

CITY COUNCIL PROCEEDINGS

Bemidji, Minnesota

November 1, 2004

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, November 1, 2004, at 7:00 p.m. in the Council Chambers of the City Hall, Mayor Lehmann presiding.

Upon roll call the following Council members were declared present: Erickson, Hellquist, Zachman, Meuers, Lehmann, Downs, Johnson.

APPROVAL OF AGENDA

Councilmember Erickson requested addition of one agenda item – Consideration of an Independent Audit of the City's Internal Controls. Motion by Downs, second by Johnson, to approve the agenda with the addition. Motion carried by unanimous vote.

MINUTES

Motion by Erickson, second by Hellquist, to approve the minutes of the October 18, 2004 regular Council Meeting with the following corrections:

- ◆ Remove a sentence that was stated twice under Planning Case #2004-33
- ◆ Correct spelling of Jamie Rowlett's name

Motion carried by unanimous vote.

CONSENT AGENDA

Motion by Zachman, second by Johnson, to approve the following Consent Agenda items:

- A. Approved seven (7) pages of claims submitted by the Finance Officer in the total amount of \$500,388.47.
- B. Approved Gambling Permits for: Catholic Aid Association (Bingo – 11/20/04)
Minnesota Sheriff's Assoc. (Raffle – 12/6/04)
- C. Approved Renewal of Wal-Mart Currency Exchange Annual License
- D. Approved **RESOLUTION NO. 5184** Accepting Funds from Wal-Mart Foundation.
- E. Approved Purchase of Refuse Packer.
- F. Authorized Council Travel to CGMC Conference in Alexandria – 11/18-19/04.

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission (BYAC)

Kristie Trisco reported that the Halloween Dance on October 30th was well attended and very successful. Committee members are continuing to plan future events.

BSU Student Senate

Jamie Rowlette reported that the mayoral debate held on campus on October 25th went well. Mock elections for the presidential race were held on campus today. Other on-campus activities include:

- ◆ The first meeting of the Leadership Council was held. Discussion centered on community projects and activities for the membership.
- ◆ Halloween events including dorm competition for decorating schemes and distribution of treats to children visiting the dorms
- ◆ Meetings and activities in observance of Alcohol Awareness Week
- ◆ Tri-College Job Fair planned for November 4th in Fargo

CITY/TOWNSHIP JOINT MANAGEMENT TASK FORCE PRESENTATION/ CONSIDERATION OF 15-YEAR JOINT GROWTH MANAGEMENT AGREEMENTS WITH BEMIDJI AND NORTHERN TOWNSHIPS

Councilmembers were provided a copy of the final drafts of a proposed Joint Resolution for Orderly Annexation and Joint Powers Agreement for Joint Planning and Zoning between the City of Bemidji and Bemidji and Northern Townships. In a memorandum to the Council, City Attorney Felix highlighted the major items in the agreements. Northern and Bemidji Townships will consider the agreements on November 8th at their regular township meetings. Minke reminded the Council that once all parties have approved the agreements, the City would need to appoint representatives to serve on the Joint Powers Board.

RESOLUTION NO. 5185: A JOINT RESOLUTION FOR ORDERLY ANNEXATION was offered by Councilmember Johnson, who moved its adoption, and upon due second by Councilmember Meuers, was passed by unanimous vote.

RESOLUTION NO. 5186: A RESOLUTION AUTHORIZING A JOINT POWERS AGREEMENT FOR JOINT PLANNING AND ZONING ACTIVITIES WITHIN THE CITY OF BEMIDJI, NORTHERN TOWNSHIP AND BEMIDJI TOWNSHIP was offered by Councilmember Erickson, who moved its adoption, and upon due second by Downs, was passed by unanimous vote.

PUBLIC HEARING ON ASSESSMENT FOR CITY PROJECT #02-09 – Middle School & 2nd Street

Pursuant to mailed and published notice, copies of which were placed on file in the City Clerk's office, a public hearing was held to consider the assessment for improvements made to Middle School Drive & 23rd Street NW. Mayor Lehmann opened the public hearing and invited anyone present to address the Council regarding this issue.

Bruce Dahlen of Bemidji Youth Baseball and Joe McKinnon representing Bemidji Girl's Fast Pitch Baseball asked the Council consider a reduction of the 8 percent interest proposed to be charged on the special assessment. Both representatives acknowledged the value of the improvement to the property, but noted that the Youth Baseball Association is an all-volunteer, non-profit organization and the interest would create a hardship for the association.

During discussion, Councilmembers acknowledged the importance of Youth Baseball to the community, but were opposed to setting a precedent, which could encourage future similar requests. The Council suggested options such as parking fees for events and other fund raising activities to help offset the expense for the association.

There being no further comments, the public hearing was closed.

RESOLUTION NO. 5187: A RESOLUTION ADOPTING ASSESSMENT ROLLS FOR CITY PROJECT #02-09 (Middle School & 23rd Street) was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Hellquist, was passed by unanimous vote.

PUBLIC HEARING ON ASSESSMENT FOR CITY PROJECT #03-04, Clausen Avenue SW- South of Rako Street (Street Improvements & Watermain)

Pursuant to mailed and published notice, copies of which were placed on file in the City Clerk's office, a public hearing was held to consider the assessment for street and water main improvements made to Clausen Avenue SW, south of Rako Street. Mayor Lehmann opened the public hearing and invited anyone present to address the Council regarding this issue.

No one appeared. The public hearing was closed.

RESOLUTION NO. 5188: A RESOLUTION ADOPTING ASSESSMENT ROLLS FOR CITY PROJECT #03-04 (Street Improvements & Watermain on Clausen Avenue – South of Rako Street) was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Johnson, was passed by unanimous vote.

PUBLIC HEARING ON ASSESSMENT FOR CITY PROJECT #03-06 – Cedar Lane (Sanitary Sewer)

Pursuant to mailed and published notice, copies of which were placed on file in the City Clerk's office, a public hearing was held to consider the assessment for improvements

made to Cedar Lane (Sanitary Sewer). Mayor Lehmann opened the public hearing and invited anyone present to address the Council regarding this issue.

No one appeared. The public hearing was closed.

RESOLUTION NO. 5189: A RESOLUTION ADOPTING ASSESSMENT ROLLS FOR CITY PROJECT #03-06 – Cedar Lane (Sanitary Sewer) was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Meuers, was passed by unanimous vote.

PUBLIC HEARING ON ASSESSMENT FOR CITY PROJECT #04-07, 2ND STREET SE (Paving Richards to Lake)

Pursuant to mailed and published notice, copies of which were placed on file in the City Clerk's office, a public hearing was held to consider the assessment for improvements made to 2nd Street SE (Paving). Mayor Lehmann opened the public hearing and invited anyone present to address the Council regarding this issue.

No one appeared. The public hearing was closed.

RESOLUTION NO. 5190: A RESOLUTION ADOPTING ASSESSMENT ROLLS FOR CITY PROJECT #04-07, (2ND Street SE, Richards to Lake Avenue) was offered by Councilmember Erickson, who moved its adoption, and upon due second by Councilmember Meuers, was passed by unanimous vote.

PAY EQUITY IMPLEMENTATION

At the October 4th meeting, the Council adopted the Pay Equity/Compensation Study and Pay Structure and requested further review of three positions (Crime Analyst/Detective Secretary, City Clerk, and Public Works Director). The City Manager was directed to explore alternate implementation methods to account for longevity, historical differences in pay, and recent changes in duties.

In a memorandum to the Council, City Manager Minke discussed the positions, which the Council had requested further review of:

Crime Analyst/Detective Secretary – a new position that formally incorporated additional duties related to statistical analysis of crime data and is in essence a promotion for the incumbent. Minke recommended that the position should not start at a higher placement on the scale.

City Clerk – based on the proposed implementation, the clerk will be placed at step "D" and then advanced to step "E" on January 21, the incumbent's anniversary date. Since it is a matter of only three weeks and the Clerk will be at the step discussed by the Council, Minke did not recommend changing the implementation to independently adjust this position.

Public Works Director – the incumbent assumed the duties of Public Works Director on January 29, 2003, with no corresponding increase in pay. Based on the proposed implementation, this position will be placed at step "B" and then advanced to step "C" in four weeks, the incumbent's anniversary date. Minke did not recommend changing the implementation to independently adjust this position.

Minke noted that the management team strongly recommended that no employee, especially management employees, be given special consideration for placement on the step scale. It was suggested that such individual treatment could create confusion about and mistrust of the system and undermine its credibility.

Three positions (engineer, park superintendent, parking enforcement officer) were identified for possible pay freeze because they are at the top of the scale. Minke noted that if the Council were to limit the pay for these positions to coincide with the top step, two would be frozen and one would see an \$80/year increase. Two of these employees have indicated that they may consider retirement in 2005, so the decision to freeze pay or to provide a cost of living allowance for these employees would have little long-term impact on the organization.

Minke noted that the implementation as recommended by the consultant is affordable based on the Preliminary 2005 Budget as modified by the Council due to changes in the automobile allowance policy.

Motion by Meuers, second by Zachman, to approve the implementation schedule based on the findings noted above including a pay freeze for employees at or above the top step for their pay range. Motion carried by unanimous vote.

ACKNOWLEDGE RECEIPT OF GRANT FROM NEILSON FOUNDATION

Mayor Lehmann expressed appreciation to the Neilson Foundation for a grant in the amount of \$11,250.82 to purchase new fitness training equipment for the new Law Enforcement Center training room.

APPROVE REQUEST FOR QUALIFICATIONS FOR REDEVELOPMENT OF THE FORMER MN/DOT HEADQUARTERS AND STORAGE YARD

The City currently owns the old Mn/DOT facility near the intersection of 1st Street and Hwy. 197 (Paul Bunyan Drive) and recently completed acquisition of the Mn/DOT south storage yard on Rako Street near the Law Enforcement Training Center.

The Council has discussed the need to redevelop these properties to the highest and best use and to maximize the return on the City's investment. In an effort to move this project forward Minke suggested using an outside development consultant to spearhead redevelopment of the property by a private developer and help lead the City through the redevelopment process and sale of the properties.

Motion by Downs, second by Meuers, to authorize the City Manager to solicit Request for Qualifications from qualified firms, to review the qualifications, and to recommend a firm to the council. Motion carried by unanimous vote.

AUTHORIZE MEMBERSHIP IN THE COALITION OF GREATER MINNESOTA CITIES LABOR AND EMPLOYEE RELATIONS COMMITTEE

The City maintains a membership with the MAMA/GMC Labor Relations Subscriber Service at an annual cost of \$2,290. Minke noted that this service would no longer be available after the term of the current contract expires in March, 2005. He recommended membership in the CGMC Labor and Employee Relations Committee at a cost of \$2,934. Motion by Hellquist, second by Johnson, to approve membership in the CGMC Labor and Employee Relations Committee. Motion carried by unanimous vote.

CONSIDERATION OF REQUEST FOR INTERNAL AUDIT

In light of a recent issue relating to misuse of a City fuel card, Erickson suggested that the Council consider having an internal City audit done and recommended an auditor that she personally knows from the firm of Hoffman, Dale & Swenson located in Thief River Falls, MN. Motion by Erickson for the City of Bemidji to hire an outside audit firm to conduct a city wide internal audit at a cost not to exceed \$13,000. The motion failed for a lack of second.

Motion by Zachman, second by Johnson, to have a work session, as soon as possible, with the Council and the City's current audit firm to review audit procedures and answer questions prior to a decision regarding an internal audit. Motion carried by unanimous vote.

RESOLUTION NO. 5191: A RESOLUTION AMENDING THE CITY OF BEMIDJI PERSONNEL POLICY BY ADOPTING A HEALTH CARE SAVINGS ARRANGEMENT FOR ACTIVE EMPLOYEES (Post-Retirement VEBA Plan) was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Erickson, was passed by unanimous vote.

PUBLIC HEARING on Ordinance Amending the Zoning Map Adopted in Chapter 13, Section 13.08 of the Bemidji City Code (Pertaining to Planning Case #2004-33, Carter and Marcia Williams Property)

Pursuant to published notice, a public hearing was held on a proposal to rezone a 3.35-acre parcel of land located at 2003 Division Street from A/O (Agriculture/Open) to B-2 (Shopping Center/Highway). Mayor Lehmann opened the public hearing.

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 #2004-33, Carter & Marcia Williams Property) was given a second reading.

AN ORDINANCE AMENDING THE BEMIDJI CITY CODE, ADOPTING AN AMENDED FEE SCHEDULE was given a first reading.

ADJOURN

There being no further business presented for discussion, motion by Downs, second by Hellquist, to adjourn the meeting. Motion carried by unanimous vote. Meeting adjourned 9:05 p.m.

Respectfully submitted,

Shirley Sherman, City Clerk