

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Work Session – September 12, 2011

Pursuant to due call and notice, a work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, September 12, 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, Hellquist, Johnson, Albrecht, Negard, Thompson

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Building Official Michael Meuers, Public Works Director Craig Gray, City Clerk Kay Murphy

Others Present: Charter Commission Members – Jaclyn Ryder, Chuck Stombaugh, Michael Meuers, Nancy Erickson, Rod Witt, Alan Brew - Heritage Preservation Member, and Pat Kelly - Arts Council Representative

License

Motion by Johnson, seconded by Thompson, approving a 1-4 day Temporary On-Sale Liquor License to RP Broadcasting on September 18, 2011 at the Sanford Center. Motion carried unanimously.

2012 Annexation

Chattin stated that staff would like direction from the Council regarding their desire for the timing of the 2012 Annexation – January or after snowplow season. He stated that the 2012 budget does include fees for the annexation areas.

Discussion continued regarding issues that delayed the annexation in the first phase. City Attorney Felix stated that Northern Township has gone through the process of reassessment of those properties involved in the Birchmont Drive appeal. He stated that the roll has been certified, however, another appeal has been filed.

Albrecht stated that she has received a call from a Bemidji Township resident questioning why they are being annexed as no services (water and sewer) are being provided. Albrecht further stated that she is not in favor of annexation at a time when the City budgets are “slim” but will vote yes to be unified in the process.

Negard commented that not all properties in City limits have water and sewer but they do get other services such as the library, police and use of the parks.

Motion by Thompson, seconded by Johnson, to proceed with annexation of the Phase One properties as soon as possible after January 1, 2012. Motion carried unanimously.

Charter Commission

Jaclyn Ryder, Charter Commission Chair, reviewed the proposed amendment to the City Charter adding recall language. She stated that currently the Charter does not have a provision for recall of an elected official for nonfeasance or malfeasance. City Attorney Felix defined nonfeasance which is failure to act and malfeasance is doing something wrong/illegal.

Hellquist stated that the process needs to be fair and unbiased and expressed concerns that it could trigger a “witch hunt”.

Ryder stated that the Charter Commission is hoping that the Council will pass the amendment unanimously; however, if it does not, the question would go to the voters. In the case of an election, the Charter Commission would not be requesting a special election but bring it to the voters at the next regular election in November 2012.

Carnegie Library Building

Chattin stated that as part of the master park planning process for Library Park and the Waterfront Park, the Council should make a decision regarding the future of Carnegie Library, i.e., remove or keep the building. He stated that in May 2009 a study for reuse of the Carnegie Library was completed and it was determined that to upgrade the building in its

location was estimated to cost \$790,000. Chattin stated that the current tenant is looking for another location and he was uncertain if another tenant would be available for the building. The current tenant doesn't pay rent.

Alan Brew, Heritage Preservation Commission (HPC) Chair, stated that the Commission is not in favor of the building being removed as it is a major historic structure in this community and merits efforts to save it.

Albrecht asked the Building Official what requirements would have to be made to the Carnegie Library if a new tenant was found.

Building Official Mike Miller responded that nothing would be required if it was a similar use, i.e., office/retail.

Albrecht suggested that more than one option could be developed for the park plan.

Pat Kelly, Arts Center, stated that the building is not handicap accessible, rundown and the cost for heating the building is considerable. Discussion continued regarding the cost of demolishing or moving the library and the condition of the building.

Waldhausen stated that the building is close to Bemidji Avenue and damage to the building happens when the street is plowed. He stated that the City either needs to put money into the building or remove the building.

Brew stated that MnDOT has recognized their some responsibility regarding the condition of the building, although not in writing.

Mayor Larson asked if the City had a liability issues in relation to the steps. City Attorney Felix responded that ultimately the occupants are responsible in ensuring that the steps are properly maintained, i.e., ice removed during the winter.

Albrecht stated that it was unfortunate that the HPC members had left the meeting believing that the discussion was over. She stated that the City is the steward of historic buildings for this community and is in favor of saving historic structures because our City is losing our history. She recognized that the City doesn't have the funds to repair but we also don't have the funds to demolish it.

Motion by Waldhausen, seconded by Negard, to remove the Carnegie Library Building when needed and direct the park plan to proceed without the Carnegie Library. Motion carried with the following vote: Larson, Hellquist, Negard, Waldhausen, Johnson, Thompson. Nays: Albrecht.

Proposed Rental Ordinance Amendments

Staff briefly reviewed the proposed rental ordinance amendments with the Council. It was observed that the Rental Committee process and outcome were well done.

ADJOURN

There being no further business, motion by Waldhausen, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 7:20 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk