

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

February 2, 2004

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, February 2, 2004, at 7:00 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

Upon roll call, the following Council members were declared present: Hellquist, Meuers, Lehmann, Johnson, Downs, Erickson, Zachman. Absent: None.

Lehmann called for any amendments to the agenda. A request was made to add the following: Resolution Designating Depositories for City Funds in 2004 and authorization for Council travel to the Coalition of Greater Minnesota Cities meeting. Motion by Meuers, second by Downs, to approve the agenda with the two additions as noted. Motion carried by unanimous vote.

APPROVAL OF MINUTES

Minutes of the January 20, 2004 Regular Council meeting were presented for approval. Motion by Erickson, second by Johnson, to approve the minutes as presented. All voted aye. Motion carried.

CONSENT AGENDA

The following consent agenda items were presented for approval. Motion by Hellquist, second by Downs, to approve the Consent Agenda as presented. Motion carried by unanimous vote.

- A. Approved five (5) pages of bills in the amount of \$549,276.04.*
- B. Approved a business license for SAVE Tobacco Super Store*
- C. Approved an Agreement between the City and Otter Tail Power Company for maintenance of outdoor lighting owned by the City and maintained by Otter Tail Power Company*
- D. Approved an Agreement between the City and Otter Tail Power Company for maintenance of outdoor lighting owned by Otter Tail Power Company*
- E. Approved appointment of Councilmember Hellquist as the Council's liaison to the Downtown Development Authority*

BEMIDJI YOUTH ADVISORY COMMITTEE REPORT

Silas Bowman provided an update on the Youth Advisory Committee activities and invited the City Council to attend their annual youth forum to be held on Tuesday, February 3, 2004 from 6-9 p.m. at the Elks Club.

BSU STUDENT SENATE REPORT

Jason Swanson noted that BSU would have delegates at the state Capitol for Lobby Day on February 11th. Two delegates will also travel to Washington DC in March to lobby on behalf of BSU. Swanson also noted that he and the BSU Student Senate President would attend the Bemidji Youth Advisory Committee forum to be held on Tuesday. He invited council members to meet with the Student Senate at a future date.

CONSIDERATION OF CONTRACT FOR ENGINEERING SERVICES FOR WELL #7

City Engineer Brian Freeberg presented a request to authorize an agreement for engineering services with Barr Engineering Company for a new well to replace Well #1. He noted that Barr Engineering has been involved in development of new wells for the city in the past and is the city's consultant for most of the work associated with the Wellhead Protection Plan. Motion by Downs, second by Hellquist, to authorize an agreement with Barr Engineering for engineering services relating to new Well #7 (to replace Well #1) at an amount not to exceed \$36,500.00. Motion carried by unanimous vote.

USE OF PARKING LOT #9 FOR COUNTY ADMINISTRATION BUILDING

Beltrami County presented a proposal to acquire land from the city to construct a new administration building. The amount of space required for the proposed structure is approximately 31,500 sq. ft. The county desires to locate the building on a portion of city parking lot #9, and proposes to:

- A. Pay the city approximately \$349,000 (approximately \$11.10 per sq. ft) for that portion of the parking lot upon which to construct the building; or
- B. Request that the city deed the necessary portion of parking lot #9 to the county. The county would in turn construct a similar amount of parking nearby to serve as county employee parking and public parking.

The city's desired outcomes are 1) to have no net loss of parking and 2) to maintain county offices downtown. City Manager Minke noted that the cost to develop parking lot #9 was approximately \$11.78 per sq. ft. and the city would be interested in recapturing those costs if the land were to be sold.

Mike Smith, representing the Downtown Development Authority, expressed support for the proposal to sell a portion of lot #9 to the county for the building project, but suggested that the council table a decision on the replacement parking in order to provide the DDA some time to research the possibility of a multiple story facility.

Motion by Zachman, second by Meuers to agree in principle to deed approximately 31,500 sq. ft. of parking lot #9 to the county and take \$11.78 per sq. ft. for the land or require the county to construct a similar amount of replacement parking in the general vicinity. Motion carried by unanimous vote.

RFP FOR PARKLAND DEDICATION

Minke noted that, at the January 26th retreat, the City Council determined that completing a parkland dedication, tree preservation and open space ordinance was a top priority. Minke presented a request for authorization to issue an RFP, review proposals, select a firm and schedule a meeting with the firm, city council, Park Board, and Planning Commission. Motion by Downs, second by Zachman, to approve the manager's request. Motion carried by unanimous vote.

REQUEST FROM BOYS & GIRLS CLUB FOR DONATION FOR OPERATING EXPENSES

Councilmembers heard a presentation by Boys and Girls Club representatives Lenore Potter, Sue Engel, and Leah Bratlien, requesting a donation of \$75,000 for operating expenses.

City Manager Minke noted the city does not have a policy on donations but pointed out that the city does make contributions to the Youth Hockey Association. He noted that under state law the donation must meet the public purpose doctrine (the Council must identify the public purpose achieved by donating to the Boys and Girls Club) or apply Minnesota Statute 471.935, which allows donation to youth centers. He further noted that if the Council should decide to make such donation, they would need to identify the source of funding as the 2004 budget does not provide for this donation.

Motion by Downs, second by Hellquist, to table the request to the February 17th meeting to allow time for further review. Motion carried by unanimous vote.

CONSIDERATION OF CONTRACT FOR ENGINEERING SERVICES FOR REHABILITATION OF NYMORE WATER TOWER

City Engineer Freeberg presented a request to enter into an agreement with KLM Engineering to provide project design and construction inspection services for reconditioning the Nymore elevated water tank at a cost not to exceed \$25,205. He noted that although the 50-year old tank has been periodically repainted, it is now in need of some more aggressive maintenance and reconditioning. During 2003 the KLM Engineering firm inspected the interior and exterior of the tank. Structural improvements were recommended to repair ice damage and rust and to address some safety issues. Estimated cost of the construction improvements and painting is \$200,000.

Motion by Erickson, second by Zachman, to authorize an agreement with KLM Engineering for a fee not to exceed \$25,205, to provide project design and construction inspection

services to recondition the Nymore Elevated Water Tank. Motion carried by unanimous vote.

RESOLUTION NO. 5123: A RESOLUTION AUTHORIZING SUBMISSION OF A PETITION FOR ANNEXATION (Airport Property) was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Johnson, was passed by unanimous vote.

RESOLUTION NO. 5124: A RESOLUTION DESIGNATING DEPOSITORIES FOR CITY FUNDS IN 2004 was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Johnson, was passed by unanimous vote.

AUTHORIZATION FOR COUNCIL TRAVEL TO ATTEND THE COALITION OF GREATER MINNESOTA CITIES MEETING

Motion by Zachman, second by Johnson to authorize travel expenses for Councilmembers to attend the Coalition of Greater Minnesota Cities Meeting on February 10-11, 2004. Motion carried by unanimous vote.

AN ORDINANCE AMENDING CHAPTER 2 OF THE BEMIDJI CITY CODE by amending Section 2.55 entitled "Merit Hearing Board" was given a second reading.

AN ORDINANCE AMENDING SECTION 2.03 OF THE CITY OF BEMIDJI COUNCIL-MANAGER CHARTER (pertaining to the term length for the at-large councilperson) was given a second reading.

AN ORDINANCE AMENDING SECTION 2.05 OF THE CITY OF BEMIDJI CHARTER-MANAGER CHARTER (pertaining to filling of council vacancies) was given a second reading.

AN ORDINANCE AMENDING SECTION 3.08 OF THE CITY OF BEMIDJI COUNCIL-MANAGER CHARTER (pertaining to publication of ordinances) was given a second reading.

AN ORDINANCE AMENDING SECTION 6.01 OF THE CITY OF BEMIDJI COUNCIL-MANAGER CHARTER (pertaining to residency requirement of the city manager) was given a second reading.

CITIZENS WITH BUSINESS BEFORE THIS COUNCIL – NOT ON AGENDA

Zard Wilfre addressed the council again regarding the issue of snowmobile traffic on Gould Avenue NE in front of his rental property. He requested that Gould Avenue NE be permanently closed to snowmobile traffic until a trail is established. He further requested that Snowmobile Regulations be amended to allow snowmobile traffic only on routes designed by the City Council – that no other snowmobile traffic be allowed on city streets and that the ordinance be enforced including speeding, noise and trespass.

The Council directed that the Public Affairs Committee review the use of snowmobiles within the city limits. The Public Affairs Committee will meet on Thursday, February 12th at 7:00 am in the City Hall Conference Room.

UPCOMING MEETINGS

Monday - February 9, 2004 – 5:30 p.m. – DNR response to Shoreland Ordinance and City Organization/Personnel Issues.

Tuesday - February 17, 2004 – Regular Council Meeting (Tuesday instead of Monday – due to President's Day Holiday)

DISCUSSION OF SOUTHEAST LAKE BEMIDJI (Georgia-Pacific Property, Railroad Corridor, etc.)

At the January 26th Retreat, the City Council determined that the development of the Southeast Lake Bemidji area was a priority. City Manager Minke expressed the need for the Council to determine its preferred outcome for the property. Acting as the facilitator, Minke led the Council through the process of identifying the issues, creating a vision, discussing barriers and strategies, and developing an action plan.

ADJOURN

There being no further business presented for discussion, motion by Downs, second by Meuers, to adjourn the meeting. All voted aye. Motion carried. Meeting adjourned 10:20 p.m.

Respectfully submitted

Shirley J. Sherman, City Clerk