

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – June 5, 2006

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, June 5, 2006 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. Motion by Erickson, second by Meuers, to approve the agenda as presented. Motion carried by unanimous vote.

MINUTES

Minutes of the May 15, 2006 regular meeting, May 15, 2006 Board of Review, May 11, May 22, May 23 and May 25 special work sessions were presented for approval. Motion by Meuers, 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. Motion by Markeson, second by Johnson, to approve the Consent Agenda items as follows:

1. Approved Claims submitted by the Finance Officer in the total amount of \$324,033.89.
2. Approved miscellaneous business licenses.
3. Approved Temporary Beer License(s) – Bemidji Jaycees
 - 2006 Water Carnival – June 29, July 1-4, 2006
 - City Softball Fields – July 1 & 2, 2006
4. Approved **RESOLUTION NO. 5324** Amending the Policies for Public Improvements
5. Approved **RESOLUTION NO. 5325** Approving the Site for the 2006 Art in the Park
6. Approved Reappointment to Charter Commission – Jaclyn Ryder
7. Approved the following Temporary On-Sale Liquor Licenses:
 - Dragon Boat Festival – August 4 & 5, 2006
 - Bemidji State University – February 10, 2007
 - Bemidji State University – March 24, 2007
8. Approved a Lawful Gambling Permit – Take A Kid Fishing – Raffle on 12/20/06
9. Authorized Agreement for Storm Water Permitting and Planning Work
10. Approved Planning Case #2006-08 (Gregory & Nancy Swanson) Variance Request at 4801 Sherman Drive NE to build a detached garage based on the Five Findings of Fact having been met.
11. Authorized Council Travel to the LMC 2006 Annual Conference in St. Cloud – Johnson and Markeson.

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Jon Staff, President, reported that the June 7 Youth Day will begin at noon and run until Midnight at the waterfront on June 7, 2006. He believed that it will be the best Youth Rally ever. There will be music all day long and they have expanded the day to offer something for everyone. Jon invited the Council to participate and encouraged them to join in as there will be a dunk tank. Mayor Lehmann signed a Proclamation declaring June 7, 2006 as Youth Day in Bemidji.

PRESENTATION

Diamond Point Park Master Plan

Jeff Schoenbauer, Brauer & Associates, stated that there have been a number of open houses for the public to develop the Diamond Point Park Plan and the general consensus of

the public it is time to redo the park. Key highlights of the plan include reorganizing the vehicular access, adding a number of key facilities (boat house, etc.), enhancements of the beach, extensive play area, update façade of the BSU stadium, in general providing a compelling park site that will offer something for everyone in the community. There are a variety of joint opportunities with BSU, i.e., the boat house and BSU would anticipate working with the City on some sort of lease arrangement to cover the cost of that facility. Schoenbauer stated that there has been considerable discussion on improving the swimming beach location, i.e., what is in the best interest for the community, safe and reasonable and he will continue to investigate this as they move forward. The overall construction cost is estimated in the range of \$3.4 million.

Lehmann observed that the 2001 Park Master Plan included the cost for items that have been already completed and that Council will need to take a closer look at this. Lehmann commented that Diamond Point Park as designed will be user friendly.

Schoenbauer commented that BSU is aware that Diamond Point Park will no longer be used for student parking.

Erickson asked what has been collected from the half cent sales tax.

Eischens stated that the sales tax revenue collected for January and February of 2006 project an annual \$1.3 million which is lower than projected.

Schoenbauer stated Diamond Point Park is a key park in the City's system and does not recommend cutting back any costs. This park will provide something for everybody. The Council as well as the Task Force will have opportunities to review the plan as it progresses.

Motion by Downs, second by Johnson, to adopt Diamond Point Master Plan as proposed. Motion carried unanimously.

Motion by Erickson, second by Markeson, to establish a working project budget based on the Diamond Point Master Plan cost estimate and authorized staff to proceed with the next phase of consultant's work (i.e., design development through construction administration). Motion carried unanimously.

Lehmann noted that the Council will have additional meetings regarding Diamond Point and be given updates as the project moves through the next phases.

PUBLIC HEARINGS

Cross Streets – Between Bemidji and Irvine Avenue, including 9th to 14th Streets and along 3rd Street between Park and America Avenue (Project #06-08)

Markeson stated that he received a call from a resident who was concerned with the widening of the 10th Street, in particular the loss of the trees and the increase of traffic in a residential area.

Freeberg provided an overview of the project. He indicated that the project cost is estimated to be \$1,149,253. Freeberg stated that this a neighborhood street reconditioning project similar to the Ward 1 project last year. The idea is not to reconstruct everything just areas that need reconstruction, i.e., sidewalk, curb. Freeberg indicated that sources of funds for this project include the following: special assessments which are on the low side because the properties are on the cross streets and have a reduced assessment rate, water & sewer special assessments which reflect those that need replacement, the use of water and sewer utility funds, storm sewer fund, MSA fund and liquor store fund.

Freeberg stated that 10th Street is an important cross street to Irvine Avenue and qualifies to use State Aid funds. In order to construct 10th Street and state funds, we need to widen it 4 feet and Freeberg proposes to do this on the south side. This provides for the bare minimum for two way traffic with adjacent parking. Since the traffic signals went in, 10th Street is more traveled. Having 10th Street capable of carrying traffic will be important regarding the reconstruction of Bemidji Avenue as we will need to take advantage of cross streets to carry traffic for detours.

Markeson asked how much the cost would change if the City did not widened 10th Street.

Freeberg stated that he estimates it to be approximately \$100,000 that would have to be added to other funding sources in particular special assessments.

Pursuant to published notice, a Public Hearing was held to receive input regarding proposed improvements to the cross streets on 9th to 14th Street between Bemidji Avenue and Irvine Avenue and on 3rd Street between Park and America Avenue. Mayor Lehmann opened the Public Hearing at 7:46 p.m.

Jan Robia, 1002 Beltrami Avenue NW, stated that widening the street will impact her home and would not have bought the home if the street had been widened. She stated that it will cause people not to want to raise families in this area or be owner-occupied homes.

Susan Hudson, 921 Minnesota Avenue NW, stated she was not in favor of the widening of the street because the street is not conducive for two way traffic, does not want to lose the trees and safety of children who attend Central School.

Mark Robia, 1002 Beltrami Avenue NW, stated he has lived there 25 years and commented that if the street was widened his home will end up being a rental. He does not feel that there is a real need for the street to be widened.

Linne Lindquist, 823 Beltrami Avenue, stated she has lived there 35 years and now they are surrounded by institutions. The people who live in the “old historic area” use 10th Street for walking. By changing the width of the street it will accommodate those that will use it to pass through the neighborhood and there would like the Council to give serious consideration as to what the Council wants to see the city as being.

Kathy Nelson, 1301 Beltrami Avenue, asked about improvement of sidewalks by her home and what will happen to a retaining wall on the side of the property. In addition, there is a sprinkler system that the previous owner installed in the boulevard. Freeberg will meet with the Ms. Nelson to review her issues specifically.

Lenny Wollitz, 1321 Bemidji Avenue and owner of the lock smith business, stated they have 50-100 cars a day on 14th Street and is concerned about loss of income for three months during construction. He stated he has spoken with Staff who has assured him that they will do the best they can to keep access to his business open. Mr. Wollitz suggested that if the crosswalk was painted on Bemidji Avenue and the speed limit enforced this would allow his customers to park on the other side of Bemidji Avenue. Freeberg will meet with Mr. Wollitz to discuss plans to allow access.

Ms. Lindquist turned in a petition signed by several homeowners requesting that the City Council not widened 10th Street.

With no further comments, Mayor Lehmann closed the public hearing at 8:03 p.m.

Erickson asked for an explanation for widening 10th Street.

Freeberg responded that there are two reasons: 1) location of the traffic light at the intersection of 10th & Bemidji Avenue will continue to attract more and more traffic and widening 10th will help manage the increase in traffic; and 2) keeping it the existing width creates a problem for property that has no parking other than on street.

RESOLUTION NO. 5326: Ordering Improvement, Designating Project Engineer, Calling for Preparation of Plans and Specifications, and Authorizing Advertisement for Bids on Improvement (Cross Streets - City Project No. 06-08) and Restricting Parking on 10th Street between Bemidji Avenue and Irvine Avenue was offered by Councilmember Markeson, who moved its adoption, and upon due second by Councilmember Johnson passed with the following vote: Ayes: Johnson, Markeson, Lehmann, Downs, Meuers. Nays: Erickson and Hellquist. Absent: None.

Erickson stated she could not support the resolution without further input from staff regarding the parking on 10th Street.

Comfort Drive – Project #02-02

Freeberg reviewed the project stating the total cost of the project is estimated to be \$114,000.

Pursuant to published notice, a Public Hearing was held to receive input regarding proposed improvements to Comfort Drive. Mayor Lehmann opened the Public Hearing at 8:26 p.m., hearing no comments the public hearing was closed.

RESOLUTION NO. 5327: Ordering Improvement, Designating Project Engineer, Calling for Preparation of Plans and Specifications, and Authorizing Advertisement for Bids on Improvement (Comfort Drive - City Project No. 02-02) was offered by Councilmember Downs, who moved its adoption, and upon due second by Councilmember Erickson was passed by unanimous vote.

OLD BUSINESS

Authorizing Hiring of a Financial Consultant – Event Center

Eischens reviewed the committee recommendations regarding the firm selected to be the financial consultant for the Event Center. The Committee unanimously recommended the Conventions Sports and Leisure (CLS). The City needs to designate the funding sources for the cost. Only two funds that could be used are identified as UDAG funds and the other option is the Contingency funds. Cliff Tweedale, HRDC, is working on contacting stakeholders regarding contributing to the cost of the financial consultant. HRDC has committed \$5,000.

Erickson recommended that the council split the costs between UDAG and contingency funds.

Johnson commented that the City has gotten to this point and had recognized what type of facility to build and have selected a location. He felt that the City needs to know what the operations and maintenance cost will be and the cost for BSU to lease the space. He suggested that the consultant should not be defining but refining the proposed Event Center.

Erickson stated that in order for CSL to do a good financial analysis they may not want to use someone else's work. We may have to spend a little more but at least the City will get CSL's true opinion.

Motion by Downs, second by Hellquist, authorize hiring the firm of Corporate Sports and Leisure in the amount of \$50,000 paid with UDAG funds and the City contact the original stakeholders and ask them for matching money to replace 50% of the UDAG funds. The consultant should use new research data for the financial analysis. Further, designate the committee that interviewed the firms as an oversight subcommittee. Motion carried unanimously.

Hellquist asked if references were checked for the firm. Erickson responded that there were no references checked, however, the firm of CSL had many repeat clients.

Event Center Task Force

Lehmann reviewed the formation of the Event Center Task Force which should include seven members as follows: Mayor, Councilmember Johnson, Dave Hengel-HRDC, John Carlson-Bemidji Leads!, BSU representative, DDA and Bemidji Cares!-Representative. Other subcommittees will be created as needed.

Motion by Meuers, second by Markeson, appoint the members of the Event Center Task Force as presented. Motion carried unanimously.

NEW BUSINESS

Council Retreat/Budget

Eischens recommended that the Council hold a "retreat" beginning at noon and ending at 8:00 p.m. on a week day which will provide the Council more in depth discussion of budget issues. After discussion, Council agreed that June 26 will be a good date for the retreat. Mayor Lehmann directed the City Clerk to make arrangements for location of retreat and dinner.

ORDINANCES

Pursuant to published notice, a Public Hearing was held to receive input regarding a proposed Ordinance Amending the Zoning Map Adopted in Chapter 13, Section 13.08 of the Bemidji City Code (Planning Case #2004-35). Mayor Lehmann opened the Public Hearing at 9:01 p.m., hearing no comments the public hearing was closed.

AN ORDINANCE Amending the Zoning Map Adopted in Chapter 13, Section 13.08 of the Bemidji City Code (Planning Case #2004-35 – Matt Sparby/Harold Gordon) was given a second reading.

CITIZEN NOT ON AGENDA

Reed Olson, owner of Wild Hare Bistro at 523 Minnesota Avenue NW, asked where he could get more information regarding the event center. Mayor Lehmann suggested he stop in at the City Clerk's office.

UPCOMING MEETINGS

- June 12, 2006 Work Session - Legislative Update from Rep. Frank Moe

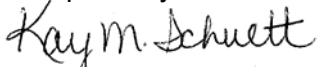
COUNCIL/STAFF REPORT

- Johnson reported that he attended a League of Minnesota strategy session for the next three years in Cohasset. Johnson commented that at the last Council meeting there was amendments to the Charter and suggested that the Council meet with the Charter Commission to discuss them further. City Clerk was directed to arrange a work session with the Charter Commission and City Council.
- Erickson announced that there are tickets for youth in the community (K-12) to ride the bus and the cost is \$40 for the summer.
- Markeson stated that he was with Bemidji Green Up and helped plant a couple of hundred trees on the east entrance of Bemidji. Markeson attended the Chamber meeting and the Dragon Boat festival planning is going well. Markeson would like the Public Works Committee to review the pricing for city watering in the summer. Mayor Lehmann suggested he talk with the Public Works Committee regarding the watering rate.
- Downs attended a Mn/DOT meeting about trails to schools. There is a national concern about overweight students and safety. Federal transportation bill includes money for trails. It is important that the City follow up with this grant providing biking trails to school.
- Lehmann reported that Freedom Defenders Veterans Memorial dedication was well attended.
- Freeberg commented that the council will need to have a work session for storm water permitting and planning work in July.

ADJOURN

There being no further business, motion by Downs, second by Meuers, to adjourn the meeting. Motion carried. Meeting adjourned at 9:23 p.m.

Respectfully submitted,



Kay Murphy-Schuett
City Clerk