

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – April 5, 2010

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 5, 2010 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, Waldhausen, Johnson, Hellquist, Downs, Negard, Meuers

Staff Present: City Manager John Chatten, City Attorney Alan Felix, City Engineer Craig Gray, Finance Director Ron Eischens, Parks & Recreation Director Marcia Larson, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Lehmann called for any amendments to the agenda. Johnson requested that travel authorization be added to the consent agenda for the Airport Symposium for himself and Hellquist. **Motion by Meuers, seconded by Negard, to approve the agenda as amended. Motion carried by unanimous vote.**

MINUTES

Minutes of the March 15, 2010 regular meeting and March 29, 2010 work session were presented for approval. **Motion by Downs, seconded by Waldhausen, to approve the minutes as prepared. Motion carried by unanimous vote.**

CONSENT AGENDA

The following Consent Agenda items were presented for approval. **Motion by Johnson, seconded by Meuers, to approve the Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the amount of \$677,453.37
2. Business License Renewals for 2010
3. 1-4 Day Temporary On-Sale Liquor License to NW Tech College on 4/30/2010
4. **RESOLUTION NO. 5621:** Accepting Donation in the amount of \$1,000 from North Country Snowmobile Club
5. **RESOLUTION NO. 5622:** Accepting Donation of Three Portables Radios from Bemidji Firefighters Relief Association
6. **RESOLUTION NO. 5623:** Amending the Phased Retirement to Allow Prorated Benefits
7. Memorandum of Understanding for the Skatepark Construction
8. Appointed Reed Olson to the Greater Bemidji Area Joint Planning Commission
9. Awarded of Bid for the Menards Traffic Signal to Design Electric, Inc. in the amount of \$121,777 (City Project #07-15)
10. Appointed Revolving Loan Fund Task Force
11. Travel Authorization – Airport Symposium – April 15-17 – Johnson, Hellquist

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – No one appeared. Waldhausen thanked Bob LeBarron on behalf of the Commission for his participation at recent listening lunches at the high school.

BSU Student Senate – Leo Clark, Senate Co-President, reported on recent activities at BSU including the “Enough is Enough” program to raise awareness on campus to stop violence before it happens. New co-chairs have been elected for the Senate. Clark stated that another tour of the event center has been planned for the them.

NEW BUSINESS

Kraus- Anderson Walleye Classic

Bob Fitzgerald, Kraus-Anderson, stated that the Kraus Anderson Walleye Classic is in its 10th year. There will be 120 2-person teams and 61 teams have pre-registered. He requested on behalf of the KA Walleye Classic use of the Waterfront Park for their event.

RESOLUTION NO. 5624: Approving the Site for the 2010 Kraus-Anderson Walleye Classic was offered by Councilmember Hellquist who moved its adoption, and upon due second by Councilmember Downs was passed by unanimous vote.

2010 All-School Reunion

Representatives from the All School Committee respectfully requested permission to host the Bemidji All-School Reunion street dance on Saturday, August 14, 2010. In addition, to allowing alcohol in the festival area, the Committee requested parking lots and streets closed off as indicated on the festival area map.

Motion by Waldhausen, seconded by Johnson, to approve the 2010 All School Reunion in downtown Bemidji on August 14, 2010 and authorizing the City Clerk to issue permits to liquor license holders to dispense alcohol off-premises and allow patrons 21 or older to consume/carry alcohol within the designated festival area. Motion carried unanimously.

City Park Project Phase II and the Skatepark

Marcia Larson, Parks & Recreation Director, stated that the Parks & Trails Commission met and approved the final plans for Phase II of the City Park Development Project. The skatepark is included in the project but will be a separate bid package. The City Park Project estimated construction cost for Phase II is \$2.5 million. Phase I should be completed in May with a cost of approximately \$600,000. The total construction costs for the project is \$3.1 million and will be funded by sales tax funds. She stated that staff has worked hard to ensure costs are kept within the budget through site plan efficiencies, decreasing amenities and paved walking areas. In addition, Park staff has installed the Osprey nest and currently is creating trails for the disc golf and ski trails thereby saving money.

Larson stated that City staff and Waldhausen recently met with the Bemidji Youth Hockey (BYH) Association and they have expressed an interest in upgrading the outdoor rink to include composite boards and concrete or asphalt surface. She noted that the concrete or asphalt surfaces are already proposed as bid alternates.

Hugh Welle, BYH Association representative, stated that they are interested in managing the project which could generate cost savings which could be used for upgrades to the outdoor rink, i.e., composite boards. Welle stated that the Association has managed the Bemidji Community Arena project and has the knowledge and skills to guide the construction process.

City Attorney Felix stated that he did not doubt the expertise of the Association; however, the City has to follow the uniform bidding process. Discussion followed regarding the City's legal requirements of bidding. Gray commented that the city must develop a proposal packet that explains exactly what the project is which is provided to all bidders. He stated that he believed the Association could save money if they negotiated directly with the contractor but the City simply cannot do that.

Motion by Downs, seconded by Waldhausen, approving the plans and specifications and authorized advertisement of bids for the City Park Phase II and the Skatepark without the outdoor rink component. Motion carried with the following vote: Ayes: Lehmann, Downs, Johnson, Hellquist, Meuers, Waldhausen. Nays: Negard.

Discussion continued regarding the outdoor rink. Negard stated that the city has to remain transparent throughout the bidding process even if it resulted in a higher price.

Felix suggested that the Council direct its consultant, Kimley-Horn, to develop an alternate bid for the composite boards. It was noted that alternative bids have already been planned for the asphalt or concrete base surface.

Waldhausen stated that if the outdoor rink was built adequately it could be used for other things during the summer, i.e., basketball court. He further stated that using the composite boards could reduce maintenance in the long-term.

Downs commented that he believed there should be a way to work with the Hockey Association as it could result in a cost-savings.

Chattin pointed out that many amenities have already been eliminated to keep the project within budget.

Motion by Meuers, seconded by Johnson, to add the bids for the outdoor rink to the bidding process to include an alternate bid for composite boards. Motion carried with the following vote: Negard, Johnson, Lehmann, Meuers, Hellquist. Nays: Downs, Waldhausen.

Parkland Dedication - North Country Regional Hospital

Larson stated that City staff, Joint Planning Board and North Country Health Systems (NCHS) have been meeting and discussing parkland dedication for current and planned NCHS development projects. City staff is recommending a one-time parkland dedication of 18 acres to satisfy the ordinance requirements for the entire proposed development. The Parks & Trails Commission recommend approval of NCHS's proposal for parkland dedication, as it meets the community recreational/park current needs as identified by the Parks, Trails and Open Spaces Plan. Larson recommended that naming of the park should be referred to the Parks & Trails Commission per the Park and Facility Naming Policy.

Meuers expressed concerns that this is an additional 18 acres for the Parks Department to maintain. Mayor Lehmann responded that there currently is no park available in this area and this park will address that need.

Motion by Waldhausen, seconded by Downs, to approve the conveyance of Parcel 80.05443.00 (18 acres) by NCHS to the City in satisfaction of current and future parkland dedication requirements. In addition, directed staff to work with Bemidji Area Tennis Association to development an agreement for a future facility on the site. Motion carried unanimously.

UDAG Fund Request – County HRA

Felix stated that the Council agreed to participate in the construction of a municipal street to serve the County HRA's proposed supportive housing project to be constructed north of the Bi-CAP offices on 15th Street NW. In particular, the Council committed to contributing \$165,000 towards road construction costs. City staff and HRA representatives have been meeting to discuss objectives and development requirements, to achieve construction of Conifer Avenue and related public infrastructure and implementation of these objectives and requirements are subject of the draft Development Agreement.

Felix further stated that the HRA has found that its budget resources for the project, in particular, the infrastructure costs, are insufficient without the assistance of a loan from the City. Consequently, the County HRA has requested approximately \$530,000 of UDAG Program Income funds held by the City. The exact amount will be determined by the accepted construction bid for the public infrastructure. Of that \$530,000, the County HRA would pay back approximately \$365,000 with the remaining \$165,000 representing the City's contribution towards the street construction. The principal of the loan would accrue interest at 2.25% annually, and be paid back within a 5-year period. Therefore, if agreeable, the Council should approve a Repayment Agreement.

Motion by Downs, seconded by Meuers, to approve a UDAG loan to the County HRA for construction of public infrastructure in the Plat of Conifer Avenue First Addition and approve the Development and Repayment Agreements in substantially the forms presented and direct the eventual execution of the same by appropriate City officials. Motion carried unanimously.

ORDINANCES

AN ORDINANCE Amending the 2010 Fee Schedule was given a first reading.

AN ORDINANCE Amending Chapter 6, Article II relating to dogs, by adding restrictions limiting the total number of dogs and cats that may be kept on the premises of an individual residential occupancy unit in the city, and prohibiting the running at large of cats as well as dogs in the city was given a first reading.

EVENT CENTER UPDATE

Gerry Domino, Kraus-Anderson, Senior Project Manager, provided an update on the progress at the event center site noting that the event center is moving along fairly well. He then reviewed the proposed Change Orders.

Motion by Downs , seconded by Johnson, to approve the Change Orders in the amount of \$120,969.17 for the Event Center project. Motion carried with the following vote: Ayes: Lehmann, Waldhausen, Hellquist, Johnson, Negard, Downs. Nays: Meuers.

LIBRARIAN’S REPORT

Paul Ericsson, Branch Manager, updated the Council on program series funded by Legacy Amendment Funds. He stated that attendance at the various programs has been wonderful.

CITIZEN NOT ON AGENDA

No one appeared.

UPCOMING COUNCIL MEETINGS

- Monday, April 12 5:30 p.m. Work Session – Year 2009 Financial Review & Budget Reductions
- Monday, April 19 7:00 p.m. Council Meeting
- Monday, April 26 5:30 p.m. Work Session – Bemidji Town Homes Development - Kuepers

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Chattin stated that he continues to meet with potential developers for the south shore site.

ADJOURN

There being no further business, motion by Johnson, seconded by Downs, to adjourn the meeting. Motion carried. Meeting adjourned at 9:10 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk