

# **CITY COUNCIL PROCEEDINGS**

## **BEMIDJI, MINNESOTA**

### **Regular Meeting – September 4, 2007**

Pursuant to due call and notice, a regular meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Tuesday, September 4, 2007 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 addition/changes were requested:

- Travel Authorization to attend League of Mn Cities (LMC) Telecommunication Task Force – Johnson

Councilmember Erickson commented that several meetings ago she was asked to sit on a LMC committee and was denied because it was unaffordable. However, she does support Councilor Johnson's request and felt that it was important for the city.

- Moved Paul Bunyan State Trail Resolution from Consent Agenda to New Business
- Moved Tax Forfeited Land Conveyance Resolution from Consent Agenda to Old Business

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

#### **MINUTES**

Minutes of the August 20 regular meeting and August 27, 2007 work session were presented for approval. Motion by Erickson, 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 Meuers, second by Downs, to approve the Consent Agenda items as follows:

1. Approved Claims submitted by the Finance Officer in the total amount of \$2,374,336.48.
2. Approved miscellaneous business licenses.
3. Approved appointment to Parks & Recreation Commission – Darlene Dorr.
4. Authorized purchase of automated refuse truck chassis (\$74,572).
5. Authorized engineering services for the east-west railroad trail with Widseth Smith & Nolting in the amount of \$32,058 (City Project #08-07).
6. Authorized Council Travel – LMC Telecommunications Task Force – Johnson.

Motion carried by unanimous vote.

#### **COMMITTEE REPORTS**

##### **Bemidji Youth Advisory Commission**

Jackie Hess, Commission Member, provided a handout of the 2007-2008 BYAC Strategic Plan. Ms. Hess identified accomplishments by the Commission which include partnering with a number of groups and organizations such as BSU Student Senate and revising the BYAC's by-laws. Ms. Hess stated that BYAC's vision is to provide effective, trusted leadership that shows Bemidji's youth how to organize events and achieve their goals. Their top priority goals are to create a better system for individual youth to get in touch with the BYAC, place youth members on all committees in the community and lead a youth-intensive process to design and build a skate park.

Councilmember Johnson stated that he recently visited Baudette and they have a really nice skate park and felt that Bemidji should have one and it is a nice goal by the BYAC. Ms. Hess stated that they are working with the Parks & Recreation Commission in this regard.

BSU Student Senate

Cody Nelson, Student Senate Member, stated that a student will attend future meetings representing BSU Student Senate. Mayor Lehmann requested that a report from BSU Student Senate be added to future agendas.

**OLD BUSINESS**

Policy on Public Purpose Expenditures

Mayor Lehmann reviewed the information provided to the Council which outlined what cities can and cannot do when considering giving. Mayor Lehmann stated that he was inclined to stay with the moratorium.

Councilor Markeson stated that the Boys and Girls Club has received in-kind and donations in other cities. He stated that the Council should consider donations of this type as there are compelling reasons to help.

Councilor Erickson stated that in considering spending the taxpayers' money it needs to be directly related to general government and for public use.

Councilor Downs commented that the City of St. Cloud has funded the Boys & Girls Club which promotes "safety and general welfare and general security" and he felt that it qualified. He observed that it helps keep down petty crime and there are statistics to support that.

Councilor Erickson stated there are potential consequences for the City for the misappropriation of taxpayer funds. She stated that the City is collecting taxes which should be used for general purposes.

Chattin stated there is no boiler plate answer from other cities to come up with a policy or process to screen out those items. Discussion continued regarding providing in-kind services, i.e., police.

Councilor Downs suggested that the public safety department budget be expanded to include the Boys & Girls Club.

Motion by Markeson, second by Johnson, to adopt the public purpose expenditure chart with the exception that Item No.1 change to read "does it come with the recommendation from a City Department Head or Councilmember who is a liaison or appointed on the Board of Directors on the nonprofit." Motion failed by the following vote: Ayes: Markeson. Nays: Hellquist, Lehmann, Meuers, Markeson, Johnson, Downs, Erickson.

Councilor Johnson noted that public funds are used for events, however, he felt it was good for the city to support events in this way. Mayor Lehmann suggested that they are an economic driver for our community. Felix stated that considering donations is a case by case situation and suggested using the chart for public purpose.

**Council consensus was to continue with the moratorium on donations and directed staff to provide a summary of those areas where the City indirectly supports events in the community.**

HHDC/HRDC – North Lake Irving Project

City Attorney Felix stated that the resolution for consideration is in regards to the HHDC/HRDC's efforts to put together a housing project in North Lake Irving area. Two of the tax forfeited parcels are vacated alleyways which should not have been tax forfeited. He stated that they should come out of tax forfeited status and they should go to the adjoining property owners. He recommended that the Council proceed with the resolution but it will be modified before it goes forward to the County. He stated that a second resolution will be coming to the Council at their next meeting which will require legislative action.

Discussion continued on the park property that the HHDC is interested in. Councilor Downs stated that the Parks & Recreation Commission has made the recommendation that there be no net loss of park land. Felix stated that there are three parcels, two parcels were tax forfeited and the city owns them in fee title. The one lot has been dedicated for park purposes. If the City stops using the parcel for park purposes, it would revert to the state. Councilor Erickson did not see any problem with turning over the park property to HHDC as the City has added other park property.

Mayor Lehmann stated that the Resolution Requesting Conveyance of Tax-Forfeited Lands along with the other resolution will be considered at the next regular Council meeting.

### **NEW BUSINESS**

#### **Proposal to House Greater Bemidji Area Joint Planning Offices at City Hall**

Mayor Lehmann reviewed a proposal for use of City Hall space for the Joint Planning offices. He stated that the Board will be looking at three potential office locations: Lakeside Service Center, 4-West Office and City Hall. The proposal for the use of City Hall includes: 1) \$12/per square foot per year with 3% annual increases during the lease term; 2) leasehold improvements, if needed, at city expense, provided a long-term lease (5-year minimum) is included; 3) city pay utilities (heat, A/C, electric, water and sewer); 4) city provide internet connection, 5) ability to utilize city's phone system; and 6) signage provided by GBJPB and approved by the City both interior and exterior.

**Motion by Downs, second by Johnson, approving the proposal for the location of Joint Planning Board offices at City Hall. Motion carried unanimously.**

#### **Menard's Traffic Signal**

City Engineer Craig Gray stated that the Menards development requires a traffic signal to be installed at their entrance to TH197. In addition to being used by the Menards development the signal location will be utilized in the future by other businesses when MnDOT begins to take stronger control of access issues along the TH197 corridor. Initially, MnDOT was to design, bid and oversee construction of the traffic signal for the city. However, due to staffing levels and workloads, MnDOT is unable to design the signal system. Therefore, the City needs to hire an engineering firm to complete the required intersection report and the necessary traffic signal plans. MnDOT will complete the construction inspection on the project. Gray has obtained two proposals from engineering firms and estimated the total signal project to cost \$250,000 plus engineering and all of those costs will be reimbursed by Menards.

Mayor Lehmann commented that the traffic signals are not coordinated along TH197 and with the addition of this signal there will be stop lights every block and is not in favor of more traffic signals.

Gray stated that this traffic signal will be connected to the signal at intersection of TH197 and Hwy 71 and will be coordinated with that signal.

Councilor Downs stated that after seeing accidents in various areas, he believed that signals make it safer for the traveling public. Discussion continued on the signals along TH197.

**Motion by Downs, second by Markeson, authorizing professional services with Kimley-Horn & Associates in the amount of \$16,800 for the Menard's Traffic Signal (City Project #07-15). Motion carried with the following vote: Ayes: Johnson, Markeson, Downs, Meuers, Erickson, Hellquist. Nays: Lehmann.**

**RESOLUTION NO. 5427: In Support of Paving the Paul Bunyan State Trail from Guthrie to Walker was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Johnson was passed by unanimous vote.**

### **EVENTS CENTER UPDATE**

Dave Hengel, HRDC, asked if the information provided by Brian Schoenborn was useful and, since the entire Council did not get the opportunity to visit him, whether the Council wanted him to come back to Bemidji again.

Councilor Johnson stated that Mr. Schoenborn made some very good points and he would like to see him visit with the entire Council.

Hengel stated that the Events Center can be run "near breakeven" but this depends on how the city runs the center. A significant amount of the revenue generated is based on the decisions of the city.

Councilor Erickson commented that the City and Mr. Schoenborn are coming from different objectives. However, she felt that his information was useful. Hengel stated that the City does have some control over the use of the events center.

Hengel reviewed a proposed presentation schedule to the House and Senate Committees. The House Capital Investment Committee will be at City Hall on September 18 at 4 p.m. and the Senate Capital Investment Committee on September 25 at 4:45 p.m. The meetings will

be very informal and go very quickly – 45 minutes in length. He stated that the city should not try to put on a tremendous show but be clear about what their vision for events center, the master plan for the area, and be clear about the challenges that remain. He stated that the challenges that face the city are the cost and site location. He encouraged all councilmembers to meet with the legislators. Hengel recommended that the Council leave their options open with the idea that the costs may come in lower. House and Senate contacts recommend that the city just provide information and keep their options open.

Councilor Meuers would like to hear what BSU is saying and she would like to hear from them before the legislators come. Hengel has spoken with President Quistgaard and BSU will come out with a statement prior to the legislators meetings. Council directed Hengel to set up a meeting with BSU representatives and the City the week of September 10.

Mayor Lehmann asked Hengel if there were any public forums planned by Leo A Daly. Hengel stated that has not heard from Leo A Daly and would contact them in this regard.

Council asked Hengel to make arrangements for Mr. Schoenborn to meet with them at a future meeting not necessarily before the committee meetings.

**LIBRARIAN REPORT**

Paul Ericsson, Branch Manager, stated that on September 13 there will be an open community meeting at 7 p.m. at the library to share the community’s hopes and vision for services at our library. He provided a highlight of services that are offered to people with vision challenges. These challenges can range from the mild “reading glasses”, to people that have severe vision problem, or for people that are completely blind. He demonstrated a device that allows users to enlarge printed text and images which is available at the library.

**UPCOMING MEETINGS**

- Monday, September 10            5:30 p.m.            Work Session – SAC/WAC & Levy
- Wednesday, Sept. 12           6:00 p.m.            Greater Bemidji Area Joint Planning Board @ Northern Township
- Monday, Sept. 17                7:00 p.m.            City Council Meeting
- Monday, Sept. 24                5:15 p.m.            Work Session

**COUNCIL/STAFF REPORT**

- Chattin stated he had a brief meeting with the Chamber regarding their lease of the Tourist Information Center as the City will be paying property taxes on it. He stated that the lease may have to be amended. Staff met with Gary Trueblood regarding the use of the waterfront and Mr. Trueblood expressed a willingness to terminate his lease early if another proposal for the area was received but not prior to 2009. Chattin stated he is working with VisitBemidji regarding the Coalition Conference in Bemidji in 2009. Chattin stated that reviewing the budget with department heads will take approximately 3 to 4 hours minimum and asked if the Council wanted to do this in one meeting or break it up. Council should let Chattin know their preference.
- Hellquist stated he accepted two bike racks from Dero on the behalf of the City of Bemidji and will work with Haluptzok for placement.
- Erickson stated that the deer hunt in Ward 5 will begin soon. The airport will be closed for runway and taxiway work from September 5 to 13.
- Meuers reported that the celebration for the return of the troops was attended by 600 community members. She thanked the planning committee, in particular, Teresa Vincent for her hard work.
- Gray stated that the 4<sup>th</sup> Street SE Nymore project is complete except for a few punch list items.

**ADJOURN**

There being no further business, motion by Downs, second by Meuers, to adjourn the meeting. Motion carried. Meeting adjourned at 9:11 p.m.

Respectfully submitted,

Kay M. Murphy  
City Clerk