

COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – January 17, 2023

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, January 17, 2023 at 6:00 p.m. in the Council Chambers of City Hall, Mayor Prince presiding.

Upon roll call, the following Councilmembers were declared present: Prince, Peterson, Johnson, Rivera, Eaton, Thayer.

Staff Present: City Manager Nate Mathews, City Attorney Katie Nolting, Finance Director Ron Eischens, City Engineer Sam Anderson, Sanford Center General Manager Sheila Murphy, Assistant City Engineer Jenna Roberts, Deputy City Clerk Rachelle Barckholtz, City Clerk Michelle Miller.

AMENDMENTS TO AGENDA

Mayor Prince called for any amendments to the agenda.

Motion by Thayer, seconded by Johnson to add an agenda item for council to discuss scheduling a date for the continued employment of the City Manager. Motion carried by the following roll call vote: Yeas: Peterson, Johnson, Thayer, Prince. Nays: Rivera, Eaton.

Motion by Johnson, seconded by Peterson, to approve the agenda as amended. Motion carried by the following roll call vote: Yeas: Eaton, Peterson, Prince, Johnson, Thayer. Nays: Rivera.

MINUTES

The following minutes were presented for approval:

Council Meeting: December 19, 2022

Motion by Eaton, seconded by Thayer, approving minutes as presented. Motion carried by unanimous voice vote.

CONSENT AGENDA #1

Mayor Prince called for any amendments to be made to Consent Agenda. Staff advised that council travel authorization can be eliminated as Councilmember Rivera can no longer attend. The following Consent Agenda items were presented for approval. **Motion by Eaton, seconded by Thayer, to approve Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the Amount of \$3,719,300.18
2. Claims Submitted by ASM Global for the Sanford Center in the Amount of \$127,577.24
3. 2023 Business License Renewals
4. **RESOLUTION NO. 6469:** Authorizing MOU with BSU Regarding Peters Memorial Statue
5. Approve Special Event Permit for Bemidji March for Life (January 21)
6. Approve Bid for Bemidji Day Shelter Retrofitting to Bradbury Stamm in the Amount of \$511,172.00
7. Approve Appointment of Payton Church to the HRA Board
8. Approve Appointment of Brad Neis to the Sanford Center Advisory Board
9. Annual Appointments and Reappointments to City Boards/Commissions
10. Approve 2023 Budget Modification #1

Motion carried by the following roll call vote: Yeas: Johnson, Prince, Eaton, Peterson, Thayer. Abstain: Rivera.

CONSENT AGENDA #2

Mayor Prince called for any items to be pulled from consent agenda #2. The following Consent Agenda item was presented for approval. **Motion by Johnson, seconded by Eaton, approving Consent Agenda #2 as follows:**

1. Claims Submitted by Finance Officer for VisitBemidji in the Amount of \$31,615.90

Motion carried by the following roll call vote: Yeas: Prince, Rivera, Thayer, Johnson, Eaton. Abstain: Peterson.

CITIZENS WITH BUSINESS NOT ON AGENDA

No appearance.

PUBLIC HEARINGS

2023 Norton Avenue Reconstruction Project Public Hearing and Consider Resolution Ordering Project & Authorizing Preparation of Plans and Specifications - City Project 23-02

Anderson stated that on December 19, 2022, the City Council passed a resolution approving the feasibility report on the proposed Norton Avenue Reconstruction Project. Using a combination of federal & state funds, utility funds and assessments this project will reconstruct approximately 0.7 miles of city streets. The next step in the 429 Public Improvement process is to hold a public hearing on the proposed project.

The streets that are proposed to be included are:

Ridgeway Avenue NW	Paul Bunyan Drive (TH 197) – 23rd Street NW
23rd Street NW	Ridgeway Avenue NW – 22nd Street NW
Norton Avenue NW	22nd Street NW – 15th Street NW

The feasibility report that was approved recommended the following improvements:

Norton Avenue NW & 23rd Street NW

These roads are existing 43 foot wide curb & gutter streets that will be narrowed to a 32 foot wide road to add a three to seven foot wide grass boulevard and 10 foot wide paved trail. The reconstruction would include new bituminous pavement, curb & gutter, and driveway aprons. The existing water and sanitary sewer mains meet current city standards and are proposed to remain. The current hydrants don't meet city standards, so those will be replaced as part of the project. As part of narrowing the street, portions of the current storm sewer system will need to be removed and relocated to accommodate the new roadway dimensions. The street currently has room for parking on both sides, but would be signed for "no parking" on both sides as part of the project. This street design would be very similar to what was completed on 30th Street NW back in 2016 and 2019.

Ridgeway Avenue NW

This road is an existing 47 foot wide curb & gutter street that will be narrowed to 39 feet wide with the new paved trail being added to the east side of the street from 23rd Street up to Paul Bunyan Drive NW. The existing water and sanitary sewer mains meet current city standards and are proposed to remain. The current hydrants don't meet current standards, so those will be replaced as part of the project. As part of narrowing the street, portions of the current storm sewer system will need to be removed and relocated to accommodate the new roadway dimensions. This segment would also be signed for "no parking" on both sides of the street.

Project Lighting

In order to accommodate the trail, Ottertail Power is going to be eliminating an overhead power line currently located on the west side of the street. That power line provides some additional lighting for the street currently that will be eliminated. Staff are recommending to add metal light poles, in the grass boulevard between the new trail and street, primarily because of the higher traffic volumes seen on this corridor (between 3,500-4,500 vehicles/day). Standard metal pole street lighting is eligible to be paid for with federal and/or state aid dollars so another incentive to incorporate it with this project.

Neighborhood Meeting

A neighborhood meeting for the project was held on Tuesday, January 10 at the Public Works Building from 4:00–6:30 PM. Roughly 12-15 people in total attended and general questions were asked at the meeting regarding anticipated construction schedule, assessments, overall project scope, and access to property during construction, but the overall feedback was fairly positive toward the project.

Finances

The estimated cost of the total street reconstruction project is \$1,633,377. These costs include 15% for engineering design, construction inspection, and administration services. Funding sources are proposed to come from the following sources:

Street Assessments	\$ 249,282
Water Utility Fund	\$ 95,365
<u>Federal/State Aid Dollars</u>	<u>\$ 1,288,730</u>
	\$ 1,633,377

Assessments

Assessments are proposed to each benefiting property within the project area. Ridgeway Avenue NW, 23rd Street NW, and Norton Avenue NW street segments will be assessed per the city's current assessment policy of \$45/front foot and \$1,070 for each utility service that may be required. Corner lots are assessed for half of the property frontage abutting the project.

Project Schedule

Engineering plans and specifications will be prepared in-house this winter and the project will go out for bids in March/April 2023, but hopefully sooner depending on state review. Construction of the project could begin in May, but may be scheduled to begin later in the summer. It is anticipated to be completed sometime in September 2023.

Public Hearing

Pursuant to published notice, a public hearing was held regarding input on the 2023 Norton Avenue Reconstruction Project – City Project 23-02. Mayor Prince opened the Public Hearing at 6:14 p.m., hearing the following comments:

The following provided comments opposing the project:

- Betsy Krzywicki, 908 20th Street NW
- Zada Shindelar, 1601 Norton Avenue NW

- Anna Buck, 1617 Norton Avenue NW
- Jacob Hedberg, 1030 23rd Street NW
- Sue Erickson, 1907 Norton Avenue NW

The following provided comments supporting the project:

- Mark Kuleta, 2019 Norton Avenue NW
- Dale Thompson, 1080 Paul Bunyan Drive NW

Hearing no further comments Mayor Prince closed the Public Hearing at 6:55 p.m.

Council made the following comments:

- Rivera commented on the benefit of a trail rather than sidewalk and expressed support of a crosswalk to access the trail from Norton Avenue to 23rd Street.
- Peterson expressed concern of reconstructing Norton Avenue when it was done 20 years ago.
- Thayer expressed support of the project for safety

RESOLUTION NO. 6470: Ordering Improvement, Designating Project Engineer, Calling for Preparation of Plans and Specifications and Authorizing Advertisement for Bids on Improvement – 2023 Norton Avenue Reconstruction Project – City Project 23-02, was offered by Councilmember Rivera, who moved its adoption, and upon due second by Councilmember Eaton was passed by the following roll call vote: Yeas: Thayer, Johnson, Eaton, Rivera, Prince. Nays: Peterson.

NEW BUSINESS

Consider Award of Quote for GAC Change Out for Water Treatment Plant

Anderson stated that construction of the Phase 1 water treatment plant was completed back in April 2021. The City has been supplying treated water for roughly 20 months and are starting to see slight “breakthrough” of PFAS as part of our quarterly sampling, which was last completed in November 2022. Though we are starting to find trace amounts of PFAS making it through the current GAC treatment system, none of the detections in the distribution system sample are above the Minnesota Health Based Values (HBVs) or Health Risk Limits (HRLs).

Of the six total GAC vessels we have in the water plant, only three of these vessels are having the media replaced. Vessels operate in pairs, also called trains, made up of one lead vessel and one lag vessel. The water travels through the lead vessel first, then the lag vessel as part of the treatment process. Water samples are taken quarterly from a location after the lead vessel, but before the lag vessel. This is how we can track when the lead vessels’ media are beginning to reach the end of their useful life and determine when change out needs to occur. Change out involves replacing the GAC in all 3 lead vessels, the system is changed so that the previous lag vessels become the new lead vessels, and water sampling continues until “breakthrough” of PFAS is detected and we go through the process again.

Staff are anticipating GAC change outs to occur on an 18 month to two-year cycle, but that is a moving target based on a number of factors. As the plant continues to operate, we’ll hopefully be able to more accurately predict future change outs and associated timelines.

Staff have obtained a quote for \$138,600 from Calgon Carbon to complete the GAC change out, as they supplied our current GAC treatment vessels and GAC media as part of the Phase 1 Water Plant project. The 2023 Capital Improvement Plan includes \$200,000 from our Water Utility Fund to pay for this anticipated carbon change out.

The carbon change out will be coordinated with the Phase 2 Water Treatment Plant construction, but we are anticipating we can get this started by March/April of this year. The change out itself will take about 3-4 weeks to complete.

Motion by Thayer, seconded by Eaton, awarding the quote to Calgon Carbon in the amount of \$138,600 for the GAC change out for the Water Treatment Plant. Motion carried by the following unanimous roll call vote: Yeas: Peterson, Thayer, Prince, Rivera, Eaton, Johnson.

Consider MOU with Beltrami County for Design and Stormwater Pond – Irvine Avenue Sanitary Sewer Extension Project

Anderson stated that back in March, council approved a proposal from Freeberg & Grund to assist the city with design of a sanitary sewer extension project in coordination with Beltrami County’s reconstruction of Irvine Avenue from 30th Street NW to Anne Street NW in 2023.

During the County’s design, it was determined the most efficient way to route a portion of storm water from Irvine Avenue NW, which will now become a curb & gutter street, was to outlet into our existing city owned pond between 30th Street NW and 29th Street NW.

In advance of construction, the County has drafted a Memorandum of Understanding (MOU) related to each entities respective roles during the project along with a cost share breakdown for future

maintenance of the storm water pond. The County share of future maintenance costs would be 25%, determined by the percentage of storm water calculated to be coming from the Irvine Avenue right of way.

Staff have \$220,000 set aside for the project in the 2023 CIP out of Sanitary Sewer Funds. Staff anticipates an estimated amount of \$100,000 needing to come from our Water Utility Fund for items such as, hydrant relocations, water main relocation, and insulating of water main and services.

Staff will also be recommending establishing a \$7,000 sewer connection fee as part of the project to those residents that will receive a new sanitary sewer service when the project is awarded. This would match what those residents along 5th Street NW that received service when water & sewer was extended from the High School to Gene Dillon Elementary School back in 2017. This would be a fee that would become activated once a resident actually connects to the system, and can be paid over a 15 year period with interest similar to an assessment. We are anticipating 12 new services with this project.

Motion by Thayer, seconded by Peterson, authorizing the Mayor and City Engineer to execute a Memorandum of Understanding with Beltrami County. Motion carried by the following roll call vote: Yeas: Eaton, Prince, Peterson, Thayer, Johnson, Rivera.

Consider Scheduling a Date for the Continued Employment of the City Manager

Nolting suggested tabling the discussion until she can provide the council with legal advice on the matter. Prince suggested using outside counsel to avoid any conflict of interest since Nolting reports directly to the City Manager.

Motion by Prince, seconded by Eaton, to table the discussion for two weeks until the February 6, 2023 council meeting and to seek legal advice from Flaherty and Hood. Motion carried by the following roll call vote: Yeas: Peterson, Johnson, Thayer, Prince, Eaton. Nays: Rivera.

UPCOMING COUNCIL MEETINGS

- Monday, January 23 5:30 p.m. Work Session (MnDot Update TH 197)
- Monday, January 30 5:30 p.m. Work Session (Update from WOLD)
- Monday, February 6 6:00 p.m. Council Meeting

ADJOURN

There being no further business, motion by Peterson, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 7:44 p.m.

Respectfully submitted,



Michelle R. Miller
City Clerk