

**CITY COUNCIL PROCEEDINGS**  
**BEMIDJI, MINNESOTA**  
**SPECIAL MEETING/JOINT WORK SESSION – February 4, 2009**  
Bemidji City Council - Beltrami County Commission

Pursuant to due call and notice, a special meeting/joint work session of the City Council and Beltrami County Commission of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, February 4, 2009, at 5:30 p.m. in the Board Room of Beltrami County Administration Building, County Chair Lucachick presiding.

Bemidji Council present: Lehmann, Waldhausen, Johnson, Hellquist, Downs, Negard, Meuers

Commissioners present: Jim Lucachick, Joe Vene, Jim Heltzer, Jack Frost  
Absent: Quentin Fairbanks

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Police Chief Gerald Johnson, Sheriff Phil Hodapp, MIS Ron Pula, County Attorney Tim Faver, County Administrative Asst Diane Moe, City Clerk Kay Murphy

Commissioner Lucachick called the meeting to order at 5:30 p.m. Introductions were made. Lucachick commented that state government is asking the County and City to find ways to partner and share resources.

Safe Neighbors Court Diversion Program

Sheriff Hodapp stated that, currently, officers have verbal, written and state citations available to them in enforcement of the law as well as an education component. He further stated that just the presence of an officer does a lot to remind people to follow the safe rules of traveling on the road. When officers step up proactive enforcement, one can see a reduction in crime. The city and county staff have been discussing ways to assist in proactive enforcement. One of these tools is the court diversion program, which is a joint venture, that the City and County Attorneys are interested in pursuing as another avenue for enforcement. This program would alleviate the tremendous workload on the court system, i.e., traffic citations and ordinance violations as these take as much time as a felony because of the court process. The idea is to perhaps offer a different route for violators to take which could involve paying a smaller amount of money.

Chief Johnson stated that other municipalities are doing it separately. The goal is to work jointly with the County. It would be unique within the state and the hope is to make it easier for the community.

Discussion continued on how the diversion program would operate. County Attorney Faver stated that administrative fines are set up by an ordinance and the process and fees for those administrative fines are separate from the court system.

City Attorney Felix stated that the distinction on the state level is traffic enforcement. The argument is that the local jurisdictions cannot enforce traffic offenses as it should be handled through a court system and non-traffic offenses could be enforced through administrative fees. He stated that the citizens are pulled into the court system for misdemeanors such as dogs running at large or the noise ordinance. They then have to go through the process to deal with the various appearances to resolve the offense. Felix stated that implementing a diversion program could keep people out of the court system and possibly be more economical for the individual.

Consensus of the group was to move forward to develop a court diversion program. The County and City Attorneys will put together a program for review by the City Manager and County Administrator then bring to their respective bodies.

City Criminal Prosecution Responsibilities

Felix stated that the Assistant Attorney's position vacancy creates an opportunity to revisit the idea, from the community standpoint, on how best to handle those responsibilities. He stated that the volume of cases for this position is too much for one person to handle and has resulted in employee turnover. Felix stated that he is preoccupied with attempting to provide the necessary services on the civil side of the municipal law spectrum and recommended that the County and City consider using the County Attorney's office to handle the City's prosecutorial responsibilities.

Discussion continued regarding the efficiencies that could be gained by using the County Attorney's office. Felix stated that the administrative/legal secretary currently employed by the City would provide additional secretarial support for the city attorney, city manager, city clerk and community development director and the City does not recommend elimination of this position.

Shared MIS Services

Chattin stated that the County has been providing technology services for the city for over a year. He stated that it is time to renew the contract and this cooperative effort has been a benefit to both parties.

Ron Pula, County MIS Department, stated that the City has moved into the county environment and uses their server, purchasing services, support services, document scanning and phone system. He stated that sharing services has worked out well for both the County and City.

Consensus of the group was that the Memorandum of Understanding for continued shared MIS services be considered at their next meetings.

Partner for Government Consulting Services

Commissioner Vene stated that David Turch & Associates has put a face for Beltrami County in Washington D.C. He stated that perhaps there is a partnership that could advance the City and bring back funding to our community.

Discussions continued regarding using David Turch & Associates to represent both the City and the County interests in Washington DC. Chattin stated that having a lobbyist could certainly increase the City's chances of success in securing an earmark or stimulus funds.

Chattin stated he is uncertain what the cost would be and the City Council would have to vote on the contribution. It was suggested that Turch could come to a future meeting to visit with the City Council and see if it would be a good fit for the City.

Consensus of the group was to have the County Administrator and City Manager discuss how to share the costs of the services of David Turch & Associates and bring a proposal for their respective consideration.

Veterans Home

Commissioner Vene stated that there is a dedication event on Friday, February 6 at the National Guard Armory and asked that Council/Commissioners be present to sign the proclamation of support for a Veterans home in northern Minnesota to get on the federal list. Discussion continued regarding placement on the list. This could be a substantial project for the Bemidji area. This needs to be a northern Minnesota effort and presented to the state this way. In summary, this is a long-range project and hoping to be placed on the federal list as a Tier 1 priority.

Commissioner Frost stated that there have been many good initiatives between the City and County over the years.

**ADJOURN**

There being no further business, the meeting adjourned at 7:05 p.m.

Respectfully submitted,



Kay M. Murphy  
City Clerk