

CITY COUNCIL PROCEEDINGS BEMIDJI, MINNESOTA

December 19, 2005

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, December 19, 2005, at 7:00 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

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

AMENDMENTS TO AGENDA

Lehmann called for any amendments to the agenda. The following addition was requested by Councilmember Markeson: Library – 18a

Motion by Meuers, second by Markeson, to approve the agenda as amended. Motion carried by unanimous vote.

MINUTES

Minutes of the December 5, 2005 regular meeting, December 5, 2005 Truth-in-Taxation Hearing and December 12, 2005 work session were presented for approval. Erickson noted a correction to the December 12 work session minutes. Motion by Meuers, second by Markeson, to approve the minutes as amended. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Approved Claims submitted by the Finance Officer in the total amount of \$489,605.94.
2. Approved miscellaneous business licenses.
3. Held final reading of Beer License Renewals for 2006.
4. Approved Club License Renewal for 2006 – Elks Club.
5. Approve the following gambling permits:
 - Raffle - Bemidji Wrestling Club @ Middle School (March 25, 2006)
 - Raffle - St. Philip's Church (May 7, 2006)
 - Raffle – Headwaters Gobblers @ Eagles (February 16, 2006)
6. Approved RESOLUTION NO. 5286 approving a Gambling Permit for the Bemidji Baseball Association (Corner Bar).
7. Approved RESOLUTION NO. 5287 establishing Non-Union Benefits for 2006.
8. Approved RESOLUTION NO. 5288 establishing Non-Union Salaries and City Pay Scale for 2006.
9. Approved RESOLUTION NO. 5289 requesting Funding from the National Scenic Byways to Rehabilitate Babe the Blue Ox.
10. Authorized purchase of three 2006 patrol vehicles (Police Department).
11. Authorized acceptance of a Grant for Gang Officer Position (Police Department).

12. Awarded bid for WWTF Primary Clarifier Improvements – KHC Construction.
13. Authorized purchase of Portable Generator (Public Works Department).

Motion carried by unanimous vote.

COMMITTEE REPORTS

Student Senate

Northwest Technical College – Deb Shofner, representative, reported that on December 20 the tech school will be hosting a holiday party and the community is invited. In addition, they will be having a bake and craft sale with proceeds going toward the year-end party/spring fling.

Public Works Committee

Hellquist reported that they have reviewed the public works facility and six potential sites, cost estimates and layout. General consensus of the Committee was to go with the recommended Fifth Street site. The Committee discussed moving City Hall; however, it was felt that this would not work. Hellquist stated that the Committee discussed the sidewalk snow removal issue and door hangers are being put out by staff reminding individuals to keep the snow and ice removed from their sidewalks. Staff is targeting areas where most of the pedestrian traffic occurs.

Public Affairs Committee

Meuers reported that the Humane Society attended their meeting because of their high sewer rate. She stated that misinformation was given to the Humane Society regarding their sewer rate. She commented that they are a struggling non-profit that perform a necessary service in our community. Meuers also reported that the Committee is working on the Council retreat which is planned for February.

Library

Meuers stated that the County is not looking any further at joining another library system. The Library is a city issue according to the County. Public Affairs Committee is exploring working with Bemidji Leads to explore options regarding the situation with the Library.

Markeson stated he has a lot of concerns regarding the status of the Library. He suggested that the city consider contributing another \$35,000 to the Library.

Lehmann stated that coming into the end of the year, the Finance Director may be able to find additional money that may be used. However, he did not feel comfortable in making additional financial commitment at this time. Other options should be explored in our community, i.e., partnering with Bemidji State University, high school or Northwest Technical.

Downs stated that this is a bigger issue than just the City. This is a two dimensional problem which includes the County and we should work together to resolve these problems. He suggested that there might be other ways to save money, i.e., book mobile is obsolete.

Discussion continued on the cost of the library, the responsibilities of the County and City, and the number of dollars that are required to maintain the on-going services at its current level. The general consensus of the Council was that they should meet with the entire County and Marian Ridge to discuss the library. Minke commented that other individuals should be included in the meeting, i.e., library board chair. The City staff has no involvement in the operation of the library. Minke commented at the Public Affairs Committee Hellquist volunteered to make a contact with Bemidji Leads. He suggested that it may be helpful to have an outside facilitator as there has been poor communication between KRL, City and County.

Lehmann directed the Public Affairs Committee to continue to compile the information needed and get a facilitator to work through the issues with the City, County, KRL, Library Board and other principles required.

PUBLIC HEARING

Five-year Capital Improvement Plan (2006-2010)

Mayor Lehmann opened the public hearing at 7:45 p.m., hearing no public comment closed the public hearing.

RESOLUTION NO. 5290: Adopting 2006 Capital Improvement and Equipment Replacement Plan was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Markeson, was passed by unanimous vote.

PLANNING CASE

Discussion – Industrial Zone Amendments

Lehmann stated that the Planning Commission has been following a process to amend the text of the industrial zones. Following the City Council's review, the draft would receive final consideration by the Planning Commission at their January meeting. Lehmann commented that in the draft proposals under special uses for I-2 district that asphalt products and processing is included. He stated that he would like odor control included and that businesses meet the current regulations in effect.

Felix stated that any use would have to meet other federal, state or local regulations that apply to them whether that is noise, smell or emissions. Because they are special uses the Council and Planning Commission has the ability to place reasonable conditions on the approval of the use.

Rita Albrecht, Assistant City Planner, stated that the goal of the rewrite was to decide which of the uses we want to completely eliminate that are in the current industrial zones.

Erickson asked if the new draft will go to the Joint Planning Committee and the adoption would be with Northern, Bemidji and the City and all would be using the same rules.

Oakes responded that yes it will be utilized by the Committee; however, there are no industrial zones in the two townships.

Albrecht commented that the Planning Commission felt they would like asphalt plants added in as a special use. Their decision was based on the fact that Bemidji is a developing community and has a need for asphalt.

Lehmann expressed concerns about buffering the industrial park for fumes, lighting, dust, steam or noise from areas that are residential in nature.

Albrecht commented that the Planning Commission wanted to tighten up the restrictions and the use limitations where those types of rules would appear. However, these types of restrictions can be put on a business when a special use permit is approved. She commented that we need to make sure that the ordinance is enforceable with the staff available.

Downs suggested that a location for another industrial park be explored. Downs commented that #9 which states “Any other similar Heavy Industrial/Manufacturing use not listed...” under permitted uses in the draft and should be under special uses.

Erickson commented that this allows for flexibility in the permitted use section. Ultimately the Council or the Planning office can decide whether or not it fits under the designed category and she liked #9.

Minke commented that the purpose of #9 was to avoid listing every possible use imaginable that could be in the I-2 district. Oakes suggested that the word ‘Heavy’ be removed from #9.

Discussion continued regarding the airport zoning and future annexations.

Consensus of the Council was that in general the industrial zones draft was good with concerns about lighting, noise, odor issues be addressed under use limitations.

UNFINISHED BUSINESS

Northview Manor

Lehmann outlined possible decisions that the Council could make with regard to Northview Manor. The City has the following options available: 1) Maintain City ownership and commit financial resources of the City to cover required shortfalls. 2) Solicit bids to sell facility. If bids are not sufficient to pay off the debt, the City will be required to cover shortfalls. 3) Charge sufficient rents and/or alter rent structure. Lehmann stated that to change the rent may charge the City out of business resulting in a vacant building.

Downs commented that the issue of affordable housing in communities is important. On the other hand, affordable housing for low income taxpayers is also important. He stated that shifting the burden of the \$88,000 onto other taxpayers when there are issues like the library to deal with does not make sense.

Lehmann suggested that the Council solicit bids. The Council has the prerogative to accept or deny the bid if it does not meet what the City owes.

Meuers asked if putting the Manor up for sale would hurt the occupancy.

Lehmann responded that Mr. Atwater made this comment when he was at the Council work session. The managing firm stated that the vacancy was the highest they have seen.

Markeson stated that the Manor was designed to fit a need in our community. He stated that this apartment building is fulfilling a specific need that is not being met elsewhere and that it is a solid investment in the community.

Discussion continued regarding the Manor with comments regarding the residents, cost of renting and continued maintenance of the building.

Meuers commented that the Manor has always been available to those people who could meet the market rate, it was set up that way and that is the way it is. She is not interested, nor does she believe that the City is interested, in displacing people and she felt that will happen if this building changes hands.

Motion by Erickson, second by Downs, to go out for bids for the sale of Northview Manor with the minimum bid equal to our remaining debt or its appraisal whichever is higher. Motion carried with the following vote: Ayes: Lehmann, Downs, Erickson, Hellquist. Nays: Meuers, Markeson. Absent: Johnson.

NEW BUSINESS

RESOLUTION NO. 5291: Adopting Final 2005 Tax Levy Collectible in 2006 was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Hellquist, was passed by unanimous vote.

RESOLUTION NO. 5292: Adopting Final 2006 Budget was offered by Councilmember Hellquist, who moved its adoption, and upon due second by Councilmember Meuers, was passed by unanimous vote.

Public Works Facility

Minke reported that the Public Works Committee met and considered the proposed public works facility. It was the consensus of the committee that the City should begin the planning and design work for the public works facility at the Fifth Street location.

Motion by Downs, second by Markeson, to accept the recommendation by the Public Works Committee to proceed with the planning and design of the public works facility at the Fifth Street location. Motion carried unanimously.

Parks & Recreation Commission's Recommendation for Park Planning Firm to Redesign Diamond Point Park

Dave Smith, Parks & Recreation Chairperson, stated that the Parks & Recreation Commission interviewed three qualified companies to design Diamond Point Park and recommended the City contract with Brauer & Associates for the design and development of the park.

Lehmann commended the Commission for their involvement and thanked them for their work.

Downs commented that public input is good and that the community has input in the design of Diamond Point Park as the sales tax is community based.

Erickson asked what the fee was for the consultants.

Minke responded that the consultants submitted a range of fees as the City has not determined the scope of work or know the value of the improvements.

Smith responded that there is a cap of 15% of construction costs on the design.

Motion by Meuers, second by Downs, to hire Brauer & Associates for the design and development of Diamond Point Park. Motion carried.

New Appointment/Reappointments for Commissions/Boards for 2006

Motion by Meuers, second by Erickson, to approve new appointments/reappointments for Commissions/Boards for 2006. All voted aye. Motion carried.

Chat-A-Bout Topic for January 9, 2006

Lehmann recommended that the Finance Director and City Manager go on Chat-A-Bout and discuss city finances for 2006.

ORDINANCE

ORDINANCE NO. 416, 2ND SERIES, An Ordinance Amending Section 14.17 of the Bemidji City Code (Pertaining to Lodging Tax) was given a final reading and passed by unanimous vote.

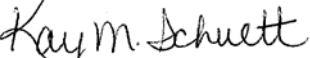
COUNCIL/STAFF REPORT

- Lehmann stated that the Governor will be in Bemidji on January 6. Lehmann commented that the City Arena is close to being completed. There will be a grand re-opening of the arena in the next week or two.
- Markeson reported that the Downtown Visioning Group met recently and discussed multi-uses for businesses. Markeson stated that the Heritage Preservation met recently with Jean Humeniuk from America in Bloom representing Bemidji in Bloom.
- Erickson reported that the numerical results are in from DNR on the deer count. The DNR wildlife manager will announce the numbers at their next meeting.

ADJOURN

There being no further business, motion by Meuers, second by Markeson, to adjourn the meeting. Motion carried. Meeting adjourned at 9:21 p.m.

Respectfully submitted,


Kay Murphy-Schuett
City Clerk