

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – September 8, 2015

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 8, 2015 at 6:00 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, Erickson, Larson Absent: Olson

Staff Present: City Manager Nate Mathews, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

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

MINUTES

The following minutes were presented for approval:

Council Meeting	August 17, 2015
Sp Work Session	August 17, 2015
Sp Work Session	September 1, 2015

Motion by Erickson, seconded by Hellquist, to approve the minutes as prepared. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Claims submitted by the Finance Officer in the total amount of \$1,244,511.99
2. Claims submitted by Venuworks for the Sanford Center in the total amount of \$20,417.63
3. Miscellaneous Business Licenses for 2015
4. Transfer of Wine, Beer and Restaurant Licenses to Poxleitner Hospitality, LLC, dba Country Kitchen
5. Purchase of Water Tower Mixers from KLM Engineering, Inc., in the amount of \$27,725
6. Travel Authorization – 2015 Regional LMC Meeting in Crookston - 10/20/15 – Johnson, Erickson, Albrecht
7. Travel Authorization – CGMC Fall Retreat in Little Falls – 10/1-10/2/15 - Johnson

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Kelsey Cobenais, BYAC President, reported on their recent retreat at Diamond Point Park which gave them an opportunity to get to know one another better and establish goals for the upcoming school year. Introductions of BYAC members in attendance were made. Joe Czapiewski, BYAC Advisor, introduced Randi Su Tanem as the new BYAC Advisor.

Valerie Bruggeman stated that it was her honor to present \$5,000 check from AT&T to support youth leadership development through the Bemidji Youth Advisory Commission.

NEW BUSINESS

Parking on 7th Street SE

Public Works Director Gray stated that as a result of neighborhood complaints and difficulty plowing. He noted that this street is 20 foot wide and qualifies to be posted for no parking. He further noted that there is no curb or gutter on this street.

Councilor Erickson stated that this request is neighborhood generated and the City Clerk has received two written requests to post it for no parking. She noted that all residents have off street parking with the exception of one.

RESOLUTION NO. 5962: Restricting Parking on 7th Street SE between Grant Avenue and Pershing Avenue SE was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Hellquist, was passed by unanimous vote.

Consideration of Issues Regarding Upper Elementary School

City Manager Mathews stated that staff has been working with the School District regarding a Development Agreement for the Upper Elementary School to be located on Middle School Drive. On August 21, the Council received a letter from the School District requesting the Council to consider waiving the requirement under the Project Development Agreement that the District secure and provide the City with an irrevocable Letter of Credit (LOC). The LOC is for the cost of public infrastructure improvements necessitated by construction of the proposed upper elementary school west of Middle School Drive. Mathews stated that staff does not recommend waiving the LOC but modifying the LOC requirements in such a way that the funds otherwise encumbered by the commitment become available in stages.

Mathews noted that a separate issue has arisen regarding the roundabout and there may be a need to assist the school district with eminent domain.

Felix noted that many of the items listed in the school district letter are conditions of the Joint Planning Board. He explained the eminent domain process in general terms.

Motion by Erickson, seconded by Meehlhause, directing staff to pursue on-going discussion with the School District leading to mutually acceptable modification of the Letter of Credit requirements in the draft Development Agreement, and, generally, to discuss and include terms in the Development Agreement addressing potential exercise of eminent domain to acquire necessary right-of-way interests for a new upper elementary school project. Motion carried unanimously.

Report - Closed Council Meetings

City Attorney Felix reported that the closed meetings on September 1, 2015 and September 8, 2015 were to get updates on the settlement discussions from the City’s attorney Jim Strommen regarding the various moisture issues at the Sanford Center. He stated that the City continues to pursue settlement discussions on the issues.

ORDINANCE

City Attorney Felix reviewed the changes to the ordinance set before the Council for final reading regarding caterers providing alcohol. He stated that any modifications to the Ordinance prior to the final reading to amend the draft to include those changes.

Motion by Hellquist, seconded Meehlhause, to approve the ordinance as amended. Motion carried unanimously.

ORDINANCE NO. 118, 3RD SERIES, An Ordinance Amending Chapter 4 of the Bemidji City Code Entitled, “Alcoholic Beverages” by Adding the Provisions Relating to Delivery of Liquor was given a final reading and passed by unanimous vote.

Motion by Hellquist, seconded by Johnson, approving publication of a summary of Ordinance No. 118, 3rd Series. Motion carried unanimously.

UPCOMING COUNCIL MEETINGS

- Monday, Sept. 14 5:30 p.m. Work Session – CIP / Utility Cashflow, Etc.
- Monday, Sept. 21 5:00 p.m. Council Picture
- Monday, Sept. 21 6:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- After discussion, Council directed that the September 28 meeting to set the 2016 Preliminary Levy be held at 6 p.m. in the Chambers and televised.

ADJOURN

There being no further business, motion by Hellquist, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 6:55 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk