

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – November 17, 2008

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, November 17, 2008 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, Johnson, Erickson, Meuers, Markeson, Hellquist. Absent: Downs.

Staff Present: City Manager John Chattin, 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 Meuers, seconded by Markeson, to approve the agenda as presented. Motion carried by unanimous vote.

MINUTES

Minutes of the November 3 regular meeting, November 6 Canvassing Board meeting and November 6, 2008 work session were presented for approval. Motion by Markeson, seconded 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 Hellquist, seconded by Johnson, to approve the Consent Agenda items as follows:

1. Approved Claims submitted by the Finance Officer in the total amount of \$1,258,921.02
2. Approved miscellaneous business licenses for 2009
3. Approved 1 Day Temporary Consumption & Display Permit – Art Center – 12/5/08
4. Approved 1 Day Temporary Consumption & Display Permit – Chamber – 1/22/09
5. **RESOLUTION NO. 5526:** Consenting to and Approving the Sale and Transfer of Cable Franchise and System
6. **RESOLUTION NO. 5527:** Adopting Assessment Roll for Water/Sewer Deferred Assessments Fees (Connections Completed in 2008-Additional)
7. Approved Change Order No. 2 for Birchmont Drive Utility Project – City Project 06-02
8. Awarded Contract for TIC Restroom Remodel to Frenzel Construction, Inc. (\$43,600)
9. Approved Sale of Surplus Equipment (Fence) and Award Bid to Darryl Larson (\$4,018)
10. Approved 2009 Liquor License for the Hungry Bear Restaurant & Banquet Center

Motion carried by unanimous vote.

COMMITTEE REPORTS

BSU Student Senate – Becky Boe, co-president, reported that President Jon Quistgard will be signing a proclamation regarding global warming. The Student Senate is considering their response to the University's new athletic proposal. The Student Senate has set their 2009 legislative session agenda. She reported that the Senate recently held a meeting with Youth Commission and they are looking forward to building a communication with the Commission and potentially doing a project.

NEW BUSINESS

City Hall HVAC Project

City Engineer Gray reported that the 2009 Capital Improvement Plan includes \$400,000 for the replacement of the City Hall HVAC (heating, ventilation, air conditioning) system. This system is nearly 30 years old and according to the project file has had problems since 1993. In May 2008, the City contracted with EAPC to complete a HVAC study and air flow report of the system at City Hall. The study indicates the shortcomings of the existing system. The HVAC system does not provide fresh air flows that meet current building codes to a majority of the

areas within the building. Therefore, staff recommendations that the current system be replaced.

Jerry Vaughn, Sr. Mechanical Designer for EAPC, recommended a modular high efficiency natural gas boiler system be installed. This system would provide heating and cooling to all areas of the building and would include proper ventilation.

Council discussed the following:

- Savings with the proposed equipment is projected to be approximately 7-8%.
- Off peak electric heat. Vaughn stated that off peak electric heat is viable and has been discussed and they will take a look at it. What comes into play is the service – back up but how that affects the service and the current size of the electrical service that OTP would have to bring in.
- Central air is included. Vaughn stated that the air handlers would have cooling coils in them with multiple stages. The VAV is the cooling control which throttles the air into each zone.
- Life expectancy for the proposed system is 20-30 years.
- Geo-thermal. Vaughn stated that the upfront cost for installing a geo-thermal is in the range of \$150,000 to \$200,000 to install the well-field alone. Significant cost increase and requires a large amount of space.

Motion by Markeson, seconded by Hellquist, authorizing the city engineer to enter into a professional services contract with EAPC for the design of the City Hall HVAC Replacement Project. Motion carried unanimously.

Ground Lease for Event Center

Chattin stated that in order to leverage the \$20 million grant from the State the City requires a lease from the BEDA, who is the landowner, with a 50 year commitment. The property requires it for the footprint of the event center and the parking lot.

Felix stated that this is a format provided by DEED which is fairly strict with very little leeway.

Hellquist asked if there would be any payment between the BEDA and the City. Felix responded that there will be no money exchanged between the BEDA and the City and it is a 50 year lease agreement with no financial obligation. Felix stated that Leo A Daly certified that the building will last for 20-30 years.

Motion by Johnson, seconded by Markeson, approving a ground lease for the event center. Motion carried with the following vote: Ayes: Meuers, Lehmann, Johnson, Hellquist, Markeson. Nays: Erickson. Absent: Downs.

Airport Industrial Park Infrastructure Project

Hellquist requested that this item be pulled from the Consent Agenda regarding the dollar amount match, which was blank.

Harold VanLeeuwen, Airport Manager, indicated that the grant has been approved to the County and the match which went in and was accepted using the HUD money in the amount of \$328,000 and no further local match is required. The grant will run water, sewer and make road improvements to the JOBZ and there is one company planning on going there and two additional companies have letters of intent.

RESOLUTION NO. 5528: Support for Submittal of a Grant Application to DEED for Infrastructure Improvement Funds and Accepting Responsibility as Sponsoring Agency (Airport Industrial Park Infrastructure Project) was offered by Councilmember Hellquist and upon due second by Councilmember Erickson was passed by unanimous vote.

ORDINANCE(S)

Continued Public Hearing of an Ordinance Amending Chapter 14 of the Bemidji City Code to Regulate the Burning of Solid Fuels in External or Outdoor Free-Standing Stoves or Furnaces

Felix stated that the re-draft was not completed until Thursday and was a redraft based on the Building Department comparing with Central Boiler's ordinance. Again, because of timing the Council has not had an opportunity to review it. Likewise, the public has not had an opportunity. He recommended continuing the public hearing to the next Council meeting.

Lehmann commented that the Council should have more time to digest the information provided.

Council discussed the following:

- Grandfathering;
- Chimney height requirements; and
- Installation of the chimney and the cost.

Motion by Hellquist, seconded by Meuers, to continue the public hearing until the December 15 meeting. Motion carried unanimously.

ORDINANCE NO. 34, 3RD SERIES, AN ORDINANCE Amending the City Fee Schedule for 2009 was given a final reading and passed by unanimous vote.

- **Motion by Hellquist, seconded by Meuers, authorization to Publish a Summary of an Ordinance Amending the City Fee Schedule for 2009. Motion carried unanimously.**

ORDINANCE NO. 33, 3RD SERIES, AN ORDINANCE Amending Chapter 16, Article II of the Bemidji City Code Relating to Fire Code was given a final reading and passed by unanimous vote.

EVENT CENTER UPDATE

The Council received a written update from Leo A Daly.

UPCOMING MEETINGS

- Monday, November 24 5:30 p.m. Work Session–TH197/Hwy Access Mgmt Study
- Monday, December 1 5:30 p.m. Truth In Taxation Hearing
- Monday, December 1 7:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Johnson reported that there is an Airport Commission meeting on Wednesday, November 20.
- Meuers reported that this week is National Home and Hunger Awareness Week. The group of non-profits will be hosting an annual fundraising chicken dinner & silent auction on November 16, 2008 at 4:30-7:00 p.m. at United Methodist Church.
- Markeson reported that the Parks & Trails Commission will be meeting on Tuesday, November 20. Hellquist will be attending in place of Councilor Downs.
- Chattin reported that he will be attending a LMC meeting and the Coalition meeting.

ADJOURN

There being no further business, motion by Markeson, seconded by Hellquist, to adjourn the meeting. Motion carried. Meeting adjourned at 8:05 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk