

Council Proceedings

Special Meeting/Work Session

October 25, 2004

Pursuant to due call and notice, a Special Meeting/Work Session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, October 25, 2004, at 5:30 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

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

Staff Present: Minke, Sherman, Preece, Oakes, Felix

Others Present: Elwell, Mann, Markeson

VIDEO “Water a Condensed Version” by the Headwaters Science Center

Council members watched a 15-minute video about water quality in the community, including a tour of the wastewater treatment facility. The video was produced by the Headwaters Science Center. Laddie Elwell was present and responded to questions from the Council.

NOISE REGULATIONS

Mayor Lehmann opened the discussion on noise regulations noting that council members have discussed the issue on various occasions, relating personal experiences as well as citizens complaints. Staff collected a number of model ordinances from various cities to use as a guide for discussion. Lehmann suggested that the Council highlight their concerns and provide direction to enable staff to tailor an ordinance for Bemidji.

Discussion centered on methods used to measure noise and enforcement. City Attorney Felix noted that there are two formats for this type of ordinance: 1) technical format dealing with decibels and decibel meters; 2) a reasonable person standard.

The City currently has two ordinances dealing with nuisance issues:

- ◆ prohibiting loud parties/disorderly house
- ◆ imposing fees and penalties for repeat nuisance service calls

Staff suggested an ordinance to deal with things like vehicle noise from loud mufflers, stereos in vehicles, construction after hours, etc. Monitoring and enforcement may be difficult because the violators are usually not stationary.

Council expressed the need to visit with cities such as Burnsville and Brainerd to learn what their experience has been and how they are handling the issue of enforcement. Preece agreed to follow up with those cities.

The following action steps were identified:

- ◆ Get feedback from Burnsville, Brainerd, etc.
- ◆ Prepare a reasonable person standard ordinance dealing with loud mufflers and stereos.
- ◆ Post signs throughout the city noting that there is an ordinance and that it will be enforced.
- ◆ Identify the resources needed to enforce an ordinance.
- ◆ Purchase or borrow a decibel meter.
- ◆ Report back to the Council at the November 15th regular council meeting.

ADJOURN

There being no further business presented for discussion at this time, motion by Downs, second by Johnson, to adjourn the meeting. The meeting adjourned at 6:40 p.m.

Respectfully submitted,

Shirley Sherman, City Clerk