

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

June 21, 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, June 21, 2004, at 7:00 p.m. in the Council Chambers of City Hall, Mayor Pro-tem Downs presiding.

Upon roll call, the following Council members were declared present: Hellquist, Meuers, Johnson, Downs, Erickson, Zachman. Absent: Lehmann.

APPROVAL OF MINUTES

Minutes of the June 7, 2004 Regular Council Meeting and June 14, 2004 Work Session were presented for approval. Motion by Erickson to approve minutes with corrections noted, second by Meuers. Motion carried by unanimous vote.

CONSENT AGENDA

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

- A. *Approved eleven (11) pages of claims in the total amount of \$722,591.76*
- B. *Approve four (4) general business licenses.*
- C. *Appointed Julie Parrott to the Library Board.*
- D. *Authorized resurfacing of parking lot at Liquor Store #2 (North Store) with Clearwater Paving of Leonard, MN in the amount of \$9,250.*
- E. *Approved the written Findings of Fact for Special Use Permit - Bemidji Development (Mark's Sand & Gravel)*
- F. *Approved **RESOLUTION NO. 5159** declaring firefighter status for new part-time firefighter (Justin Sherwood) and requesting PERA membership.*

BEMIDJI YOUTH ADVISORY COMMITTEE REPORT

No report.

BSU STUDENT SENATE REPORT

No report.

AIRPORT - APPROVE SUPPLEMENTAL 2004 FUNDING

Minke stated that at the work session on June 14, 2004, the Council directed staff to recommend appropriate funding sources for the remaining Airport financial request of \$140,000. Staff is recommending that the \$65,000 be transferred from the UDAG fund to the Airport and that \$75,000 be set aside as Airport emergency reserve.

Motion by Zachman, second by Hellquist, approving the transfer of \$65,000 from the UDAG fund to the airport and designating \$75,000 of UDAG funds for airport emergency operating needs. All voted aye. Motion carried.

2005 BUDGET

Minke reported that since the preliminary budget work session, it appears that there are some significant changes to the original assumptions in the budget. The two most significant are the \$73,000 increase to the airport budget and the potential loss of \$227,500 in Local Government Aid (LGA) due to a technical error in the 2003 law that the legislature failed to correct. These changes put the 2005 preliminary general fund budget out of balance by \$300,000.

After discussion regarding the LGA cuts and increased funding, Councilmember Meuers, offered a motion to schedule a special budget work session on July 26 at 5:30 p.m., second by Erickson. All voted aye. Motion carried.

WATER QUALITY UPDATE - COTTAGE PARK TOWNHOMES

At the last meeting a citizen appeared before the Council regarding the quality of water at his residence at Cottage Park complex on Goldencrest Court. City Engineer Brian Freeberg provided a report to the Council stating that the problem doesn't seem to be in the municipal system. Water Department personnel have flushed the lines in the unit and have been unable to reproduce the material.

Minke noted that during the past 14 months, the city has on numerous occasions had employees in the building to investigate the complaint and install/monitor filtering devices. Chief Operator Randy Peterson has the filter and there is no sediment in it. In addition, the Minnesota Department of Health has investigated this matter. Neither the City nor the Department of Health can find any abnormal conditions.

General consensus of the Council is that staff has done everything they can but to keep an eye on this situation.

PUBLIC HEARING - Massage Therapy/Therapist Ordinance Amendment

Pursuant to published notice, a public hearing was held to consider an ordinance amendment – Chapter 6, Section 6.60 of the Bemidji City Code pertaining to Massage Parlors. Mayor Pro-tem Downs opened the public hearing and invited those present to address the issue.

Janet Listebarger, NW Technical College instructor of the Massage Therapist program, stated that she has reviewed the proposed ordinance amendment language pertaining to message therapy and massage therapists. In general, she believes the changes for the most part are positive given that the current ordinance is fairly outdated. Ms. Listebarger suggested that the Association of Body Work & Massage Professionals (ABMP) should also be referenced in Subd. 1(i) as a "Recognized School".

Ms. Listerbarger questioned how the proposed ordinance would affect individuals currently practicing massage? In particular, does the City propose to "grandfather" current practitioners, both inside and outside City limits. It was noted that there are currently three (3) licensed massage therapists all within City limits who meet the proposed ordinance requirements. However, it was further noted that some practitioners outside the City limits may not meet the new minimum course hours and/or proposed requirements. It was the consensus of the Council that at the time established massage facilities outside City limits are annexed in the City, the Council will address each case on individual circumstances.

With no further comment, the public hearing was closed.

AN ORDINANCE AMENDING SECTION 6.60 OF THE BEMIDJI CITY CODE PERTAINING TO MASSAGE PARLORS was given a second reading.

AN ORDINANCE ANNEXING PROPERTY ALONG TO THE CORPORATE LIMITS OF THE CITY OF BEMIDJI (Norvold & Lillemo Parcel) was given a second reading.

AN ORDINANCE ANNEXING PROPERTY ALONG OAK HILLS ROAD TO THE CORPORATE LIMITS OF THE CITY OF BEMIDJI (Williams Parcel) was given a second reading.

ORDINANCE NO. 380, 2nd SERIES: AN ORDINANCE AMENDING ORDINANCE NO. 64, 2ND SERIES pertaining to Lodging Tax was given a final reading and passed by unanimous vote.

ORDINANCE NO. 381, 2nd SERIES: AN ORDINANCE AMENDING CHAPTER 13, SECTION 13.08 OF THE BEMIDJI CITY CODE (Pertaining to Planning Case #2004-15, Leisure Time Land Company) was given a final reading and passed by unanimous vote.

ORDINANCE NO. 382, 2nd SERIES: AN ORDINANCE AMENDING CHAPTER 13, SECTION 13.08 OF THE BEMIDJI CITY CODE (Pertaining to Signs in the B-4 Zone, Planning Case #2004-18) was given a final reading and passed by unanimous vote.

UPCOMING MEETINGS

Motion by Hellquist, second by Zachman, approving out of town travel for Councilmembers to attend the League of Minnesota Cities meeting on July 20th in Crookston and 2004 Coalition of Greater Minnesota Cities meeting in Austin, MN - July 28-July 30. All voted aye. Motion carried.

ADJOURN

There being no further business presented for discussion, motion by Zachman, second by Meuers, to adjourn the meeting. Motion carried by unanimous vote. Meeting adjourned 8:24 p.m.

Respectfully submitted

Kay Murphy-Schuett
Deputy City Clerk