

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### April 4, 2005

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, April 4, 2005, at 7:00 p.m. in the Council Chambers of City Hall, Mayor Lehmann presiding.

Upon roll call, the following Councilmembers were declared present: Markeson, Downs, Lehmann, Meuers, Erickson, Hellquist. Absent: Johnson.

#### **AMENDMENTS TO AGENDA**

Lehmann requested addition of the following to the Consent Agenda:

- Resolution supporting efforts to locate a Veterans Outpatient Clinic in the Bemidji area. Motion by Downs, second by Meuers, to add the resolution to the Consent Agenda and approve the agenda as amended. Motion carried by unanimous vote.

#### **MINUTES**

Minutes of the March 21, 2005 Regular meeting were presented for approval. Motion by Meuers, second by Downs, to approve the minutes as presented. Motion carried by unanimous vote.

#### **CONSENT AGENDA**

The Consent Agenda was presented for approval. Motion by Erickson, second by Hellquist, to approve the items on the Consent Agenda as follows. Motion carried by unanimous vote.

- 1) *Approved Claims submitted by the finance officer in the total amount of \$229,033.67.*
- 2) *Approved Miscellaneous Business Licenses*
- 3) *Approved Gambling Permits*
  - *North Country Home Care & Hospice (Raffle - Aug. 11, 2005)*
  - *Northwoods Coalition for Battered Women (Bingo - May 19, 2005)*
- 4) *Approved Contract with Widseth, Smith, Nolting for Engineering Services (Supreme Estates-Senger Subdivision - Water/Sewer Project)*
- 5) *Approved **Resolution No.5218** Expressing Council Support for Efforts to Locate a Veteran's Outpatient Clinic in the Bemidji Area.*

#### **COMMITTEE REPORTS**

##### **Bemidji Youth Advisory Commission (BYAC)**

Councilmember Markeson reported that BYAC is currently planning for the June 7<sup>th</sup> Youth Rally at the waterfront. Other activities include:

- Lumberjack Live TV show – April 14  
BYAC will be recruiting new members for school year 2005-2006.
- Interviews for membership - April 21 at the Boys & Girls Club - 4-6 pm
- Exploring ways to work with the City to make parks more attuned with youth activities

##### **BSU Student Senate**

No report.

##### **Oak Hills Student Senate**

Nancy Beer reported that several Oak Hills students have been assisting in the clean up at Red Lake High School. She also noted that one of the victims of the shootings was a member of the Ponemah Youth Group. Other activities include:

- Spring Concert on Friday, April 8 – 7pm
- Community outreach programs

### Public Works Committee

The Public Works Committee met on March 31, 2005. Hellquist reported that the discussion included options for expanding, upgrading or relocating the existing stores. Committee members agreed on the importance of the liquor stores proceeds to subsidize the City's General Fund for street improvement, etc. The consensus was to have the City Manager

- investigate the cost for purchase of the Highway Host/Backyard Restaurant property or the parcel next to Pine Ridge Service, and
- Investigate the potential for expansion/remodeling to change the appearance of the existing stores, improve accessibility, traffic flow and parking and make better use of space.

When the data has been collected, the Public Works Committee would like to meet with city staff to review the information and make a recommendation to the Council.

Committee members collectively expressed opposition to partnering the liquor store operations with an existing retailer at this time.

The need to develop a policy to address the issue of liquor stores being annexed into the City was also noted.

In addition, three questions were raised relating to the noise regulation ordinance –

- Feedback regarding a proposal for periodic saturation of troublesome areas
- Posting of signs at entrances to the city
- Communication to retail stores that certain equipment that they install or offer for sale may violate the noise regulation ordinance within the City.

### Public Relations Committee

No Report.

### **REPORT REGARDING FEASIBILITY OF PURCHASING FUEL FROM BELTRAMI COUNTY**

At the March 21<sup>st</sup> meeting, the Council asked the Manager to consider the possibility of purchasing fuel from Beltrami County at their location on County Road 11. Minke noted that the base cost potentially would be less per gallon. However, due to the location, concerns were expressed regarding loss of efficiency in travel time. Minke provided some estimates for the additional miles as well as the cost of employee time to travel to the County facility for refueling. Given the fact that Cenex is centrally located to City Hall, Fire Hall, Law Enforcement Center, Streets and Parks Garage, the cost savings is diminished and staff favored the convenience of the central location.

Council expressed appreciation for the report.

### **PINNACLE OUTLET MALL**

City Attorney Felix distributed copies of a memorandum on the EAW/EIS determination and a draft decision on the need for an Environmental Impact Statement (EIS) (negative declaration – no need for an EIS). Copies of the pertinent statutes regarding Environmental Review were also provided for review. Felix requested that the council formally continue the determinations and considerations to the special meeting scheduled for Thursday, April 7, 2005 – 5:30 p.m.

Motion by Erickson, second by Hellquist, to continue the public hearing on the Pinnacle Mall to the April 7<sup>th</sup> Special Meeting at City Hall, 5:30 P.M. Motion carried by unanimous vote.

### **SPEED LIMITS FOR SNOWMOBILES**

Minke noted that during the past few years, the city has acquired a number of railroad rights of way that are suitable for snowmobile use. The Snowmobile Club has started to use those corridors for trails. The city has the authority under state statutes to regulate speed on trails within the city. Parks Director Haluptzok worked with members of the Snowmobile Club to develop some recommendations for trail speeds (snowmobile speed limit on city streets will remain 15 mph). A map illustrating the recommended speed regulations on state-designated snowmobile trails within the City was distributed for Council review. Minke asked the Council to consider the recommendations and provide direction for city staff to draft an ordinance.

The recommendations were reviewed and approved, with the exception of a section of trail running between Park Avenue SW and 5<sup>th</sup> Street NW. The proposed for 35 mph received some Council debate. Downs suggested the speed be 30 or 50 to be more consistent with trails through other portions of the city. Lehmann suggested setting the speed at 50 because the area is wide open, but there were concerns about having snowmobiles approach 5<sup>th</sup> Street NW at 50 mph. Dick Lueben, member of the Snowmobile Club, noted that 50 mph is standard speed in any non-municipal area. He supported a speed of either 30 or 50 to be consistent. Erickson expressed concerns regarding noise when snowmobilers increase their speed from 30 to 50 at 5<sup>th</sup> Street. Downs suggested that there are no nearby residences.

Motion by Downs, second by Markeson, directing staff to prepare an ordinance adopting the speeds as proposed with the exception that the section between Park Avenue SW and 5<sup>th</sup> Street NW, which should be changed to 50 mph. Motion carried by unanimous vote.

Speed limit signs will be posted along the trails. Downs suggested that signs prohibiting use of 4-wheelers should also be posted.

In another matter, Erickson noted that she has received complaints from citizens on Brinkman Drive regarding motorized vehicles using easements behind their homes in an area that does not allow motorized vehicles. Felix suggested that citizens are using easements that are platted for vehicular traffic (future development) to get to the park.

**RESOLUTION NO. 5219:** A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF BEMIDJI TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY OF BEMIDJI (Sale of Bonds) was offered by Councilmember Meuers, who moved its adoption, and upon due second by Councilmember Erickson, was passed by unanimous vote.

**RESOLUTION NO. 5220:** A RESOLUTION ADOPTING THE CITY OF BEMIDJI PERSONNEL POLICY MANUAL (Revised and Updated March 31, 2005) was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Meuers, was passed by unanimous vote.

### **ORDINANCES**

1. AN ORDINANCE AMENDING THE ZONING MAP ADOPTED IN CHAPTER 13, SECTION 13.08 OF THE BEMIDJI CITY CODE (Pertaining to Planning Case #2004-27, Westwood Acres, LLC, property) was given a first reading.
2. Pursuant to published notice, a public hearing was held to receive comment regarding the proposed ordinance to rezone approximately 36 acres of newly annexed property located in southeast Bemidji ("The Lost 40" Nymore, Planning Case #2005-02). Mayor Lehmann opened the public hearing and invited those present to comment. No one appeared. The public hearing was closed.

AN ORDINANCE AMENDING THE ZONING MAP ADOPTED IN CHAPTER 13, SECTION 13.08 OF THE BEMIDJI CITY CODE (Pertaining to Planning Case #2005-02, Southeast Bemidji ~ "The Lost 40" property) was given a second reading.

3. Pursuant to published notice, a public hearing was held to receive comment regarding the proposed ordinance to rezone approximately 1.66 acres, located at 3406, 3422 & 3426 Irvine Avenue NW (Planning Case #2005-03). Mayor Lehmann opened the public hearing and invited those present to comment. No one appeared. The public hearing was closed.

AN ORDINANCE AMENDING THE ZONING MAP ADOPTED IN CHAPTER 13, SECTION 13.08 OF THE BEMIDJI CITY CODE (Pertaining to Planning Case #2005-03, James & Evelyn Aylesworth property) was given a second reading.

4. Pursuant to published notice, a public hearing was held to receive comment regarding the proposed ordinance to rezone approximately 1.52 acres located north of Algoma Street NW and west of Minnesota Avenue NW. Mayor Lehmann opened the public hearing and invited those present to comment. No one appeared. The public hearing was closed.

AN ORDINANCE AMENDING THE ZONING MAP ADOPTED IN CHAPTER 13, SECTION 13.08 OF THE BEMIDJI CITY CODE (Pertaining to Planning Case #2005-04, Kent & Mary Jo Christenson property) was given a second reading.

5. AN ORDINANCE AMENDING SECTION 2.04 OF THE CITY OF BEMIDJI COUNCIL-MANAGER CHARTER was tabled at the March 21<sup>st</sup> meeting due to the absence of two Councilmembers. Lehmann noted the final reading must be postponed again due to the absence of Councilmember Johnson at tonight's meeting. (Ordinances amending the Charter must be adopted by an affirmative vote of all Councilmembers) Motion by Erickson, second by Meuers, to continue the final reading of this ordinance to the May 2<sup>nd</sup> meeting. Motion carried by unanimous vote.

#### **MEETING REMINDERS**

Thursday, April 7 – Special Council Meeting – 5:30 p.m. at City Hall Pinnacle Mall

Tuesday, April 12 – Joint City/County Meeting – 4:30 p.m. at LEC joint city county meeting  
Suggested agenda items include discussion of trail around Lake Bemidji and Boys and Girls Club request for matching funds for grant

Monday, April 25 - Special Meeting/Work Session – 5:30 p.m. Capital Improvement Plan

#### **TRAVEL REIMBURSEMENT**

Lehmann requested travel reimbursement for a trip to St. Paul on Wednesday for a hearing on local option sales tax. Motion by Meuers, second by Downs, to approve this travel reimbursement. Motion carried by unanimous vote

#### **ADJOURN**

There being no further business, motion by Downs, second by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Shirley Sherman  
City Clerk