

**CITY COUNCIL PROCEEDINGS**  
**BEMIDJI, MINNESOTA**  
**Regular Meeting – July 2, 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 Monday, July 2, 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. City Manager Chattin asked that discussion regarding the Schematic Design Costs be added under Events Center Update.

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

**MINUTES**

Minutes of the June 18 regular and June 14, 2007 special /work session meetings were presented for approval. Erickson expressed concerns about the motion made at the June 14 special work session regarding the HRDC "steering" the event center project. Discussion continued on the intention of the Council and a possible new motion. City Attorney Felix advised that a motion could not be altered as they were the written record from the meeting.

Motion by Erickson, second by Hellquist, to approve the minutes as presented. Motion carried by unanimous vote.

**CONSENT AGENDA**

The following Consent Agenda items were presented for approval. Erickson requested that the item regarding the Affirmative Action/Equal Employment Action be taken off the consent agenda so the Council could discuss it. Motion by Hellquist, second by Markeson, to approve the Consent Agenda items as follows:

1. Approved Claims submitted by the Finance Officer in the total amount of \$386,163.45.
2. Approved Waiving Habitat for Humanity Building Permit Fees – 714 Clause Ave SW.
3. **RESOLUTION NO. 5417** Accepting Petition and Order Feasibility Study – McKinley Avenue between 3<sup>rd</sup> Street SE and 4<sup>th</sup> Street SE.
4. Approved Council travel to CGMC in Detroit Lakes on July 25-26 – Erickson, Johnson.

Motion carried by unanimous vote.

**COMMITTEE REPORT(S)**

Bemidji Youth Advisory Commission - As no representative from the Youth Commission was present, Markeson reported that the BYC is in the process of recruiting new members and electing officers. Felix reported that two of the Youth Commission members are meeting with him this week to review the BYC By-laws.

**ORDINANCE(S)**

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Vacating an Alley located between Grant and McKinley Avenues SE and 3<sup>rd</sup> and 4<sup>th</sup> Street SE. Mayor Lehmann opened the Public Hearing at 7:09 p.m., hearing no comments the public hearing was closed.

**AN ORDINANCE** Vacating an Alley (Located between Grant and McKinley Avenues SE and 3<sup>rd</sup> and 4<sup>th</sup> Street SE) was given a second reading.

## **EVENTS CENTER UPDATE**

### HRDC Meeting

Chattin met with Cliff Tweedale who would like to meet with the Council regarding their role on the events center. Council consensus was for a special meeting on July 10 at 5:15 p.m. with the HRDC.

### CSL Study on Event Center

Chattin stated that he had not received anything from Bill Kruger regarding the CSL Study and suggested this be delayed until the next regular meeting. The estimate is in the \$20,000 to \$30,000 range. The cost would include CSL contacting convention organizations and various people regarding the possibility of hosting an event at the event center. Much of the data has to be redone and hopefully, we will have a proposal by the next meeting. He stated that the City still needs to determine if the grant can be used to cover the additional study.

Mayor Lehmann stated that he has received comments and wondered if there was someone locally that could do the study. Erickson stated that CSL has already done the study and has the contacts.

Johnson stated that this is the third study done regarding the event center and doing another study is throwing away money. It seems like it has been discussed about scaling the project down. He commented that when the project started, there was no second sheet of ice. He asked what the Council is asking for.

Mayor Lehmann stated that we need to narrow down what the events center will actually contain.

Meuers agreed and stated that the City needs to proceed one step at a time.

Downs stated that the amount of money has been determined but the big question is do we have an agreement with BSU.

Lehmann suggested that it may be too early to do another study before it is determined what the City wants in the event center. There are still a lot of unanswered questions.

Erickson understood that HRDC would facilitate a discussion with BSU and the City to discuss the items.

Mayor Lehmann stated that the original study had more square feet and it has changed considerably from what it was. He commented that without BSU as an anchor tenant there is no project and we need to figure this out.

Chattin stated there are timing issues. Even if CSL started the study now it would be September or October before the study is complete. The bonding bill application is for \$50 million for an approximately 135,000 sq. ft. multi-event center with conference capabilities of approximately 10,000 sq feet with BSU as the anchor tenant. He stated that the Council needs to discuss the schematic design cost. We have a contract with Leo A Daly and in that contract they continue to design the events center as requested in the bonding application and they continue to do schematic designs for a second sheet of ice and an attached convention center. The cost to do those schematic designs is estimated at \$140,000. Without the schematic designs the City could not add those facilities in the future as the orientation may be wrong. There is additional design beyond the schematic design portion of the project that the City may not need done and we may want to renegotiate our contract with Leo A Daly.

Erickson commented that the project was done in stages and at anytime that the Council came to the decision that this project was not feasible for this City it was her understanding from Leo A Daly the money stopped.

Markeson commented that perhaps scaling down BSU use would create more usage overall of the event center. Chattin stated that the events center is being designed to meet BSU's minimum requirements as an anchor tenant.

Johnson stated that just because BSU wants to practice at the events center does not mean this has to happen. He suggested that there should be a project manager or someone who can facilitate this process.

**Motion by Johnson, second by Meuers, to postpone hiring CSL for an additional study until the preliminary discussions are completed with HRDC and perhaps BSU. Motion carried unanimously.**

Schematic Design Costs

Chattin stated that the schematic designs of all the components are proceeding until the Council decides otherwise and the City will not be re-looking at the contract with Leo A Daly or doing anything different than what is currently reflected in bonding bill application or contract.

Erickson asked if the schematic design included the second sheet of ice. Chattin replied yes it is planned because the building would otherwise not be built in a manner to allow for expansion in the future.

Downs commented that we do not need the building to be obsolete before it is built.

City Attorney Felix stated that staff would recommend that the Council move forward with the schematic design to include the future addition of a second sheet of ice and convention center.

Erickson asked for clarification on the schematic design costs and asked if this is taking money away from the \$50 million. City Engineer Brian Freeberg responded that he would have to see the details in order to answer her question.

Hellquist commented that costs for laying infrastructure was discussed by Leo A Daly and stated that that cost was approximately \$26 million. He stated that what we are looking at is building placement and suggested the City discuss this further with Manos regarding that schematic design.

**NEW BUSINESS**

Affirmative Action Plan/Equal Employment Opportunity

Mayor Lehmann stated this is boiler plate and the City has to submit every two years and that the City is meeting the Affirmative Action goals. The plan states that it needs to be discussed before approval.

Erickson asked if there were any deficiency in regards to minority status and sex and asked if the city meets the work force composition.

Chattin stated that the City recently did our comp worth study which was approved. Comp worth is more of a measure of females in the work force and receiving equal pay.

Hellquist commented that since the City does not have anyone trained for HR. He highly recommended that Teresa attend training at the Center for Research and Innovation. Generally, the document meets the requirements of what the City must do.

Erickson asked what percentage of women and minorities must be hired. Hellquist replied that the City must hire the best qualified candidate. Erickson asked the requirement for physicals. Hellquist responded that an offer of employment could include the condition that an individual pass a physical.

Felix reiterated that the Affirmative Action/Equal Employment Opportunity Plan is a necessary pre-requisite when the City applies for federal grant programs. He stated that the Plan had been reviewed by the Assistant City Attorney before she left.

**Motion by Erickson, second by Hellquist, to accept the Affirmative Action/Equal Employment Opportunity Plan. Motion carried unanimously.**

**CITIZEN NOT ON AGENDA**

- Paul Ericsson, Bemidji Public Library Branch Manager, reported that twice as many children have enrolled in the summer reading program as last year. He stated that there are a number of activities planned for all ages at the Library this summer including an adult discussion group. He stated that Gallery North has made arrangements with local artists and their art will be displayed in the Library. The Library Board will be holding a Book Sale on July 12 and 13 at the St. Philips Church (9 a.m. to 6 p.m.). He commented that the Friends of the Library do a fantastic job with the Red Book Store and the Library

is thankful for their on-going support. Ericsson stated that they are building on successes and strengths.

- Irma Ward, 1011 12<sup>th</sup> Street NW, asked if the taxpayers would be paying for the event center. She asked would it come from the personal property tax. She was concerned about the possible property tax on senior citizens who are having difficulty staying in their own homes.

Mayor Lehmann stated that the construction of the event center would be from the sales tax. It is the intent of the Council to develop contracts and that the facility will support itself.

Ms. Ward asked if the property tax for next year would be 13%. Mayor Lehmann responded that the Council intends to keep it at 9.9%.

She asked why the rural residents were unable to vote on the events center sales tax question. Mayor Lehmann stated that the collection of sales tax from inside the City will adequately support payment of the bonds and the City cannot go outside the City limits to collect.

### **UPCOMING MEETINGS**

- July 9                    5:30 p.m.            Work Session – Audit Presentation/City Manager Performance Review
- July 10                  5:15 p.m.            Special Meeting – HRDC
- July 11                  6:00 p.m.            GBJPB – Meet at Northern Town Hall
- July 16                  7:00 p.m.            Council Meeting

### **COUNCIL/STAFF REPORT**

- Lehmann stated that the City received a City of Excellence Award from the League of Minnesota Cities for the Growth Management Plan and the League recognized the work of the City and the Townships in that process.
- Chattin reported that the City is waiting for the arbitrator's decision on the Sergeant's Union and the patrol officers are still going to arbitration. He attended the Airport Commission meeting and the City will be hearing soon regarding marketing dollars and a bond that the County may be issuing to cover our share of an \$8 million grant which requires 5% share by City and County. The Labor Management Committee continues to review the Personnel Policy. Eischens and Chattin met with the Friends of the Library, Marian Ridge and Paul Ericsson to discuss the Save Our Library recommendation. However, the group was unable to determine the full impact of what would happen under their scenario but it was noted that payroll would increase 35%, mostly due to benefits. Staff simply is unable to do any more until the Friends of the Library bring in Kitchigami and the County. He attended the League of Minnesota Cities (LMC) Conference and was elected to the League Board of Directors. State of the Cities Report and 2007 Law Summaries from the Session that just ended are available for Council to review.
- Johnson stated that the Chief of Police and Fire Chief did a good job on Chat-A-Bout discussing firework safety. He complimented the Police Department regarding their work on the noise abatement. He attended the LMC Conference and commented in that regard. He stated that the City was highlighted in many ways at the League of Minnesota Cities conference.
- Meuers stated that the Hero Hankies will be available at City Hall, Chamber and Marketplace Foods for sale. The celebration for the National Guard homecoming will be August 25 at 2:00 p.m.
- Markeson commented that the Chamber of Commerce reported that 55 teams are entered in the Dragon Boat festival. He shared his experience at the LMC Conference. He stated he visited with Johnson Controls regarding possible cost savings for heating and ventilation system for City Hall at little or no cost. He commented that the City of Moorhead requires rental properties to list occupants on the mailbox in order to have mail delivered. In addition, they also cross-reference homestead credits with rental properties. Local banks are working with the City of Moorhead and offer loans to encourage homeownership. He suggested that the DDA contact the Minnesota Extension Services who targeting pilot cities with a program to help small businesses survive and thrive in small communities by doing a retail analysis. The Northland NEMO Program offers different services to cities and he discussed alternatives to curb and gutter to handle water runoff. The City of Redwing has a variety of booklets available to

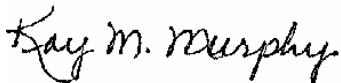
the community and a monthly newsletter to the community and suggested that the City do something similar.

- Erickson reported that she recently attended a Green Up Bemidji Committee and the goal was to plant 10,000 trees over the next ten years. A majority of the trees did not survive. It took a lot of energy and the group felt they needed more education on what should be planted and where. Perhaps it should be quality not quantity. The Committee was given the assignment to find 50 places within the City that need “greening up”. Erickson reported that the Deer Committee met recently and the enclosure has been removed from Barry Yocum’s property and will be moved to City property. Officer Herr completed a survey with the hunters from last year and only one person of the 20 that responded would not hunt again. She reported that she attended an HRA meeting and they discussed housing issues regarding the Northland Apartments and scattered sites. The new director, Laura Straw, is developing new policies and instituting policies that should have been followed. All tenants must do two hours of community services a week unless they can prove a disability. Erickson expressed concerns regarding the City Manager’s authority to hire outside the pay scale. **The Council directed Felix to render an opinion for Council’s consideration at their next meeting regarding Section 2.07 of the City Charter and the Personnel Policy regarding paying an employee outside the pay scale.**
- Downs reported that the City Manager is setting up a meeting with the City of Walker to collaborate on legislation for tarring the trail from Walker to Guthrie.
- Eischens made two budget points: 1) the library has identified several library building needs/replacements that exceed \$100,000 at this point, not necessarily all next year. The repairs include roofing, heating/air conditioning, and carpeting. He asked how the Joint Planning Board will fund itself next year. Currently, the City is taking the lion’s share of the cost on Joint Planning issues. He requested that the Councilmembers on the JPB suggest that the City should share in the operation but not assume all the costs.

#### **ADJOURN**

There being no further business, motion by Hellquist, second by Markeson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:45 p.m.

Respectfully submitted,



Kay M. Murphy  
City Clerk