_\_\_\_)

# COUNCIL AGENDA ITEM



**Meeting Date:** August 4, 2014

**Action Requested:** Resolution Approving Temporary Off-Premises Liquor Permits and Street/Sidewalk Closures for 2014 BSU Homecoming

**Prepared By:** Kay M. Murphy, City Clerk *Kay*

**Reviewed By:** John M. Chattin, City Manager

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I have received a request from the BSU Foundation, in partnership with the Bemidji State University Alumni Association, to host a street dance in conjunction with BSU Homecoming the evening of Saturday, October 18, 2014 (see attached letter).

Staff has reviewed the request and recommends the following for dispensing and consuming intoxicating beverages:

- Holders of retail on-sale liquor license that are within the designated area must submit an application for Limited Permit to Dispense Intoxicating Liquor Off-Premises at a Community Event.
- The off-premises location must be within 40' x 40' to the front door of the licensed establishment/building.
- The on-sale liquor applicant shall file with the City, prior to issuance of the off-premises liquor permit, a certificate of liability insurance coverage in at least the sum of \$100,000.00 for injury to any one person and \$300,000.00 for injury to more than one person, and property damage of at least \$10,000.00, naming the City as an insured during the license period.
- Additional security to be provided by the event organizer in conjunction with the Bemidji Police Department.
- The on-sale licensee shall provide at least one (1) experienced, certified bartender (has undergone appropriate training) working the off-premises location.
- The on-sale licensee must observe all state and local laws relating to the sale of alcoholic beverages, i.e., sales are prohibited to individuals under the age of twenty-one (21), prohibition of serving obviously drunken patrons, etc.
- Wrist bands are to be used to identify the ages of patrons. Patrons under 16 must be off the site by 10:00 p.m.
- Alcohol must be dispensed in PLASTIC CUPS only. Patrons may consume beverage in PLASTIC CUPS anywhere within the designated area.

**Recommendation:**

Adopt a resolution approving the Temporary Off-Premises Liquor Permits and Street Closures for the 2014 BSU Homecoming Street Dance.



July 10, 2014

Mayor Rita Albrecht  
Bemidji City Council  
317 4<sup>th</sup> Street  
Bemidji, MN 56601

**BSU Foundation**  
218-755-2762  
888-234-5718  
foundation@bemidjistate.edu  
www.bsufoundation.org  
Fax: (218) 755-4146

**BSU Alumni Association**  
218-755-3989  
877-BSU-ALUM (278-2586)  
alumni@bemidjistate.edu  
www.bsualumni.org  
Fax: (218) 755-2121

**Beaver Pride**  
218-755-2827  
888-234-5718  
beaverpride@bemidjistate.edu

Dear Mayor Albrecht and Council Members:

The Bemidji Area Alumni Chapter, in partnership with the Bemidji State University Alumni Association, is again seeking permission to host a Street Dance in conjunction with BSU Homecoming on the evening of Saturday, October 18, 2014. This event proved to be extremely successful the past five years and has met our goal of providing a signature Homecoming event for our alumni returning to Bemidji for the weekend, as well an opportunity to bring together alumni and non-alumni in the community.

Once again, we would like to block off Beltrami Avenue between 3<sup>rd</sup> and 4<sup>th</sup> streets and set up tents on the street for a band and dancing. We would also again like permission for participants to be able to carry their alcoholic beverages on the street within the barricaded area. We would like to request permission to use snow fencing and again wish to extend the barricaded area to include the alley to the north of Wells Fargo off Beltrami where we will locate the portable toilets. We'll also include the alley to the north of Keg 'N Cork so participants can access the Street Dance without having to block off the sidewalk on 3<sup>rd</sup> Avenue. This approach worked well the past five years.

Following are details regarding this event:

- 1) You must be 21 or older to participate. Access points will be established on both ends of Beltrami Avenue. All entrants will be ID'd and charged a \$5 entry fee. Wrist bands will be used to indicate participants have paid the entry fee. Bars will still be responsible for checking ID's when they sell alcohol.
- 2) Additional vendors will be solicited to provide food options to supplement the services of participating area establishments.
- 3) Security will be hired to patrol the event area.
- 4) The Street Dance Committee will be responsible for providing portable toilets within the event area, as well as set up and clean-up of the entire space.

We truly appreciate your consideration and support of this request.

Sincerely,

Caroline Norelius  
Director of Alumni Relations

# RESOLUTION NO.

## A RESOLUTION APPROVING TEMPORARY OFF- PREMISES LIQUOR PERMITS AND STREET CLOSURES FOR THE 2014 BSU HOMECOMING STREET DANCE

**WHEREAS**, the Bemidji Area Alumni Chapter, in partnership with the Bemidji State University Alumni Association, hereinafter the "Event Organizers", are sponsoring a Street Dance in conjunction with BSU Homecoming in the City of Bemidji on October 18, 2014; and

**WHEREAS**, the Event Organizers have requested that Beltrami Avenue between 3<sup>rd</sup> and 4<sup>th</sup> Streets be closed including the alleys with access to Hot Toddy's and a portion of the alley north of the Northwest Minnesota Foundation building; and

**WHEREAS**, the Event Organizers will provide the City with a Certificate of Liability Insurance naming the City as an "additional insured" for the duration of the special event; and

**WHEREAS**, the Event Organizers agree to observe all state and local laws relating to the sale of alcoholic beverages; and

**WHEREAS**, the Event Organizers agree to abide by all city rules and regulations in the use of the designated areas, to clean and restore the areas used to the satisfaction of Street Department staff, and to submit appropriate applications and user and permit fees to the City Clerk; and

**NOW, THEREFORE**, be it resolved by the Bemidji City Council to authorize the Temporary Off-Premises Liquor Permits to Restaurants within the designated event area and closure of street, alleys and sidewalks as described herein on October 18, 2014 beginning at 5:00 p.m. and ending at 12:30 p.m. for the purpose of the 2014 BSU Homecoming Street Dance.

The foregoing resolution was offered by Councilmember \_\_\_\_\_, who moved its adoption, and on due second by Councilmember \_\_\_\_\_, was passed by the following vote:

Ayes:

Nays:

Absent:

Passed: August 4, 2014

ATTEST:

APPROVED:

\_\_\_\_\_  
Kay M. Murphy, City Clerk

\_\_\_\_\_  
Rita C. Albrecht, Mayor

# **COUNCIL AGENDA ITEM**



**Meeting Date:** August 4, 2014

**Action Requested:** Accept "Assistance to Firefighters Grant" in the amount of \$55,103.

**Prepared By:** David Hoefer, Fire Chief

DAH

**Reviewed By:** John Chattin, City Manager

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## **Background:**

The Bemidji Fire Department has been awarded an Assistance to Firefighters Grant (AFG) from the United States Fire Administration (USFA).

The grant has two components:

1. Purchase rescue air bags and stabilization equipment that are used in vehicle crashes.
2. Purchase wildland firefighting personal protective equipment.

The federal grant awarded was for \$55,103 (90%) with the local share of \$6,122 (10%).

## **Recommendation:**

Accept the Assistance to Firefighters grant from the United States Fire Administration for \$55,103.

U.S. Department of Homeland Security  
Washington, D.C. 20472



# FEMA

Mr. David Hoefler  
Bemidji Fire Department  
318 5th Street NW  
Bemidji, Minnesota 56601-3022

Re: Grant No.EMW-2013-FO-01459

Dear Mr. Hoefler:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2013 Assistance to Firefighters Grant has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$61,225.00. The Federal share is 90 percent or \$55,103.00 of the approved amount and your share of the costs is 10 percent or \$6,122.00.

**Before you request and receive any of the Federal Grant funds awarded to you, you must establish acceptance of the Grant and Grant Agreement Articles through the Assistance to Firefighters Grant Programs' (AFG) e-grant system.** Please make sure you read and understand the articles as they outline the terms and conditions of your grant award. By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval, via amendment request, from FEMA. Maintain a copy of these documents for your official file.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the process to request your grant funds, please call 1-866-274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Kamoie".

Brian E. Kamoie  
Assistant Administrator  
Grant Programs Directorate





City Manager's Office

# MEMORANDUM

**TO:** City Council and BEDA  
**FROM:** John Chattin, City Manager/Executive Director *JMC*  
**DATE:** August 4, 2014  
**RE:** Request for Proposals for Multiple Listing and Marketing Services

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The City and the BEDA solicited proposals from realtors for multiple listing and marketing services, as reflected in the attached RFP.

Three proposals were received from:

Mark Dickinson, Broker/Owner  
Century 21 Dickinson Realtors

Bob Kiewatt, Jr., Associate Broker  
Lake-N-Woods Realty, Inc.

Jerry Vargo, Associate Broker  
Harry and Noemi Aylesworth, Realtors  
Real Living First Realty

The council can decide if the proposals answer the questions in the RFP and which realtor would best represent the City's interests in selling its property.



317 4<sup>th</sup> St NW  
Bemidji, MN 56601

### **Request for Proposals for Multiple Listing and Marketing Services**

The Bemidji Economic Development Authority (BEDA) owns just over 16 acres of developable land on the south shore of Lake Bemidji. We are seeking a full-service realtor who can provide multiple listing and marketing services for the property.

Please provide the following for the BEDA's consideration:

- Describe your proposed commission structure. What would your commission look like if you sold the property and would there be any difference if another realtor made the sale?
- Describe how you would market the property. Would you tailor a specific marketing campaign just for this property? How long would you propose such a campaign would continue?
- Describe your expertise and experience in commercial real estate. Have you worked with developers to purchase property and develop specific projects?
- Provide documentation of comparable development properties sold within the last five years.
- Why would you be the best choice to market our property?

Proposals should be submitted to:

John Chattin, BEDA Executive Director  
317 4<sup>th</sup> street NW  
Bemidji, MN 56601  
[jchattin@ci.bemidji.mn.us](mailto:jchattin@ci.bemidji.mn.us)  
(218) 759-3565

Proposals must be received by Wednesday, July 30, 2014 at 4:30 PM at city hall or via email to be considered.

# **CITY OF BEMIDJI**

## **ORDINANCE NO. , 3<sup>RD</sup> SERIES**

### **ORDINANCE AMENDING AN UNCODED SECTION OF THE BEMIDJI CITY CODE PERTAINING TO STREET VACATION (Portion of 23<sup>rd</sup> Street NW)**

#### **THE CITY OF BEMIDJI DOES ORDAIN:**

**SECTION 1.** Subject to the condition(s) stated in Section 2 hereinafter that portion of the municipal street right-of-way known as 23<sup>rd</sup> Street NW, described as follows:

**That portion of Lot Seven (7) and the West Half (W½) of Lot Four (4), Block One (1), Omichs Second Addition to Bemidji, according to the recorded plat thereof, which lies northerly and northeasterly of a line drawn parallel with and distant 33 feet northerly and northeasterly of the following described centerline of 23<sup>rd</sup> Street NW as the same was located and established over and across said Omichs Second Addition to Bemidji:**

**Commencing at the southwest corner of Lot 5, Block 4, Omichs Second Addition to Bemidji, according to the recorded plat thereof; thence south along a continuation of the west line of said Lot 5 a distance of 35.74 feet to the point of beginning of the center line to be described; thence North 89 degrees 30 minutes 29 seconds West, bearings assumed, a distance of 19.12 feet; thence northwesterly a distance of 141.30 feet along a tangential curve concave to the north having a radius of 277.70 feet and a central angle of 29 degrees 09 minutes 20 seconds; thence North 54 degrees 22 minutes 52 seconds West, tangent to said curve a distance of 148.99 feet; thence northwesterly a distance of 184.16 feet along a tangential curve concave to the south having a radius of 289.22 feet and a central angle of 36 degrees 29 minutes 00 seconds; thence North 89 degrees 33 minutes 30 seconds West, tangent to said curve, a distance of 244.86 feet to its intersection with a line drawn parallel with and distant 30 feet easterly of the easterly right-of-way line of State Trunk Highway No. 197 (also known as Bemidji Avenue or Paul Bunyan Drive NW) and said center line there terminating.**

is hereby vacated.

**SECTION 2.** Said vacation is subject to the City of Bemidji's reservation of a utility easement in, under, over and across the municipal right-of-way described and vacated in Section 1 above, in favor of existing private and public utilities located within said right-of-way for the purpose of maintaining, repairing, replacing, removing or otherwise attending to existing utilities therein, unless and until such utilities are removed, relocated, or as the individual easement interests are subsequently released by agreement with the easement holder(s).

Furthermore, approval of this vacation is conditioned upon the Petitioners', owners of Beltrami County Tax Parcel Numbers #80.02927.00 and #80.02919.00, respectively, conveying to the City municipal utility easements in, under and across those portions of said parcels through which undocumented City Sanitary Sewer mains currently pass.

**SECTION 3.** The City Clerk is hereby authorized and directed to publish the passage of this Ordinance according to law and record a duly certified copy of this Ordinance in the office of the County Recorder for Beltrami County, Minnesota. Furthermore, City staff is directed to take the appropriate actions to accomplish the City's receipt of conveyance of the utility easements from Petitioners as described in Section 2 above.

**SECTION 4.** This Ordinance shall become effective thirty (30) days after its passage and publication according to law.

Ayes:

Nays:

Absent:

First Reading: July 7, 2014

Second Reading: July 21, 2014

Final Reading:

ATTEST:

APPROVED:

\_\_\_\_\_  
Kay M. Murphy, City Clerk

\_\_\_\_\_  
Rita C. Albrecht, Mayor

# **COUNCIL AGENDA ITEM**



**Meeting Date:** August 4, 2014

**Action Requested:** Authorization to Publish a Summary of an Ordinance

**Prepared By:** Kay M. Murphy, City Clerk *Kay*

**Reviewed By:** John Chattin, City Manager

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I am respectfully requesting to publish the following summary of an ordinance as allowed by City Charter Section 3.09:

**LEGAL ADVERTISEMENT**

ORDINANCE NO. 100, 3<sup>RD</sup> SERIES: An Ordinance Amending an Uncoded Section of the Bemidji City Code Pertaining to Street Vacation (A Portion of 23<sup>RD</sup> Street NW)

This Ordinance was approved by the City Council on Monday, August 4, 2014. This Ordinance shall become effective 30 days after publication.

A complete copy of the Ordinance is available by contacting the City Clerk, 317 4<sup>th</sup> Street NW, Bemidji, MN 56601 (218-759-3570) or may be viewed on-line at [www.ci.bemidji.mn.us](http://www.ci.bemidji.mn.us).

**Recommendation:**  
Authorize publication of Ordinance summary.

# **CITY OF BEMIDJI**

## **ORDINANCE NO. , 3<sup>RD</sup> SERIES**

### **AN ORDINANCE AMENDING AN UNCODED SECTION OF THE BEMIDJI CITY CODE (AUTHORIZING THE SALE OF REAL PROPERTY)**

#### **THE CITY OF BEMIDJI DOES ORDAIN:**

**SECTION 1.** That pursuant to Section 12.05 of the Home Rule Charter of and for the City of Bemidji, the City hereby authorizes and ratifies the sale of the real property owned in fee by the City and legally described in Section 2 below, to adjoining property owner, David Becker. Proposed consideration for the sale and conveyance includes payment of monetary consideration in the sum of \$9,388, along with non-monetary consideration including Purchaser's conveyance of a municipal utility easement in adjoining real property owned by Purchaser.

The real property had previously been conveyed to the City as part of a larger parcel for purposes of extending the 23<sup>rd</sup> Street NW right-of-way eastward from the North Junction of 23rd Street and Bemidji Avenue. The City Engineer has advised that the real property described herein does not serve a current public use, street or utility purpose, and is determined to be excess right-of-way, and that continued public ownership of the parcel will not benefit a future public use or purpose. The parcel is subject of the street vacation under Ordinance No. 100, 3rd Series.

**SECTION 2.** The land to be sold pursuant to this Ordinance is legally described as:

**That portion of the West Half (W½) of Lot Four (4), Block One (1), Omichs Second Addition to Bemidji, according to the recorded plat thereof, less the West 80 feet thereof, which lies northerly and northeasterly of a line drawn parallel with and distant 33 feet northerly and northeasterly of the following described centerline of 23<sup>rd</sup> Street NW as the same was located and established over and across said Omichs Second Addition to Bemidji:**

**Commencing at the southwest corner of Lot 5, Block 4, Omichs Second Addition to Bemidji, according to the recorded plat thereof; thence south along a continuation of the west line of said Lot 5 a distance of 35.74 feet to the point of beginning of the center line to be described; thence North 89 degrees 30 minutes 29 seconds West, bearings assumed, a distance of 19.12 feet; thence northwesterly a distance of 141.30 feet along a tangential curve concave to the north having a radius of 277.70 feet and a central angle of 29 degrees 09 minutes 20 seconds; thence North 54 degrees 22 minutes 52 seconds West, tangent to said curve a distance of 148.99 feet; thence northwesterly a distance of 184.16 feet along a tangential curve concave to the south having a radius of 289.22 feet and a central angle of 36 degrees 29 minutes 00 seconds; thence North 89 degrees 33 minutes 30 seconds West, tangent to said curve, a distance of 244.86 feet to its intersection with a line drawn parallel with and distant 30 feet easterly of**

**the right-of-way line of State Trunk Highway No. 197 (also known as Bemidji Avenue or Paul Bunyan Drive NW) and said center line there terminating.**

**SECTION 3.** The City shall convey the above-described property to David Becker by appropriate conveyance. City staff is further directed to take the appropriate steps to accomplish the transfer of said real property, including Purchaser's conveyance of a municipal utility easement and the satisfaction of all conditions that may be attached to the sale.

**SECTION 4.** The Ordinance shall be in full force and effect thirty (30) days from and after its passage and publication.

Ayes:  
Nays:  
Absent:

First Reading: July 7, 2014  
Second Reading: July 21, 2014  
Final Reading:

Attest:

Approved:

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Kay M. Murphy, City Clerk

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Rita C. Albrecht, Mayor

# **COUNCIL AGENDA ITEM**



**Meeting Date: August 4, 2014**

**Action Requested: Authorization to Publish a Summary of an Ordinance**

**Prepared By: Kay M. Murphy, City Clerk** *Kay*

**Reviewed By: John Chattin, City Manager**

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I am respectfully requesting to publish the following summary of an ordinance as allowed by City Charter Section 3.09:

**LEGAL ADVERTISEMENT**

ORDINANCE NO. 101, 3<sup>RD</sup> SERIES: An Ordinance Amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property) (David Becker)

This Ordinance was approved by the City Council on Monday, August 4, 2014. This Ordinance shall become effective 30 days after publication.

A complete copy of the Ordinance is available by contacting the City Clerk, 317 4<sup>th</sup> Street NW, Bemidji, MN 56601 (218-759-3570) or may be viewed on-line at [www.ci.bemidji.mn.us](http://www.ci.bemidji.mn.us).

**Recommendation:**  
Authorize publication of Ordinance summary.



# **CITY OF BEMIDJI**

## **ORDINANCE NO. , 3<sup>RD</sup> SERIES**

### **AN ORDINANCE AMENDING AN UNCODED SECTION OF THE BEMIDJI CITY CODE (AUTHORIZING THE SALE OF REAL PROPERTY)**

#### **THE CITY OF BEMIDJI DOES ORDAIN:**

**SECTION 1.** That pursuant to Section 12.05 of the Home Rule Charter of and for the City of Bemidji, the City hereby authorizes and ratifies the sale of the real property owned in fee by the City and legally described in Section 2 below, to adjoining property owner, Thomas H. Reise and Kristi Larson-Reise. Proposed consideration for the sale and conveyance includes a monetary payment in the sum of \$11,210.00, along with non-monetary consideration including Purchaser's conveyance of a municipal utility easement in adjoining real property owned by Purchaser.

The real property had previously been conveyed to the City as part of a larger parcel for purposes of extending the 23<sup>rd</sup> Street NW right-of-way eastward from the North Junction of 23rd Street and Bemidji Avenue. The City Engineer has advised that the real property described herein does not serve a current public use, street or utility purpose and is determined to be excess right-of-way, and that continued public ownership of the parcel will not benefit a future public use or purpose. The parcel is subject of the street vacation under Ordinance No. 100, 3rd Series.

**SECTION 2.** The land to be sold pursuant to this Ordinance is legally described as:

**That portion of Lot Seven (7) and the West 80 feet of the West Half (W<sup>1</sup>/<sub>2</sub>) of Lot Four (4), Block One (1), Omichs Second Addition to Bemidji, according to the recorded plat thereof, which lies northerly and northeasterly of a line drawn parallel with and distant 33 feet northerly and northeasterly of the following described centerline of 23<sup>rd</sup> Street NW as the same is located and established over and across said Omichs Second Addition to Bemidji:**

**Commencing at the southwest corner of Lot 5, Block 4, Omichs Second Addition to Bemidji, according to the recorded plat thereof; thence south along a continuation of the west line of said Lot 5 a distance of 35.74 feet to the point of beginning of the center line to be described; thence North 89 degrees 30 minutes 29 seconds West, bearings assumed, a distance of 19.12 feet; thence northwesterly a distance of 141.30 feet along a tangential curve concave to the north having a radius of 277.70 feet and a control angle of 29 degrees 09 minutes 20 seconds; thence North 54 degrees 22 minutes 52 seconds West, tangent to said curve a distance of 148.99 feet; thence northwesterly a distance of 184.16 feet along a tangential curve concave to the south having a radius of 289.22 feet and a central angle of 36 degrees 29 minutes 00 seconds; thence North 89 degrees 33 minutes 30 seconds West, tangent to said curve, a distance of 244.86 feet to its intersection with a line drawn parallel with and distant 30 feet easterly**

**of the easterly right-of-way line of State Trunk Highway No. 197 (also known as Bemidji Avenue or Paul Bunyan Drive NW) and said center line there terminating.**

**SECTION 3.** The City shall convey the above-described property to Thomas H. Reise and Kristi Larson-Reise by appropriate conveyance. City staff is further directed to take the appropriate steps to accomplish the transfer of said real property, including Purchaser's conveyance of a municipal utility easement and the satisfaction of all conditions that may be attached to the sale.

**SECTION 4.** The Ordinance shall be in full force and effect thirty (30) days from and after its passage and publication.

Ayes:  
Nays:  
Absent:

First Reading: July 7, 2014  
Second Reading: July 21, 2014  
Final Reading:

Attest:

Approved:

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Kay M. Murphy, City Clerk

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Rita C. Albrecht, Mayor

# COUNCIL AGENDA ITEM



**Meeting Date:** August 4, 2014

**Action Requested:** Authorization to Publish a Summary of an Ordinance

**Prepared By:** Kay M. Murphy, City Clerk *Kay*

**Reviewed By:** John Chattin, City Manager

---

I am respectfully requesting to publish the following summary of an ordinance as allowed by City Charter Section 3.09:

**LEGAL ADVERTISEMENT**

ORDINANCE NO. 102, 3<sup>RD</sup> SERIES: An Ordinance Amending an Uncoded Section of the Bemidji City Code (Authorizing the Sale of Real Property) (Thomas Reise and Kristi Larson-Reise)

This Ordinance was approved by the City Council on Monday, August 4, 2014. This Ordinance shall become effective 30 days after publication.

A complete copy of the Ordinance is available by contacting the City Clerk, 317 4<sup>th</sup> Street NW, Bemidji, MN 56601 (218-759-3570) or may be viewed on-line at [www.ci.bemidji.mn.us](http://www.ci.bemidji.mn.us).

**Recommendation:**  
Authorize publication of Ordinance summary.