

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – September 4, 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 Tuesday, September 4, 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, Police Chief Mike Mastin

AMENDMENTS TO AGENDA

Mayor Larson called for any amendments to the agenda. **Motion by Hellquist, seconded by Thompson, to approve the agenda as presented. Motion carried by unanimous vote.**

MINUTES

Minutes of the August 20, 2012 regular meeting, August 20, 2012 Canvassing Board, August 13, 2012 work session and August 21, 2012 special work session were presented for approval. **Motion by Negard, 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 Johnson, seconded by Thompson, to approve the Consent Agenda items as follows:**

1. Claims submitted by the Finance Officer in the total amount of \$470,387.86
2. Claims submitted by the Sanford Center in the total amount of \$87,570.75
3. Miscellaneous Business Licenses for 2012
4. **RESOLUTION NO. 5779:** Approving an Application to the Blandin Foundation for a Grant to Renovate and Rehabilitate the Bemidji Carnegie Library
5. **RESOLUTION NO. 5780:** Support and Commitment for the Bemidji Lakefront Development Project and Authorization to Submit a Grant Application to the DNR Park Legacy Grant Program
6. Donation accepted from Enbridge Energy for the amount of \$1,000
7. HRDC Proposal for the Nymore Single Family Housing Rehabilitation Program

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

Forrest Smith, representing Beyond the Yellow Ribbon Committee, stating that the City of Bemidji received its certification.

PRESENTATION

Police Chief Mike Mastin presented Parking Enforcement Officers Zachary Ruport and Anthony Olson with \$750 scholarships from the Minnesota Police Chiefs Association. He stated that each year the Minnesota Chiefs of Police Association awards up to ten \$750 scholarships to law enforcement students throughout the state. The scholarship is presented to individuals pursuing a career in law enforcement. Chief Mastin further commended the two officers for their recent efforts in parking enforcement in the BSU area.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Hannah Lash, BYA President, briefly reviewed activities undertaken by the BYAC in 2011-2012 school year. Introductions were made of new members to the Commission.

Librarian's Report - Paul Ericsson, Branch Manager, reviewed upcoming programs and special dates for September at the Bemidji Public Library. He stated that on September 20 there will be a "soft rollout" of downloadable e-books. There will be training for staff as well as the public on how to utilize this new service.

NEW BUSINESS**Tax Levy**

Eischens stated that staff has prepared a resolution as directed by the City Council at their work session on August 13. The 2013 Preliminary Levy is set at \$4,176,998, representing a 7.8% increase from 2012. He further stated that once the preliminary tax levy is approved it can only be decreased when the final levy is approved in December.

Chattin stated that the increase of 5.4% was needed to maintain the City tax rate due to the recent annexation. He further stated that this portion of the levy should not create a City tax increase to residents and business owners provided their property values remain constant.

RESOLUTION NO. 5781: Approving Preliminary 2012 Tax Levy Collectible in 2013 and Setting the Truth in Taxation Hearing Date (December 3, 2012) was offered by Councilmember Hellquist, who moved its adoption, and upon due second by Councilmember Negard was passed by unanimous vote.

Calendar Parking

Gray reviewed the proposed additional city streets for calendar parking. The streets routinely have vehicles parked on both sides which require multiple trips by the city plows in order to maintain the streets. Gray stated that with the additional streets in the newly annexed areas, as well as the MnDOT turnback streets, staff is looking for ways to maintain the current level of service for snowplowing without increasing the cost. Posting the streets as calendar parking from midnight to 6 a.m. would decrease plowing times and better enable staff to deal with vehicles that are not moved.

Waldhausen expressed concerns about the proposed “seasonal parking” enforcement along 15th Street NE between Bemidji Avenue North and Birchmont Drive NE. He stated that this area handles overflow parking at night for the area. Consensus of the Council was to adopt the resolution deleting the proposed “seasonal parking” on 15th Street.

RESOLUTION NO. 5782: Authorizing Calendar Parking was offered by Councilmember Waldhausen who moved its adoption with noted revisions and upon due second by Councilmember Hellquist was passed by unanimous vote.

MnDOT Turnback Streets

Gray stated that in 2003, MnDOT constructed the split pairs of TH197. They had to acquire right-of-way for that project and they also took over some existing city rights-of-way for the duration of the construction period. The majority of these areas are for the three connecting roads between the split pairs. MnDOT has now determined they no longer need the following six parcels:

- PARCEL 1: Old Midway Drive corridor (where the existing city trail is currently located)
- PARCEL 2: Link Street between City liquor store and McDonalds
- PARCEL 3: Existing city Cross Street that was used for construction in 2003
- PARCEL 4: Connect Street by Burger King
- PARCEL 5: Excess right-of-way adjacent to Gemmel Avenue
- PARCEL 6: Excess First Street right-of-way

RESOLUTION NO. 5783: Accepting MnDOT Turn Backs along Trunk Highway 197 was offered by Councilmember Hellquist, who moved its adoption, and upon due second by Councilmember Albrecht was passed by unanimous vote.

ORDINANCES**Fee Schedule**

City Attorney Felix stated that notices regarding the franchise fee increase have been sent to the utility companies. He observed that the public hearing will be at the second reading.

AN ORDINANCE Amending the 2012 Fee Schedule Ordinance by Adoption of an Electric and Gas Utility Franchise Fee Increase from 3.5% to 4.5% of Monthly Gross Revenues was given a first reading.

Alley Vacation

Felix stated the request was to vacate a portion of a paper alley. However, the City Engineer has recommended that the Council either vacate the entire alley or none at all.

Councilor Negard stated he received a call regarding the proposed alley vacation and the consensus of the homeowners was that they would like the alley to remain as it is.

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 final reading, which failed with the following vote: Ayes: None Nays: Larson, Albrecht, Waldhausen, Hellquist, Negard, Thompson, Johnson.

UPCOMING COUNCIL MEETINGS

- Monday, Sept. 10 5:30 p.m. Public Affairs Committee
- Tuesday, Sept. 11 6:30 p.m. Special Joint Meeting with Northern Township
 - Public Hearing Birchmont Drive Re-Assessments
 - At Northern Town Hall
- Wednesday, Sept. 12 6:00 p.m. Greater Bemidji Joint Planning Board
- Monday, Sept. 17 5:15 p.m. Public Works Committee
- Monday, Sept. 17 7:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Councilor Waldhausen stated he met recently with BSU Student Senate and they discussed recent changes to the City wards and polling locations.
- Councilor Albrecht received complaints regarding the music from the Nymore Days event on August 31. Discussion continued about the noise nuisance requirements.
- Mayor Larson will be available at Raphael's on September 8 between 8-9 a.m.
- Chattin stated he will be setting up a joint meeting with Beltrami County Commissioners.
- Minnesota Design Team community event – September 14 and 15, 2012.

ADJOURN

There being no further business, motion by Hellquist, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 7:55 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk