

# **CITY COUNCIL PROCEEDINGS**

## **BEMIDJI, MINNESOTA**

### **March 1, 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, March 1, 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: Downs, Erickson, Zachman, Lehmann, Meuers, Hellquist, Johnson. Absent: None.

The agenda was amended by adding: 1) Discussion of SE Lake Bemidji Development and 2) Consideration of Bemidji Volunteer Firefighter Bylaws; and deleting item 18 – *first reading of an Ordinance Authorizing the Sale of Real Property at 1200 America Ave. NW.*

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

#### **APPROVAL OF MINUTES**

Minutes of the February 9, 2004 Work Session and February 17, 2004 Regular Council meeting were presented for approval. Erickson requested an amendment to page 3 of the February 17<sup>th</sup> minutes - (*Task Force on Youth Violence...*) as follows:

*Erickson further noted that she recently discussed with a member of the Snowmobile Club recently indicated their willingness to donate up to \$5,000 in gambling fund proceeds to charitable organizations, which must be done through the City whether or not they would be comfortable with giving the City \$5,000, which would in turn be designated for the Task Force. The Snowmobile Club was agreeable. Erickson suggested that the Council authorize the Mayor or City Manager to request the funds. Motion by Erickson, second by Zachman, to authorize a written request from the City to the Snowmobile Club for a donation of up to \$5,000 in gambling proceeds to be ~~dispensed to~~ designated for the Task Force and given in the name of the City. (Underline denotes language added – strikeout denotes language deleted)*

*Motion by Erickson, second by Downs, to approve the February 9<sup>th</sup> minutes as presented and the February 17<sup>th</sup> minutes as amended. Motion carried by unanimous vote.*

#### **CONSENT AGENDA**

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

- A. *Approved eight (8) pages of bills in the amount of \$273,931.64*
- B. *Approved four general business licenses*
- C. *Approved Gambling permits for :  
American Legion (pull-tabs on 3/19,20,21/04)  
Ruffed Grouse Society No. Central MN Chapter (Raffle on 4/8/04)  
Bemidji Rotary Club (Raffle on 7/4/04)*
- D. *Approved Temporary On-Sale Liquor License for Paul Bunyan Playhouse for April 22*
- E. *Approved Appointment of Cindy Serratorre to the Heritage Preservation Commission*
- F. *Approved **RESOLUTION NO. 5130** Declaring Firefighter Status for Two New Part-time Firefighters and Requesting PERA Membership*
- G. *Authorized Council Travel for Attendance at the LMC State of the Cities Meeting on March 3, 2004*

#### **BEMIDJI YOUTH ADVISORY COMMITTEE REPORT**

Dana Langrebe noted that on Sunday, February 29, 2004, the committee discussed the roles of officers and improved attendance for committee members. She also noted that they are currently planning the activities for the year and reviewing their budget.

## **BSU STUDENT SENATE REPORT**

Jason Swanson, BSU Student Senate Representative, noted that elections are over and they are two seats short of having a full senate. Plans are underway to fill those seats as quickly as possible. At the end of March, a number of BSU delegates will travel to the Cities for the purpose of meeting with other delegates to review the MSUSA Constitution and discuss possible amendments. The Student Senate is currently soliciting support for the a \$10 million legislative bonding bill for renovation of Bridgeman Hall, and for the proposed hockey arena bill.

## **CONSIDERATION OF REQUEST BY JAYCEES TO USE PUBLIC AREAS FOR 2004-JULY 4<sup>TH</sup> CELEBRATION**

Dawn Rich presented a request to use public areas along the Lake Bemidji waterfront to host the 60<sup>th</sup> annual Bemidji Jaycees Water Carnival beginning July 1, 2004 through July 5, 2004. The request included approval to begin setting up tents, etc. on June 29, 2004, use of the Nymore Beach area for fireworks, the railroad corridor behind Union Station for carnival workers camping, and city streets for the Kiddie Parade and Grand Parade. The Jaycees agreed to abide by City rules and regulations in the use of the designated areas, to clean and restore the areas used, and to work with the City Clerk to secure the appropriate permits and licenses for the event.

**RESOLUTION NO. 5131:** A RESOLUTION APPROVING THE USE OF PUBLIC AREAS FOR THE 204 JAYCEES JULY 4<sup>TH</sup> CELEBRATION was offered by Councilmember Zachman, who moved its adoption, and upon due second by Councilmember Meuers, was passed by unanimous vote.

**RESOLUTION NO. 5132:** A RESOLUTION DESIGNATING A PERCENTAGE OF THE REVENUES FROM PAUL BUNYAN AMUSEMENT PARK TO THE JAYCEES FOR THE 2004 JULY 4<sup>TH</sup> CELEBRATION was offered by Councilmember Hellquist, who moved its adoption, and upon due second by Councilmember Downs, was passed by unanimous vote.

## **CONSIDERATION OF REQUEST BY FISHING HAS NO BOUNDARIES TO USE PUBLIC AREAS FOR 2004 EVENT**

Vance Balstad and Connie Kelm provided a request to use public areas along the Lake Bemidji Waterfront for the annual *Fishing Has No Boundaries* event to be held June 26-27, 2004. Balstad noted they will begin setting up on the 24<sup>th</sup> & 25<sup>th</sup>, and agreed to abide by City rules and regulations in the use of the designated areas, to clean and restore the areas used, and to secure appropriate permits and licenses for the event.

**RESOLUTION NO. 5133:** A RESOLUTION APPROVING THE USE OF PUBLIC AREAS FOR THE 2004 FISHING HAS NO BOUNDARIES EVENT was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Erickson, was passed by unanimous vote.

## **DISCUSSION OF SE LAKE BEMIDJI DEVELOPMENT**

Councilmembers received a copy of the grant submitted to the Legislative Commission on Natural Resources (LCMR) for development of a trail in the SE Lake Bemidji area to connect the north and south portions of the Paul Bunyan State Trail.

Minke noted that, as directed by the Council, city staff met with John Zacher, the current owner of the Georgia-Pacific site. Three messages were conveyed – 1) The city wants a trail connection through that area and is willing to pay market rate for the land to complete that trail; 2) The City would be willing to swap the Nymore Beach area with Zacher for a potential boat landing and park. However, due to the fact that the land that is currently the Nymore Beach probably has a higher value than land located northeast along the shore; the swap would not be one for one; 3) ShoreQuest should indicate in writing that it is willing to work with the City on these issues.

In a memo to the Council, City Manager Minke suggested some Council discussion to clarify how the project might come together. He noted that the trail is dependent on the railroad corridor more than the Georgia-Pacific site. Council has previously discussed acquisition of the Georgia-Pacific site, not the railroad corridor. Minke suggested that the Council give some thought to what their priority outcomes are as that will determine what, if any, land should be acquired.

Discussion followed regarding zoning of the Georgia-Pacific site, proposed plat for development, acquisition costs of the railroad corridor, contamination issues, etc. In conclusion, Councilmembers agreed that a trail connection on the SE shore of Lake Bemidji is a priority whether it is on railroad property or some other combination of properties and the City is willing to pay for purchase of the land for the trail when we get to that stage. It is important that the trail have the least possible impact on the surrounding properties. The City's preference is to purchase the land through a negotiated process, but if that fails council unanimously agreed that eminent domain would be an option.

### **BUSINESS SUBSIDY POLICY**

Councilmembers were provided copies of two business subsidy policies for review and discussion. Minke noted that the City has not granted a business subsidy since 1999, which is covered by the law. However, since there are now JOBZ areas in the City, it is likely that the City will have requests for the program. He requested that the Council review the policies and provide feedback prior to the March 15<sup>th</sup> meeting. A public hearing is scheduled for March 15<sup>th</sup>.

### **CONSIDER AMENDMENTS TO BEMIDJI VOLUNTEER FIRE DEPARTMENT BYLAWS**

Copies of the proposed Volunteer Fire Department Bylaws were distributed for Council review. Downs requested some time to review the amendments and suggested the issue be placed on the March 15<sup>th</sup> agenda. Council unanimously agreed.

### **ORDINANCES**

An Ordinance Annexing Property Along Balsam Road NW to the Corporate Limits of the City of Bemidji (Airport Property) was given a second reading.

An Ordinance amending the Zoning Map adopted in Chapter 13, Section 13.08 of the Bemidji City Code (PC #04-05, 1815 Division Street West - Gregg's Plumbing & Heating) was given a second reading.

An Ordinance amending the Zoning Map adopted in Chapter 13, Section 13.08 of the Bemidji City Code (PC #04-06, 814 Anne Street NW - Vista North Townhouses LLC) was given a second reading.

### **UPCOMING MEETINGS**

Wednesday, March 3, 2004 LMC, State of Cities Legislative Conference in St. Paul

Monday, March 22, 2004, 5:30 p.m. – 2003 Financial Update and 2005 Budget Kickoff

### **ADJOURN**

There being no further business presented for discussion, motion by Downs, second by Zachman, to adjourn the meeting. All voted aye. Motion carried. Meeting adjourned 9:10 p.m.

Respectfully submitted

Shirley J. Sherman, City Clerk