

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### Regular Meeting – July 19, 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, July 19, 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, Downs, Negard, Meuers Absent: Hellquist

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Finance Director Ron Eischens, City Clerk Kay Murphy

#### **AMENDMENTS TO AGENDA**

Mayor Lehmann called for any amendments to the agenda. The following item was requested to be added to the agenda: Purchase of BREC Convention Center/Club Lounge Furniture. **Motion by Downs, seconded by Johnson, to approve the agenda as amended. Motion carried by unanimous vote.**

#### **MINUTES**

Minutes of the July 6, 2010 regular meeting, July 6, 2010 BEDA meeting and July 12, 2010 work session were presented for approval. **Motion by Meuers, seconded by Negard, to approve the minutes as prepared. Motion carried by unanimous vote.**

#### **CONSENT AGENDA**

The following Consent Agenda items were presented for approval. Negard requested that Item #5 regarding removal of bus shelters at 4<sup>th</sup> and Beltrami Avenue be removed from the Consent Agenda for discussion. Mayor Lehmann placed that item under new business. **Motion by Downs, seconded by Waldhausen, to approve the Consent Agenda items as follows:**

1. Claims submitted by the Finance Officer in the total amount of \$4,119,922.87
2. DDA request to obstruct sidewalks for the August 7, 2010 Crazy Days Event
3. Change Order No. 1 - City Park Phase Two Construction in the amount of \$15,366.73
4. **RESOLUTION NO. 5635:** Approving the Issuance of Bonds by the Bemidji Regional Airport Authority Commission

**Motion carried by unanimous vote.**

#### **PRESENTATION**

##### Recreational Programming Update

Samantha Parker, Special Events Coordinator, stated that the Parks & Recreation Department is in its second year of planning, organizing and implementing recreation activities and programs in the City's park system. She noted that the goal of the program is to encourage community members to engage in a healthier active lifestyle. The recreation activities focus on youth, family and adult activities at different parks throughout the city. Parker stated that in 2009, approximately 12 programs/special events were held with over 325 participants. In 2010, the Parks & Recreation Department has run over 30 programs with over 700 participants. The Passport for Fitness participation has increased 150% from 2009 to 2010. She stated that donations and community program support has increased with this year's donations surpassing \$10,000. Successes for 2010 include a movie night at the waterfront with 400 in attendance; flag football and cheerleading camps with 74 participants. Upcoming events include a 5K-9 non-competitive walk on August 28, which is a fundraising event for the "Parks for Pooches".

Marcia Larson, Parks & Recreation Director, stated that the "Parks for Pooches" Committee has been working on plans for a dog park to be located on 2-acres in Nymore Park. Donations can be made for the dog park with the Northwest Minnesota Foundation.

#### **OLD BUSINESS**

##### Committee Staff Support

Mayor Lehmann stated that at the Council's meeting on June 21, this item was tabled by Councilor Waldhausen. Mayor further stated he initially brought this item to the Council's attention as he felt that it could free up some of staff's time.

Waldhausen stated he has spoken with members of the Sustainability Committee and Heritage Commission. Both groups expressed their displeasure at losing staff support and felt that the connection with City staff was very important. He further stated that Michelle Miller does a wonderful job taking minutes and providing assistance.

**Motion by Waldhausen, seconded by Johnson, to leave the committee staff support as is. Motion carried unanimously.**

### **NEW BUSINESS**

#### Downtown Commercial Rehabilitation Guidelines

Mayor Lehmann stated that the Headwaters Regional Development Corporation will be administering phase two of our Small Cities Development Program Grant for commercial rehabilitation in our downtown.

Chattin stated that the Council could approve the guidelines with or without the individual project approval requirements. Councilmembers felt that the individual approval requirements could be eliminated and they could get a monthly update.

**Motion by Waldhausen, seconded by Downs, to approve the Downtown Commercial Rehabilitation and Storefront Renovation Procedural Guidelines without the individual project approval requirements by the City Council. Motion carried unanimously.**

#### Under Budgeted Required FF&E Item

Andy Long, Regional VP for VenuWorks, reviewed a budgeting error stating that some seating, including the east end riser system that would provide student seating, was under budgeted in the facility's furniture, fixtures and equipment budget. He stated that the total budgeted amount for the platforms and risers is \$75,000. Long stated that the cost is in the vicinity of \$190,000 to \$350,000. Mr. Long took full responsibility for the error and apologized to the Council. However, the problem must be fixed as the seating is needed. He further stated that the FF&E budget is more than \$317,000 under budget. He then explained the complexities of the factors that led to the budgeting error.

Negard commented that this is a big "oops" and was alarming, and he hoped that there has been nothing else missed.

Waldhausen expressed concerns over the impact of rushing the order.

Long responded that VenuWorks is working on a solution and will go out for bids with alternatives for the Council to consider. He stated that time was of the essence but he would not advocate for any solution that would not be workable for those who have to operate the facility and change it over from a hockey game one night and the concert the next. He stated that he does not want to be at the Council meeting in two years explaining why operating costs are too high due to changeover costs.

Chattin noted that representatives from VenuWorks will be attending a national trade show in Houston this month to purchase various smaller items for the BREC. He asked the Council if VenuWorks could have flexibility to reallocate FF&E line item amounts in order to get good prices. The Council agreed.

#### BREC Convention Center/Club Lounge Furniture

On July 13, the City of Bemidji received two responses to the Convention Center/Club Lounge Furniture bids (FF&E) for the BREC. The bid from OM Workspaces was unacceptable as no bid security was received. Steve Parker, Leo A Daly, reviewed the bid from I-Space and recommended the Council accept their bid with the following comments:

1. It appears that there are a total of 6 Bar stools and 2 benches missing from their bid so the city will need to determine if I space is allowed to revise their bid or if they will be responsible for the error.
2. I space provided and allowance for the casters that are required for the suite chairs and this allowance is acceptable as long as it is a guaranteed maximum price or a not to exceed price.
3. The date of delivery needs to be revised to accommodate an earlier completion date based on what you can negotiate with I-space.

Murphy noted that I-Space has revised their delivery date to October 1, 2010.

**Motion by Downs, seconded by Waldhausen, to accept the I-Space bid not to exceed the \$195,932.09 as indicated on the bid. Furthermore, I-Space is responsible for providing**

**the correct number of bar stools and benches as indicated in the bid documents at no cost to the City. Motion carried with the following vote: Ayes: Downs, Lehmann, Waldhausen, Negard, Johnson. Nays: Meuers.**

Bus Shelters

Council reviewed a request by the DDA to remove the bus shelters located at 4<sup>th</sup> and Beltrami. Negard stated that the bus shelters are still used as part of the Paul Bunyan Transit deviated bus route. Discussion continued regarding the reason for the request and perhaps the bigger issue is loitering. Consensus of the Council was that they did not want the bus shelters destroyed.

**Motion by Negard, seconded by Waldhausen, to leave the bus shelters at their current location. However, Council would consider a different location for the shelters if one is identified. Motion carried unanimously.**

ORDINANCE

**ORDINANCE NO. 56, 3<sup>RD</sup> SERIES**, AN ORDINANCE Amending the City of Bemidji Council-Manager Charter Amending Section 4.02 (Primary Election) to Reflect Recent Legislative Change of Primary Election Date was given a final reading and passed by unanimous vote.

EVENT CENTER UPDATE

Gerry Domino, Kraus-Anderson, provided an update on the progress at the event center site noting that the building is over all approximately 95% complete. The Terrazzo is poured in the north concourse and is currently being ground and sealed. The south concourse Terrazzo is 25% complete. Seating installation will begin August 2. BSU areas are 100% complete and equipment and furniture installation will begin August 15. However, BSU will not occupy the building at that time. Domino expressed concerns about the condition of the tree plantings noting that they will be replaced at the contractor’s expense.

**Motion by Waldhausen, seconded by Downs, to approve the Change Orders in the amount of \$105,263.69 for the Event Center project. Motion carried with the following vote: Ayes: Lehmann, Waldhausen, Johnson, Negard, Downs. Nays: Meuers.**

CITIZEN NOT ON AGENDA

No one appeared.

UPCOMING COUNCIL MEETINGS

- Monday, July 26                      5:30 p.m.      Work Session – CGMC Update/Solar Energy
  - Monday, August 2                    7:00 p.m.      Council Meeting
  - Monday, August 9                    5:30 p.m.      Work Session – Liquor Operations
  - Tuesday, August 10
- Primary Election

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.
- Meuers stated that the Kitchigami Regional Library System has begun discussions regarding elimination of the book mobile and possible other ways to accommodate those users.
- Waldhausen stated that there will be a special Sustainability Committee meeting on July 22 to see a power point presentation by Boonestroo.
- Negard noted that Paul Bunyan Transit will begin construction on a new building on July 26. There will be an open house when it is completed.
- Johnson noted that the Airport Authority is now meeting every other week. Terminal groundbreaking will be on Saturday, July 24 at 1:30 p.m.

ADJOURN

There being no further business, motion by Downs, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Kay M. Murphy  
City Clerk