

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – August 6, 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 6, 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, Police Chief Mike Mastin, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Larson called for any amendments to the agenda. There being no amendments to agenda, Mayor accepted the agenda as presented.

MINUTES

Minutes of the July 6, 2012 regular meeting and July 9, 2012 and July 23, 2012 work sessions were presented for approval. Mayor noted a minor correction to the July 6 regular meeting minutes. **Motion by Albrecht, seconded by Thompson, to approve the minutes as amended. Motion carried by unanimous vote.**

CONSENT AGENDA

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

1. Claims submitted by the Finance Officer in the total amount of \$751,929.38
2. Miscellaneous Business License Renewals for 2012
3. **RESOLUTION NO. 5772:** Approving Temporary Off-Premises Liquor Permit for Nymore Days – Corner Bar on August 31, 2012
4. **RESOLUTION NO. 5773:** Approving Temporary Off-Premises Liquor Permits and Street Closures for the 2012 BSU Homecoming Street Dance – BSU on September 29, 2012
5. **RESOLUTION NO. 5774:** Authorizing Ballot Question (Referendum) on Proposed Charter Amendment
6. **RESOLUTION NO. 5775:** A Resolution of the City of Bemidji Initiating Detachment of Certain Lands in Bemidji Township Pursuant to Joint Orderly Annexation Resolution and Minnesota Statutes Section 414.06
7. Change Order No. 4 for Wastewater Treatment Digester Project #10-04 – (Eagle Construction in the amount of \$31,759)

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

Mike Bredon, Executive Director with Upstream TV, requested to be on the Council's agenda on August 20 to discuss the future of public access television.

COMMITTEE REPORTS

Greater Bemidji Joint Planning Board – Mayana Rice, Administrator, stated that the Board and a volunteer group called the Minnesota Design Team want to hear from the residents and help plan for our community's future. Join them on Friday, September 14 at 5:30 p.m. at the BSU Beaux Arts Ballroom. There will be a free community meal and discussions will begin. She commented that a comprehensive plan developed with the involvement of community members will succeed and asked area residents to participate. On Saturday, September 15 in various locations in Bemidji the Minnesota Design Team will give stakeholders a chance to share important suggestions.

Rice then reviewed a request that will be coming before the Joint Planning Board to establish agriculture zones in Bemidji Township and Northern Township. She stated that the purpose of the district is to promote the preservation of agricultural activities in those areas most suitable for such activities. It also protects and stabilizes viable agricultural economy in the Greater Bemidji Area by eliminating uses that are incompatible with farming.

She stated that the tract of land would be at least 20 acres devoted primarily to agricultural uses together with a dwelling and/or other accessory uses.

Librarian's Report - Paul Ericsson, Branch Manager, reviewed electronic services available to library users and current events offered at the library.

PUBLIC HEARING

Small Cities Development Program

Tim Flathers, HRDC, stated that a second public hearing is required as part of the Small Cities Development Program. He briefly reviewed the grant funds received by the City from the Minnesota Department of Employment and Economic Development to help finance community development activities.

Pursuant to published notice, a public hearing was held regarding the Small Cities Development Program which funded commercial rehabilitation and storefront loans to revitalize downtown Bemidji. Mayor Larson opened the Public Hearing at 7:30 p.m., hearing no comments the public hearing was closed.

NEW BUSINESS

Lion's Club Sign Request

The Lions Club requested the City's permission to add four 18-inch wide signs with the Lions International Logo to the posts under the city's population signs located along US Hwy 2 and 71. In a letter from Mel Milender, Lions Club President, he states that MnDOT requires approval from the City to allow placement of the signs. He further indicated that the Lions logos are considered a symbol of community pride and service throughout the world and that the Lions are active and serving in the Bemidji community.

Motion by Thompson, seconded by Albrecht, authorizing the placement of Lions Club signs under the population signs. Motion failed with the following vote: Ayes: Larson, Albrecht, Thompson. Nays: Hellquist, Waldhausen, Negard, Johnson.

Waldhausen stated he is supportive of placement of the sign; however, he noted that there are a number of service organizations and did not want to exclude any group. Discussion continued regarding MnDOT's requirements as far as what groups were allowed to have signs on the population sign. Discussion continued regarding the lack of a welcome to Bemidji sign at the entrance(s).

Motion by Waldhausen, seconded by Negard, requesting staff to get the parameters from MnDOT regarding sign placement and provide that to the Council at their next meeting. Motion carried unanimously.

Paving Project – WWTF (City Project #12-08)

Public Works Director Gray stated that the 2012 Capital Improvement Plan (CIP) includes \$50,000 for the reconstruction of a portion of the existing blacktop area within the plant facility. The complete replacement of all of the blacktop has been spread over the next three years in the CIP. The city received two bids for the project and requested an alternative bid which calls for utilizing the aggregate base prior to hauling in new aggregate. The estimated total project cost including design and inspection is approximately \$56,000. The five year CIP for the plant includes monies in 2013 and 2014 for additional repaving around the plant. These numbers will be adjusted to account for the overage of this project so that the five year totals remain the same. Gray recommended that the Council award the bid for City Project #12-08 to Bemidji Bituminous in the amount of \$49,830 using the bid alternate price.

Motin by Thompson, seconded by Johnson, to award the bid for the Wastewater Treatment Facility Paving Project (Project #12-08) to Bemidji Bituminous in the amount of \$49,830. Motion carried unanimously.

Permit Parking (BSU Neighborhood Area)

Councilor Waldhausen led the discussion stating that two years ago the City conducted a Quality Neighborhood Initiative study which identified solutions to the parking problems experienced in the BSU vicinity. A parking committee met and developed recommendations to provide on-street parking permits for the residents between 7 a.m. and 5 p.m. Monday through Friday on all streets and avenues within an area bounded by Bemidji Avenue and Birchmont Drive and 17th and 10th Streets. Waldhausen stated that he hosted a forum for residents in Ward One, as well as BSU Student Senate members, to provide an opportunity to discuss the parking permit proposal. He stated that after much discussion, he was advocating the Council to support the following: 1) increase the fines for parking violations to \$50 in the target area; 2) extend the target area to include Dewey Avenue; 3) more enforcement, in particular, blocking

of driveways and alleys; 4) work with the Joint Planning Board (JPB) to allow City police officers the ability to ticket and/or tow the vehicles that are illegally parked on lawns; 5) Waldhausen will work closely with BSU Student Senate, BSU Facility and BSU Admin for aggressive timeline of BSU addressing their clients' needs; and 6) host another Ward One forum in November.

Chief Mastin stated that with current staff the police department is unable to provide parking enforcement. He commented that he has discussed the idea of developing a volunteer police services much like the Citizens Patrol, which could help out to ease the budget. In addition, he suggested utilizing law enforcement students.

City Attorney Felix stated that he was not sure that the Council could increase a fine in one area of the city as opposed to another. He stated that State law does allow immediate towing of vehicles blocking fire hydrants and other violations. The JPB currently deals with parking off street and have limited enforcement by criminal citations. The JPB does not have and will not have the ability to tow or write administrative fines. Felix stated that the Council could consider making parking on lawns a public nuisance in the City code.

Nick Nelson, BSU Student Senate Co-President, stated that BSU Student Senate is not in favor of an increased fine.

Johnson stated that the Bangsberg Parking Lot is never full and staff typically park along Birchmont Drive. He stated that perhaps a time limit might work along Birchmont.

Waldhausen stated that legal parking on the street is not the problem it is the illegal parking.

Negard commented that it might help in the future when we have more officers. BSU is integral to our community, as well as the students.

Gray suggested that the Public Works Department could do a better job painting the alleys and intersections to state standards. He noted that in the process there will be a loss of parking.

Hellquist stated that approximately eight years ago the residents did not want the houses bought turned into parking lots. The City streets are maintained by the City and we cannot make it a BSU problem. He suggested enforcement be increased and not heap the cost on the residents and their guests.

Chattin suggested that the Police Department could make a more concerted effort enforcing the parking regulations when BSU starts.

Motion by Negard, seconded by Thompson, directing City staff to paint the alleys and corners including signage to state standards in major areas. Motion carried unanimously.

ORDINANCE

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

UPCOMING COUNCIL MEETINGS

- Monday, August 13 5:30 p.m. Work Session – 2013 Budget & Updates from CGMC & Greater Bemidji
- Monday, August 20 5:15 p.m. Public Affairs Committee
- Monday, August 20 7:00 p.m. Canvassing Board – Primary Election
- Monday, August 20 7:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

ADJOURN

There being no further business, motion by Waldhausen, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Kay M. Murphy
City Clerk