

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

January 18, 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 Tuesday, January 18, 2005, 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. Erickson, Hellquist, Markeson, Meuers, Lehmann, Downs, Johnson. Absent: None.

AGENDA

Addition: Consideration of request by Joint Powers Board for liability insurance coverage under the City's policy.

Motion by Meuers, second by Downs, to approve the agenda with the amendment. Motion carried by unanimous vote.

MINUTES

Minutes to the December 20, 2004 regular meeting, January 4, 2005 regular meeting and January 10, 2005 work session were presented for approval. Erickson noted several typographical errors and requested a clarification on the appointment of a Council representative to the BSU task force to discuss redevelopment at the high school site. It was agreed that all three members of the Public Affairs Committee would attend the task force meetings. Motion by Erickson, second by Markeson, to approve all three sets of minutes with corrections noted. Motion carried by unanimous vote.

CONSENT AGENDA

Motion by Downs, second by Meuers, to approve the following items on the consent agenda:

- 1) *Approved Claims Submitted by Finance Officer in the total amount of \$1,570,444.32*
- 2) *Approved a variety of Annual Permits and Licenses*
- 3) *Appointed Danae Lund to Heritage Preservation Commission*
- 4) *Approved **Resolution No. 5205** Accepting \$250.00 Donation From MedSave Family Pharmacy to be utilized in the Drug Task Force activities*
- 5) *Approved Gambling Permits for:*
 - ◆ *Minnesota Darkhouse & Angling Assoc. (Raffles to be held March 6, 2005 and March 26, 2005)*
 - ◆ *American Legion 40&8 (Pull-tabs on February 18-19-20, 2005)*
 - ◆ *Bemidji Wrestling Club (Raffle on March 19, 2005)*
- 6) *Authorized Purchase of Sludge Vehicle for WWTP*

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission

Ray Leach noted that members recently toured the boys and girls club currently under construction at the old high school site, held the 2nd annual "Sledtacular", and participated in the Dr. Martin Luther King Freedom Walk on Monday, January 17th. He noted that the Commission is currently planning an open forum for February 8th at the Elks Club in Bemidji. They expect to discuss a variety of topics – public is invited to attend. Mayor Lehmann is tentatively scheduled for the February 2 Listening Lunch at the high school.

Bemidji State University Student Senate

Jake Overgaard noted that the BSU search committee is still seeking a Vice President for External Relations (formerly the VP for Advancement) to replace Carl Baer.

Members of the Student Senate:

- ◆ Participated in the Freedom Walk on Monday.
- ◆ Held the first Senate meeting of the year and met with President Quistgard to receive preliminary information regarding proposed tuition increases.

- ◆ Started pushing the campaign for tuition freeze.
- ◆ Will attend a summit in Washington DC in March to lobby for higher education

Oak Hills Student Senate

No Report

Wrestling Tournament in Bemidji

Daryle Johnson presented information regarding a wrestling tournament to be held the first weekend of February for youth in grades K through 7th & 8th. This is a fundraiser for U.S. Minnesota Wrestling to benefit Bemidji area youth. This is the first year that the tournament will be held in this area.

CGMC – Legislative Day

Johnson noted that the poor weather conditions had an impact on attendance but turned out to be a benefit to those attending, in that it provided more one-on-one time with legislators. He met with Senators Ruud and Skoe, and Representatives Moe and Sailer. He made some inroads, especially with bonding, and noted that one message was loud and clear – there is no support for a hockey arena for BSU. Johnson indicated that the sales tax issue could be a tremendous struggle. Some legislators believe that a blanket sales tax will be approved and cities will have to get approval from voters. There was also some indication that Bemidji would need to go through the referendum process again as Bemidji's 2002 sales tax referendum has reached its shelf life or would not qualify under the general sales tax authority being considered.

Minke noted that there is nothing in the law that gives a shelf life for a sales tax referendum.

Johnson suggested that the Council consider the possibility of hiring the firm of Flaherty & Hood to lobby for bonding and the sales tax issue for Bemidji. He noted that Flaherty & hood is organizing a committee of greater Minnesota legislators involving both parties to come together on issues that impact greater Minnesota.

Downs noted there are 6 new trail proposals being introduced this year, and agreed that the City needs all the help it can get. He also suggested an invitation to legislators to come to Bemidji to review the needs

Motion by Hellquist, second by Downs, authorizing the City Manager to negotiate up to \$10,000 with Flaherty & Hood for lobbying efforts during the 2005 session on behalf of the City of Bemidji for trail bonding and local sales tax – trail bonding being the priority. Motion carried by unanimous vote.

Public Affairs Committee – BSU discussion regarding development at the old high school site

Meuers reported that the Public Affairs Committee met with BSU President Quistgard, County Commissioner Vene, School District Superintendent Hess and Bemidji Pioneer Editor Doeden to discuss the reuse of the old high school site. Quistgard focused on a hockey rink/multi-use facility and presented the following list of questions to be addressed during the next two sessions:

1. What uses should this facility accommodate?
2. How big should it be?
3. Can the high school site comfortably accommodate this facility?
4. What is the preferred timeline for purchase, and where will the funding come from?
5. What is the timeline for development of this site, and where will the funding come from for operations?
6. Will this site be able to handle the traffic generated by events hosted at the facility?

The need for an anchor tenant to own and operate the facility was also discussed, as well as the impact a multi use facility would have on the economy.

The committee will meet again on Wednesday, January 19th.

Deer Committee Meeting – January 11, 2005

Erickson reported that the Plan introduction has been completed and the committee is beginning to look at specifics. The consensus of the committee was to reduce the herd to 15-25 per sq. mile. That number is considered manageable – optimum to retain vegetation, and to meet the cultural caring capacity (what people are willing to endure). The projected

date for completion of the Deer Management Plan is mid-March, 2005. The next meeting is Wednesday, January 19th at 6pm.

NEW BUSINESS

Amendment to LEC Agreement

Minke noted that Chief Preece has been working with Sheriff Winger for several years to distribute the record clerks work appropriately. The Joint LEC Committee met last week and reached an agreement to recommend a change in the structure of how the city pays for record clerks. Currently the city pays for 60% of all six (6) record clerks and the record clerks also provide receptionist duties. The Police Department wants to hire or contract out for typing and transcription services, thus reducing the need for record clerks to do those duties. The proposed amendment would provide for the city to pay for the equivalent of two record clerks and 60% of the receptionist time. Staff supports the recommendation of the LEC Joint Powers Board to amend the LEC Agreement with Amendment No. 1.

Motion by Downs, second by Hellquist to approve proposed Amendment No. 1 to the LEC Agreement. Motion carried by unanimous vote.

City/Township Joint Powers Board

At their December 7th meeting, the City/Township Joint Powers Board requested liability insurance coverage under the City's policy. The League of Minnesota Cities provided two options including the option to cover the board as an additional insured, at no increase in premium. At their meeting earlier this evening, the Joint Powers Board requested that the Council consider their request and authorize the extension of coverage. Motion by Hellquist, second by Meuers, to approve the option to cover the City/Township Joint Powers Board under the City's policy provided there is no additional cost. Motion carried by unanimous vote.

ORDINANCES

Pursuant to published notice, a Public Hearing was held to receive input regarding a proposed ordinance to rezone two parcels of land in accordance with Planning Case #2004-32 (Norvold/Davidson Properties). Mayor Lehmann opened the public hearing and invited anyone present to address the Council. 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 #2004-32 – Norvold/Davidson Properties) was given a second reading.

Ordinance Relating to Noise Control

City Attorney Felix asked the Council to again continue the second reading of the proposed ordinance. He provided two options for restructuring the proposed ordinance. Felix explained that both options attempt to define the reasonable standards and living conditions in a community where people live close together, and both have general prohibition against loud, raucous noise that unreasonably disturbs. However, one addresses loud stereos and mufflers in vehicles using reasonable person standards and the other applies technical noise regulations passed by the MPCA and broadens the scope to include shouting, yelling, animal noise, domestic arguments, lawn mowers, etc. He asked Councilmembers to review the options and provide feedback prior to the February 7th meeting.

Motion by Hellquist, second by Erickson to continue the second reading of the noise regulation ordinance to February 7, 2005. Motion carried by unanimous vote.

UPCOMING MEETINGS

Friday, January 21, 2005 - 1:00 p.m., Bemidji City Hall - Town meeting w/Skoe and Moe
Monday, January 31, 2005 – 5:30 p.m., Bemidji City Hall – Joint meeting with Planning Commission – to review parkland dedication/open space/tree preservation ordinances.

COUNCIL/STAFF REPORTS

Minke reported that Ehlers & Associates was selected to be the city's consultant for redevelopment on the Mn/DOT properties. The next step will be to develop the scope of work and meet with the Public Works Committee to review the process.

Minke also noted that the City has an opportunity to apply for Federal Transportation (TEA-21) Funds for the Paul Bunyan Trail. He contacted HRDC to see if they could put together a request, but has not heard back as yet. He noted that the application deadline falls prior to the next council meeting, and in anticipation of the possibility that HRDC will be able to complete the application, he asked the Council to authorize preparation and submission of a request for funding.

Motion by Downs, second by Meuers, to authorize application for Federal Transportation Funds for the Paul Bunyan Trail. Motion carried by unanimous vote.

ADJOURN

There being no further business, motion by Hellquist, second by Meuers, to adjourn the meeting. Motion carried. Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Shirley Sherman, City Clerk