

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – November 19, 2007

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, November 19, 2007 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

Upon roll call, the following Councilmembers were declared present: Lehmann, Johnson, Erickson, Downs, Meuers, Markeson, Hellquist.

AMENDMENTS TO AGENDA

Mayor Lehmann called for any amendments to the agenda. Motion by Markeson, second by Downs, to approve the agenda as presented. Motion carried by unanimous vote.

MINUTES

Minutes of the November 5 regular meeting, November 13 BEDA meeting and November 13, 2007 work session were presented for approval. Motion by Erickson, second by Johnson, to approve the minutes as amended. Motion carried by unanimous vote.

CONSENT AGENDA

The following Consent Agenda items were presented for approval. Motion by Meuers, second by Markeson, to approve the Consent Agenda items as follows:

1. Approved Claims submitted by the Finance Officer in the total amount of \$1,582,224.70.
2. Approved miscellaneous business licenses for 2008.
3. **RESOLUTION NO. 5445** approving changes in post retirement VEBA Policy for non-union employees as corrected.
4. Approved purchase of high pressure hot washer trailer for the Parks Department from Northern Tool and Equipment for \$6,300.
5. **RESOLUTION NO. 5446** approving an application for gambling premises permit for the Bemidji Moose Lodge #1452.
6. **RESOLUTION NO. 5447** accepting donation from Bemidji Pioneer Volunteer Fire Fighters Relief Association in the amount of \$1,000.
7. Approved Tower Site Lease Agreement with Enterpoint LLC (15th Street Water Tower). Felix stated there are some modifications to the language and recommended that the Agreement be approved in substantially the form presented.

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Kathy DeKrey, BYA representative, reported that the Youth Commission with Nate Dorr presented plans for a skateboard plaza to the Parks & Recreation Commission. She noted that there was a good turnout for the meeting. In addition, the Commission continues to work with area coffee shops to extend hours of business for students to have a hangout spot.

Bemidji State University Student Senate – Cody Nelson, Senate President, stated that little was new at the University. He noted that they are in the middle of reviewing revenue funds which will be presented to the students. The Student Senate is considering offering free newspapers to students. This will cost approximately \$20,000/year.

NEW BUSINESS

Bemidji Avenue Reconstruction

Mayor Lehmann stated that this is a standard agreement with Mn/DOT. City Engineer Gray briefly reviewed the project and noted that the cost is slightly lower than in the CIP.

Hellquist asked if there was consideration being given to changing crosswalks on Irvine Avenue. City Engineer Gray responded that Mn/DOT is working on the school crossings and they will be finalized this spring.

Bill Pirkl, MnDOT Engineer, discussed the phases of the project and detours. The completion date for Phase 1, up to St. Phillip's parking lot, is June 20. He pointed out that there are incentives for the contractor to complete the phases early. The completion date for the entire project is October 20.

Downs asked about the parking lane by Library Park. Gray stated that this is not a standard parking lane and is therefore the City's responsibility.

Meuers commented that she has received calls from residents that are concerned about backing out on Irvine Avenue from their driveways.

RESOLUTION NO. 5448: Approving Mn/DOT Agreement No. 91884R (Bemidji Avenue Reconstruction) was offered by Councilmember Markeson, who moved its adoption, and upon due second by Councilmember Downs was passed by unanimous vote.

Chat-A-Bout Topic

Council directed Fire Chief Sathers to discuss Christmas tree safety, thin ice and other related safety items at the December 3 Chat-A-Bout.

ORDINANCES

ORDINANCE NO. 20, 3rd SERIES: An Ordinance Amending the Bemidji City Code, Adopting an Amended Fee Schedule for 2008 was given a final reading and passed by the following vote: Ayes: Lehmann, Meuers, Johnson, Downs, Markeson. Nays: Markeson, Erickson.

Motion by Downs, second by Johnson, authorizing publication of a summary of Ordinance No. 20, 3rd Series amending the Bemidji City Code Adopting an Amended Fee Schedule for 2008.

Amending City Code Pertaining to Building Code

Pursuant to published notice, a Public Hearing was held to receive input regarding a proposed Ordinance Amending Chapter 10, Article I of the Bemidji City Code relating to Building Code. Mayor Lehmann opened the Public Hearing at 7:27 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending Chapter 10, Article I of the Bemidji City Code relating to Building Code was given a second reading.

Amending City Code Pertaining to Parks & Trails Commission

Mayor Lehmann stated that he has received a couple of comments about the amendment to the code from the Joint Planning Board. He commented that the City's policy has been to attract City residents to serve on these committees; however, this is not easy to do.

Erickson stated that asking individuals to serve on a commission is perceived as an honor by those asked.

Downs stated that he felt that it is important to keep control of the Parks & Recreation Commission and it is ultimately up to the City residents to pay for the operations and maintenance of those parks. Downs noted that it has been the City's precedence to restrict membership to city residents.

Lehmann commented that any action that the Parks & Recreation Commission takes is only a recommendation to the Council. The ultimate decision is made by the City Council.

Discussion continued regarding membership on other committees and commissions. City Attorney Felix stated that there are some limitations by State statutes or by the Charter Commission regarding membership requirements.

Johnson noted that perhaps this should be another "leg" of the stool with the Joint Planning venture with the Parks & Recreation Commission becoming a joint venture.

Pursuant to published notice, a Public Hearing was held to receive input regarding a proposed Ordinance Amending Chapter 2, Article V, Division 6, of the Bemidji City Code

relating to Parks and Trails Commission was given a second reading. Mayor Lehmann opened the Public Hearing at 7:37p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending Chapter 2, Article V, Division 6, of the Bemidji City Code relating to Parks and Trails Commission was given a second reading.

An Ordinance Amending Chapter 14 of the Bemidji City Code adding Article VII relating to Erosion and Sedimentation Control was given a first reading.

EVENTS CENTER UPDATE

Cliff Tweedale, HRDC, provided an update on Events Center development activities. He stated that a new site design is in its first draft and the Council will see it at their work session on November 26. He noted that a lot of people have been working on the events center project for the last 30 days and it is a difficult project.

UPCOMING MEETINGS

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| • Monday, November 26 | 5:30 p.m. | Work Session – Leo A Daly/CSL |
| • Monday, December 3 | 5:30 p.m. | TNT Hearing |
| • Monday, December 3 | 7:00 p.m. | City Council Meeting |
| • Monday, December 10 | 5:30 p.m. | Continuation of TNT Hearing (if needed) |
| • Monday, December 10 | 5:30 p.m. | Work Session - TBD |

COUNCIL/STAFF REPORT

- Chattin reported that the City has reached an agreement with the Firefighters Union. Staff has met with DNR and WSN regarding defining trail corridors and parks for the Events Center site. He met with Mike Smith from the DDA regarding business community concerns and felt it was a productive meeting. Prevailing wage meeting and information will be provided for a future work session. Staff met with BSU and Tech School representatives regarding a fire substation which would be a joint facility at the tech.
- Mayor Lehmann noted a banner that was made by Kathy Kippley hanging in City Hall Chambers. He attended a meeting in St. Paul regarding a special session for the tax bill. Three of the legislative leaders agreed that the tax bill and only the tax bill should be considered in a special session. The House Minority Leader was not available. It is up to the Governor if he chooses to call a special session. Mayor Lehmann congratulated Ms. Linda Wagner for her recent 2007 Miss America Senior designation.
- Meuers announced that Habitat for Humanity is holding a spaghetti feed on Tuesday, November 20 at First Lutheran Church.
- Johnson attended the Coalition of Greater Minnesota Cities meeting in Alexandria and gave a brief overview of the meeting. He commented that he visited with the Capital Investment Committee and received positive feedback regarding the new location of the events center. Grow Bemidji marketing plan was kicked off last Thursday.
- Erickson commented that one new tree in Nymore Park has been broken off. She implored people to pay attention to the park and report any vandalism.
- Markeson provided an update regarding the Parks & Recreation Commission regarding the skateboard plaza. He commented that there are a number of families that leave our town and travel to other communities to use other city's skateboard parks. The Commission is exploring other avenues for funding for the skateboard plaza. The Heritage Preservation recently met and is developing ideas to preserve the historic areas of Bemidji and may bring them to a future work session. June 7 Youth Day at the waterfront has to be moved due to road construction and they will be looking at another location.
- Hellquist provided an update on the DDA's recent meeting. He commented that a film will be made on December 9 and the Night We Light is on Friday, November 23.
- Eischens gave recognition for the Parks Department's efforts in putting up the City lights.
- Felix stated he is working on joint planning amendments and asked that if the Council had no conflict with the law firm that was selected by the JPB to authorize staff to relay that to the JPB. Erickson stated she was not opposed to the firm but the process used in hiring the firm. **Motion by Johnson, second by Meuers, directing staff to relay to the JPB that the Council does not have any opposition to the firm hired. Motion carried unanimously.**

ADJOURN

There being no further business, motion by Downs, second by Markeson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:22 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk