

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – February 17, 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 Tuesday, February 17, 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 Chatten, City Attorney Alan Felix, City Engineer Craig Gray, Finance Director Ron Eischens, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Lehmann called for any amendments to the agenda. **Motion by Downs, seconded by Johnson, to approve the agenda as presented. Motion carried by unanimous vote.**

MINUTES

Minutes of the February 2, 2009 regular meeting and February 4 and February 9, 2009 work sessions were presented for approval. **Motion by Meuers, seconded by Waldhausen, to approve the minutes as presented. Motion carried by unanimous vote.**

CONSENT AGENDA

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

1. Approved Claims submitted by the Finance Officer in the total amount of \$1,203,575.26
2. Approved miscellaneous business licenses for 2009
3. Awarded Investment Bid to the Minnesota 4M Fund
4. Authorized the Minnesota 4M Fund as a Depository for City Funds
5. **RESOLUTION NO. 5546:** Authorizing Membership in the 4M Fund
6. **RESOLUTION NO. 5547:** Authorizing Investment of Funds
7. Awarded Remaining Asbestos Removal for the Old Mn/DOT Building to Building Systems Corporation (\$19,300)
8. Authorized Engineering Services for Sanitary Sewer Comprehensive Plan
9. Appointed Negard to the Deer Management Committee
10. Approved Council Travel: February 18 - Bemidji Day at the Capitol – Downs

Motion carried by unanimous vote.

COMMITTEE REPORTS

Bemidji Youth Advisory Commission – Chris Bowman, BYA representative, stated that the Commission continues to work on the June 7 event. He commented that the Commission is very excited about the progress to date on the skatepark. He highlighted school activities.
Bemidji State University Student Senate – No one appeared.

NEW BUSINESS

County Attorney's Office for City Prosecution Services

Chatten stated that the city has asked the County to consider taking over our prosecutions and the County has provided a proposal that essentially reflects their need to hire an additional attorney and staff person.

Johnson inquired about the city's legal secretarial position.

Chatten responded that the services of our legal secretary would be retained and shared by City staff.

Motion by Meuers, seconded by Johnson, to accept the County's proposal to provide prosecution services in 2009 for \$118,000. Motion carried unanimously.

MIS Services

Mayor Lehmann stated that this cooperative agreement is working well for MIS services with Beltrami County.

Motion by Downs, seconded by Negard, approving the renewed Memorandum of Understanding with Beltrami County for MIS services. Motion carried unanimously.

Paul Bunyan State Trail Bridge

Downs commented that the former Parks & Trails Director Dorian Grilley indicated that the bridge over TH197 had been placed on the stimulus package. However, after talking with the local MnDOT engineers, the enhancement projects will be cut. The intent was to have the bridge design ready if selected for the stimulus funding.

Gray stated that his recommendation has changed since he wrote his staff report. Gray stated that it now appears that the City will not be in the Phase I stimulus package. The stimulus list will be out this week and MnDOT has indicated that this project is not on either list. Gray stated he is now recommending that the Council authorize design if the City receives notification from MnDOT. He further stated that it is a DNR bridge and perhaps Council could authorize staff to work on a joint powers agreement with the DNR.

Tim Browning, DNR Parks & Trails Regional Manager, stated there is some advantage to moving forward with a Joint Powers Agreement (JPA) between the City and DNR. It may be difficult to get stimulus funding as there is enormous interest. However, there is likely to be a bonding bill and a JPA will allow the design of a bridge. He further stated that it could receive a favorable look for bonding as the design would be ready. The bridge design may require more land and it is appropriate for a JPA.

Discussion continued on the Joint Powers Agreement with the DNR and funding. Felix stated that the JPA would come back before the Council with the terms.

Meuers asked how this will affect the intent of the parks and trails sales tax. Downs stated that the City should use the sales tax to leverage funds.

Motion by Downs, seconded by Johnson, directing staff to proceed with the preparation of a Joint Powers Agreement with the DNR on the TH197 Paul Bunyan Trail Bridge. Furthermore, authorizing the City Engineer to proceed with the design of the bridge if a funding source becomes available and authorizing the use of the parks and trails sales tax to pay for said design. Motion carried unanimously.

Midway Bridge Rehab

Mayor Lehmann noted that the Old Midway Bridge is listed on the National Historic Register.

Gray recommended the City accept the proposal from WSN for design services (\$20,794), which would get this project “shovel ready” if this project is selected for stimulus funding. In addition, the City would be billed by MnDOT for the historian work, which is required for this project.

Downs commented that there are too many bridges on this section of Mississippi River and suggested that the Old Midway Bridge be removed. He further stated that according to the DNR there are ways to fix the old railroad trestle bridge.

Gray stated that currently the Old Midway Bridge is used for the snowmobile trail and the purpose is to restore it to its former historical appearance.

Motion by Meuers, seconded by Waldhausen, authorizing the City Engineer to enter into a professional service contract with WSN for the design of the Midway Drive bridge rehabilitation and authorize using parks and trails sales tax funds to pay for said design. In addition, directing the City Engineer to investigate the removal of the old railroad trestle bridge. Motion carried unanimously.

Phase I Construction Bids – Event Center

Mayor Lehmann stated that the City Council received letters regarding concerns by two subcontractors regarding the structural steel. In these letters it was indicated that the low apparent bid from Dynamic Structural Steel was a non-responsive bid because it does not meet the contract specifications.

Clinton Gronhovd, Kraus-Anderson – Project Manager, stated that they disagree with the claims in the letters and maintain the bidding process has not been compromised. Kraus-Anderson recommended award of the contracts to the followings bidders:

1. Structural Precast:	Hanson Structural Precast Midwest, Inc., Maple Grove, MN	\$980,447
2. Architectural Precast	Hanson Structural Precast Midwest, Inc., Maple Grove, MN	\$2,445,293
Combined Precast Deduct	\$(110,966)	
3. Structural Steel	Dynamic Structural Steel, LLC Proctor, MN	\$5,298,000
4. Subgrade Consolidation	Hayward Baker, Inc.	\$409,500

Motion by Waldhausen, seconded by Johnson, to award the contract for structural precast, architectural precast, structural steel and subgrade consolidation to the low bidders as recommended by Kraus-Anderson Construction. Motion carried unanimously.

Management Services for the Event Center

Chattin stated that with construction of the event center starting next month, the City’s focus must now be on how the facility will be operated. He commented that most facilities are booked two to three years in advance. If the City is to have events booked upon opening, it is important to get our operator on board soon. In addition to bookings, having an operator to oversee HVAC, kitchen, ice system, and other systems installation could benefit future operations.

Meuers asked where the funding for the management operations would come from.

Chattin stated that the City first needs to have an RFP in order to know what the costs will be.

Johnson commented that the city should advertise at the same time for a manager for the event center.

Chattin stated that to start up one of these facilities is not the same as operating a facility.

Hellquist commented that it is critical to use management services.

Motion by Hellquist, seconded Johnson, authorizing preparation of, and advertising for, an RFP for management services of the event center. Motion carried with the following vote: Ayes: Hellquist, Waldhausen, Johnson, Downs, Lehmann, Negard. Nays: Meuers.

Local Board of Appeal & Equalization

Mayor Lehmann stated that two councilmembers should attend the 2009 Local Board of Appeal and Equalization (LBAE) training session to be held on March 12 (1-4 p.m.). Consensus of the Council was that Hellquist and Lehmann will attend the training.

EVENT CENTER UPDATE

Clinton Gronhovd stated that the final round of bids for the event center will be opened on Thursday, February 19 at 2 p.m. and will be considered by the Council on March 2. Groundbreaking will be on April 3 at 11:30 a.m.

CITIZEN NOT ON AGENDA

No one appeared.

UPCOMING MEETINGS

- Monday, February 23 5:30 p.m. Work Session – Southshore Development Concept Review
- Tues., February 24 5:30 p.m. Special Work Session – Budget Reductions - Closed to Discuss Property
- Monday, March 2* 7:00 p.m. Council Meeting
- Monday, March 9 5:30 p.m. Work Session – City Park Plan

*Note: Chat-A-Bout: Mayor Lehmann

COUNCIL/STAFF REPORT

- Mayor Lehmann stated that several councilmembers along with other community representatives will be attending the Bemidji Day at the Capitol on February 18.

- Waldhausen reported that the Parks & Trails Commission will be hosting an Open House on Thursday, February 19 at the Public Works Building. The next Veterans Task Force meeting at 10 a.m. on March 7.
- Hellquist reported that the Airport Commission will meet on Friday, February 20.
- Meuers reported that the Race Relations Task Force will meet on Wednesday, February 18. She reported that the first two people graduated from the DWI Court program.
- Johnson reported that he met with a group regarding a public access channel and suggested that the Public Affairs Committee meet to discuss the government access channel updates.
- Negard stated that he visited with Northern Access Dental Clinic. They have received over 1,000 people needing dental care.

ADJOURN

There being no further business, motion by Downs, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 8:10 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk