

# CITY COUNCIL PROCEEDINGS

## BEMIDJI, MINNESOTA

### Regular Meeting – May 4, 2009

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, May 4, 2009 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 Chattin, City Attorney Alan Felix, City Clerk Kay Murphy

#### **AMENDMENTS TO AGENDA**

Mayor Lehmann called for any amendments to the agenda.

- Add under Consent Agenda – Sustainability Committee - Waldhausen
- Shared Vision Presentation was requested to be removed by Melissa Smith

**Motion by Downs, seconded by Johnson, to approve the agenda as amended. Motion carried by unanimous vote.**

#### **MINUTES**

Minutes of the May 20 regular meeting, May 20 Special BEDA meeting, April 13, April 22 and April 27 work sessions were presented for approval. **Motion by Meuers, seconded by Negard, to approve the minutes as corrected. Motion carried by unanimous vote.**

#### **CONSENT AGENDA**

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

1. Approved Claims submitted by the Finance Officer in the total amount of \$2,252,928.97
2. Approved miscellaneous business licenses for 2009
3. Approved One Day Temporary Consumption & Display Permit – Art Center on 6/5/09
4. Approved Downtown Commercial Rehabilitation Project Nos. 417-517 and 417-522
5. Approved Amendment No. 1 on Agreement of Fire Protection with Rural Fire Association
6. **RESOLUTION NO. 5555:** Approving the Site for the 2009 Youth Day Event at the Waterfront on 6/7/09
7. Appointing Councilmember Waldhausen to Sustainability Committee

**Motion carried by unanimous vote.**

#### **COMMITTEE REPORTS**

Bemidji Youth Advisory Commission – Stephen Bucher, BYA representative, reported that over the past two months the Commission has been working with the school to recycle paper. June 7 is coming up and this year's theme is "Save the Planet". A Listening Lunch will be held on Thursday, May 7 and the topic will be the June 7 event.

Bemidji State University Student Senate – Ryan Schwingler, Senate Co-President, introduced next year's co-president Andrew Spade. The Student Senate will continue to work with BSU Administration toward allowing skateboards on campus.

#### **PRESENTATION**

##### Kraus-Anderson Walleye Classic

Bob Fitzgerald, representing Kraus-Anderson Walleye Classic, stated that they are requesting use of the Waterfront Park for the 2009 Kraus-Anderson Walleye Classic to be held on June 13. He stated that the event is filling up slowly but they do anticipate a full slate of teams. This is a community event and they have teamed with the DDA to provide family events downtown. He stated that the event has raised over \$300,000 in the past 8 years and the proceeds have gone to Bemidji area charities, i.e., Fishing Has No Boundaries and Take a Kid Fishing.

**RESOLUTION NO. 5556: Approving the Site for the 2009 Kraus-Anderson Walleye Classic was offered by Councilmember Downs, and upon due second by Councilmember Waldhausen was passed by unanimous vote.**

**NEW BUSINESS**

TH197 & US TH71 Layout

**Motion by Hellquist, seconded by Meuers, setting the Public Hearing for the Proposed Layout of TH197 & USTH71 (7<sup>th</sup> Street to City Limits) on June 15, 2009. Motion carried unanimously.**

Additional Quote (Resinous Flooring) - BREC

Clinton Gronhovd reviewed the quotes received. Kraus-Anderson recommended award of the quote for resinous flooring to Advantage Coating, Inc. in the amount of \$74,999.

**Motion by Hellquist, seconded by Waldhausen, to award the quote to Advantage Coatings as recommended by Kraus-Anderson Construction for the Bemidji Regional Event Center. Motion carried with the following vote: Ayes: Waldhausen, Negard, Hellquist, Lehmann, Downs. Nays: Meuers.**

Consultant Services for City Park Project

David Smith, Chair of the Parks & Trails Commission, reviewed the process that was used for selection of consultant services for the City Park Project. A selection/review committee consisting of two Councilmembers, four Parks & Trails Commission members, a skatepark representative and two staff reviewed consultant proposals. Although, each consultant team brought important strengths and areas of expertise, the Kimley-Horn Team stood out in overall park planning and athletic field expertise and experience. Included with their team was a skatepark member. The proposed fee of \$392,800 for the Kimley-Horn Team fits within the identified line item for the consultant/professional services, therefore, the Commission recommends hiring this team.

Negard stated that it is not the lowest bid and asked why the Commission did not consider the low bidder as there is a difference of \$40,000.

David Smith stated that there were problems with Bauer & Associates when they were hired to do the Diamond Point project.

**Motion by Downs, seconded by Meuers, to contract with Kimley-Horn Associates to provide consultant services for the City Park Development project in an amount of \$392,800. Motion carried unanimously.**

**ORDINANCES**

**AN ORDINANCE** Amending an Uncoded Section of Bemidji City Code Pertaining to Alley Vacation (Soukup) was given a first reading.

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending an Uncoded Section of the Bemidji City Code (Authorizing the Transfer of Real Property – BEDA). Mayor Lehmann opened the Public Hearing at 7:26 p.m., hearing no comments the public hearing was closed.

**AN ORDINANCE** Amending an Uncoded Section of the Bemidji City Code (Authorizing the Transfer of Real Property – BEDA) was given a second reading.

City Attorney Felix pointed out that the legal description was corrected since the first reading of the Transfer of Property to the State of Minnesota.

Pursuant to published notice, a Public Hearing was held to receive input regarding Amending an Uncoded Section of the Bemidji City Code (Authorizing the Transfer of Real Property – State of Minnesota DNR). Mayor Lehmann opened the Public Hearing at 7:28 p.m., hearing no comments the public hearing was closed.

**AN ORDINANCE** Amending an Uncoded Section of the Bemidji City Code (Authorizing the Transfer of Real Property – State of Minnesota DNR) was given a second reading.

**ORDINANCE NO. 35, 3<sup>RD</sup> SERIES**, AN ORDINANCE Amending an Uncoded Section of the Bemidji City Code (Authorizing the Transfer of Real Property – Paul Bunyan Transit) was given

a final reading and passed by unanimous vote. Motion carried with the following vote: Lehmann, Johnson, Downs, Meuers, Hellquist, Waldhausen. Abstain: Negard.

**LIBRARIAN REPORT**

Paul Ericsson, Librarian, stated that the Library has a wide variety of reference material available for the community through the website: [www.krls.org](http://www.krls.org). For those individuals not on-line there are great resources available at the Library. The Library will be hosting an information exchange session and providing demonstrations for home schooled children. His goal is to get out into the community once a month to promote the Library. This month the library is providing tours of the Library. He stated that once a month on a Saturday Bemidji Area Reading Canines are at the library to help children that are struggling with reading. Summer reading program begins Monday, June 8 with registration beginning the week prior.

**CITIZEN NOT ON AGENDA**

Dereck Leach, 3870 Valley View Drive, asked for any updates on the Tyler Estates flooding situation.

Chattin reported that City staff met with SWCD, County, DNR, and Bemidji Township seeking partners to assist financially in the Phase II – stormwater modeling. The DNR has stepped to the plate and made some offers and FEMA may be available for a few dollars. Chattin stated that it was disappointing as there was no offer to assist by others at the meeting but the best hope is for the homeowners to work through FEMA for buyouts.

Felix stated that he will be attending the Bemidji Township meeting regarding participating with the City on the Phase II stormwater modeling.

Rett Lesley, 619 America Apt. 119, expressed concerns regarding the treatment of the animals used by circuses. The USDA does not regulate how they are fed or watered. He provided handouts regarding treatment of circus animals to the City Council.

**UPCOMING MEETINGS**

- **Tuesday**, May 5                    5:00 p.m.                    Board of Review
- **Tuesday**, May 5                    5:30 p.m.                    Special Work Session – Goal Setting
- **Monday**, May 11                    5:30 p.m.                    Work Session – DDA 2009 Development Plan
- **Monday**, May 18                    7:00 p.m.                    Council Meeting

**COUNCIL/STAFF REPORT**

- Lehmann attended the groundbreaking event for the new TruStar Federal Credit Union facility. Chat-A-Bout for June will be the Mayor and City Engineer to discuss summer road construction projects.
- Waldhausen commented that he visited with a BSU student who is exploring providing curbside recycling to Bemidji residents.
- Negard recommended that the community take precautions to prevent H1N1 (swine flu).
- Hellquist stated that the DDA will be meeting with concerned business owners regarding the design of Parking Lot No. 3.
- Chattin reported that there will be a pre-proposal meeting for interested facilities management firms for the BREC on Tuesday, May 5.

**ADJOURN**

There being no further business, motion by Downs, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

  
 Kay M. Murphy  
 City Clerk