

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – September 18, 2006

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, September 18, 2006 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, Markeson, Hellquist, Johnson, Erickson, Downs, Meuers.

AMENDMENTS TO AGENDA

Lehmann called for any amendments to the agenda. The following additions were requested:

- Gambling Permit (Raffle – 10/27/06) - Sexual Assault Program
- Gilfillan Lift Station odor control equipment
- Hire architect design team for design of the Regional Events Center

Motion by Johnson, second by Erickson, to approve the agenda as amended. Motion carried by unanimous vote.

MINUTES

Minutes of the September 5 regular meeting and September 11, 2006 work session were presented for approval. Motion by Downs, second by Meuers, to approve the minutes as presented. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Approved Claims submitted by the Finance Officer in the total amount of \$817,346.20.
2. Approved a business license (livestock).
3. Approved the following gambling permits:
 - BSU Alumni – 10/21/06 – Raffle
 - Northwoods Coalition for Battered Women – 11/2/06 – Bingo
 - Northwoods Coalition for Battered Women – 11/7/06 – Bingo
 - Sexual Assault Program – 10/27/06 – Raffle
4. Adopted **RESOLUTION NO. 5358** Approving an Application for a Gambling Permit for Bemidji Eagles Club
5. Declare 1999 Crown Victoria as Surplus Equipment
6. Approved Extension of Final Plat – ShoreQuest (September 2007)
7. Approved **RESOLUTION NO. 5359** Supporting an Application to Business Development Public Infrastructure (BDPI) Grant Program
8. Approved **RESOLUTION NO. 5360** Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment Rolls, and Establishing a Date for Public Hearing for City Project #06-08 (Cross Streets Project)
9. Approved **RESOLUTION NO. 5361** Adopting Assessment Rolls for City Project No. 06-08 (8th Street Sideway & Driveway Improvements – Waived Hearing)
10. Authorized expenditure of \$19,000 for odor control equipment for the Gilfillan Lift Station.

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Jackie Hess and Kathy DeKrey, BYA Representatives, reported that the BYA elected new officers for the year and formed committees to focus on separate issues, i.e., review by-laws and code of ethics, youth center, parks & recreation, Bemidji Leads member and appointed two members on BSU student government. A Listening Lunch will be held on October 4 to give high school

members an opportunity to learn about the purpose of the Youth Advisory Commission. The main focus this year for the Commission is planning a youth center which will include a skateboard park.

PRESENTATION

Catie Belleveau, Sculpture Walk Committee, reviewed the strengths and benefits of the sculpture walk in the Bemidji community which started 7 years ago. She stated that it is the “heart and soul” of the historic area of town. The Sculpture Walk has a permanent collection of artwork which is accessible on the street for all. She suggested that Councilmembers take a look at Grand Junction, Colorado’s sculpture walk as a model. Many communities are looking at a sculpture walk to keep their downtown vibrant. She stated that several businesses in the community and individuals underwrite the sculptures. There is a dedicated committee; however, they want to add more members to be made up of the business community and youth. Ms. Belleveau stated that the Sculpture Walk Committee would like to be under the jurisdiction of the parks and recreation commission. This would give the Sculpture Walk the ability to apply for grants and focus on fundraising. If the committee pursued a non-profit status, the Sculpture Walk Committee would spend most of the time raising funds for insurance.

Mayor Lehmann directed staff to work with the Sculpture Walk Committee regarding the possibility of becoming a committee under Parks & Recreation Commission.

PUBLIC HEARING

Minnesota Investment Fund – Grant to City to Provide Infrastructure to North Central Door

Pursuant to published notice a Public Hearing was held to receive input on the Minnesota Investment Fund Grant to provide infrastructure to North Central Door. Mayor Lehmann opened the Public Hearing at 7:27 p.m. and hearing no public comment closed the hearing at 7:27 p.m.

RESOLUTION NO. 5362: Approving an Application for a Local Government Economic Development Program was offered by Councilmember Downs, and upon due second by Councilmember Hellquist was passed by unanimous vote.

PLANNING CASES

Mayor Lehmann reviewed Planning Case #2006-11. Trek North High School is requesting a Special Use Permit to allow grade expansion of Trek North to include the 7th and 8th grades. Planning Commission recommended approval.

Motion by Erickson, second by Markeson, to approve the Special Use Permit amendment to Trek North High School allowing a grade expansion to include the 7th and 8th grades with the following condition: There shall be a maximum of 160 students in grade 7-12 in Trek North High School, a charter school, located in the Simonson Center building at 2518 Hannah Avenue NW. Motion carried unanimously.

Mayor Lehman reviewed Planning Case #2006-12. Phillip Vergal (P.J. Cycle) is requesting a Special Use Permit to allow an apartment unit at 824 Washington Avenue S. The Planning Commission recommended approval with conditions.

Motion by Hellquist, second by Downs, to approve a Special Use Permit to allow apartment unit at 824 Washington Avenue S with the following four conditions: 1) One 85 square foot apartment shall be permitted as identified on the site plan. 2) The building owner shall be the person residing in the apartment. 3) Two off-street parking spaces are required for the apartment, as required in Bemidji Zoning Ordinance. 4) An annual review shall be conducted for the Special Use Permit for at least the first two years after the approval by the City Council. Motion carried unanimously.

Mayor Lehmann reviewed Planning Case #2006-13. Valerie and Mike Bruns have requested front and side yard variances at 321 Central Avenue SE. Planning Commission recommended approval with conditions.

Motion by Downs, second by Erickson, to approve the front and side yard variances at 321 Central Avenue with the following four conditions: 1) the two-story south portion of the existing building shall be demolished and removed. 2) The building shall be constructed as

shown on the site plan received August 15, 2006, with the exception of the entrance being moved to Central Avenue. The retained north portion of the building shall meet current building code for foundation, exterior and interior portions, and electrical, heating, and plumbing systems. 3) Following evaluation by the Building Department, the garage structure will be reconstructed according to standards required by the Building Code and City staff. 4) The lot shall meet landscape and green space requirements of the City Zoning Ordinance. Motion carried unanimously.

NEW BUSINESS

Selection of Architect Design Team for Event Center

Felix stated that the Events Center Task Force Design Team Selection Committee narrowed the field from twelve firms to four design teams that were interviewed on September 14, 2006. The Selection Committee reviewed the teams' proposals, discussed their presentations and concluded unanimously to the selection of Leo A Daly with Widseth Smith Nolting as the Architect Design Team for the Bemidji Regional Events Center.

John Carlson, chair of the Selection Committee, commented that the process went well. He commented that the Leo A Daly firm understands that the City is building something for our community's future.

Motion by Meuers, second by Johnson, to select the Architect Design Team of Leo A Daly and Widseth Smith Nolting to design the Bemidji Regional Event Center subject to the following conditions: 1) successful negotiation of a contract and fee amount; and, 2) receipt and execution of a contract with State of Minnesota including agreement that the funds available for the \$3,000,000 planning grant for pre-design design. Motion carried unanimously.

Chat-A-Bout Topic

Downs suggested that staff from the Building office go on Chat-A-Bout regarding requirements for rental property in Bemidji. Council agreed.

CITIZEN NOT ON AGENDA

Helma Cloud Erle, Ward 3 resident and has lived in Bemidji since December of 1972, questioned the "establishment of the European Immigrant government in America and that the state also may not be a legal government". She stated that she will continue to send her "paper" to legislators. After seeing the negativism in the paper she could no longer be silent, the Red Lake Tribe of which she is a member has been attacked daily by the media. She called for education of the public as to the sad treatment of Indigenous of this land. Ms. Erle further commented about the location of the Ward 3 polling place in a church and has spoken to the City Clerk in this regard.

UPCOMING MEETINGS

- September 19 – 6:30 p.m. Council / Charter Commission
- September 25 – 5:30 p.m. Special Work Session – Open
- September 26 – 5:15 p.m. Joint Meeting with County Commissioners
- October 2 – 7:00 p.m. City Council Meeting

COUNCIL/STAFF REPORT

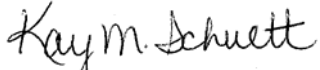
- Eischens stated he met with staff and County staff regarding sharing IT staff and will continue to move forward.
- Lehmann stated he will be meeting with the Rotary regarding the goose situation at the waterfront.
- Meuers has received a few complaints regarding parking in Diamond Point Park.
- Erickson asked to attend the Beltrami County Emergency Planning regarding avian flu on Thursday, October 5 at 9 a.m. Mayor Lehmann directed her to attend the meeting. Erickson has been asked by the League to be on a committee to develop the annual conference and scheduling of various topics. Mayor Lehmann commented that travel time would be better used for legislative issues.
- Hellquist commented that the Public Works Committee will be meeting this week to discuss refuse. DDA met recently and Cindy Serratore from the Heritage Preservation Commission talked to them regarding preserving the Masonic Temple. Hellquist noted that the Masons have no other place to move to at this time.

- Felix stated that Bill Krueger, CSL, is unable to give the final report on the event center analysis in September. Lehmann stated he would like the report if available sooner and then do a special work session on October 5.

ADJOURN

There being no further business, motion by Meuers, second by Downs, to adjourn the meeting. Motion carried. Meeting adjourned at 8:16 p.m.

Respectfully submitted,



Kay Murphy-Schuett
City Clerk