

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – March 4, 2019

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, March 4, 2019 at 6:00 p.m. in the Council Chambers of City Hall, Mayor Albrecht presiding.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Beard, Johnson, Rivera, Erickson. Absent: Thompson

Staff Present: City Manager Nate Mathews, Finance Director Ron Eischens, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, Assistant City Engineer Sam Anderson, City Clerk Michelle Miller

AMENDMENTS TO AGENDA

Mayor Albrecht added Legislative Priorities to New Business. **Motion by Meehlhause, seconded by Johnson to approve the agenda as amended. Motion carried by unanimous vote.**

MINUTES

The following minutes were presented for approval:

Work Session: February 11, 2019
Council Meeting: February 19, 2019

Motion by Johnson, seconded by Beard, to approve the minutes as presented. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Claims Submitted by Finance Officer in the amount of \$596,630.62
2. Claims Submitted by VenuWorks for the Sanford Center in the amount of \$94,143.07
3. Miscellaneous Liquor License Approvals for 2019
4. **RESOLUTION NO. 6210:** Approving Temporary Off-Premises Alcohol Permit to Keg-n-Cork and Brigid's Pub and Street Closure (St. Patrick's Day Event) – March 16-17, 2019
5. Purchase of 2019 Police Vehicles – State of MN Cooperative Purchase (\$102,046.14)

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No appearance.

REPORTS

BSU Student Senate – Alexis Bugera-Brown, Student Senate Representative, updated council on senate activities including advocating for higher education at the Capitol. She reported that the student senate is seeking to increase the Green Fee from \$7.00 to \$10.00 and to also have the Director's salary come out of the general fund rather than from the revenue generated from the green fee. She also stated that the student senate elections are coming up.

NEW BUSINESS

Sister Cities International

Gary Rozman, Director of the Beltrami County History Center, reported on the progress that has been made regarding the anticipated Sister City relationship with the City of Filottrano, Italy, in honor of Giacomo Costantino Beltrami. It is recommended that a committee be formed to help guide the City in the early stages of the Sister City relationship. Additionally, it is recommended to become a member of Sister Cities International which provides many programs and resources in establishing a sister city relationship. A letter from the City of Filottrano was received approving a "Sistership" with the City of Bemidji. In order to advance this initiative, council would need to approve the following: 1) membership to Sister Cities International, 2) formation of a committee, and 3) entering into a sister city relationship with Filottrano, Italy.

Motion by Meehlhause, seconded by Erickson, to approve membership to Sister Cities International, to approve a Sister City committee and to approve entering into a sister city relationship with Filottrano, Italy. Motion carried by unanimous vote.

WWTF Activated Sludge Aeration Upgrades – City Project 19-03

Gray stated that the upgrades for the WWTF activated sludge aeration systems are budgeted in the 2019 CIP. He further stated that this will not add any capacity to the plant but will reconstruct and refurbish all of the activated sludge aeration systems originally installed in the mid-1980s. Two bids were received:

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| 1. Magney Construction, Inc. | \$ 976,300 |
| 2. Rice Lake Construction | \$1,033,200 |

Magney Construction has completed a number of similar projects in Minnesota and in 2013 they successfully completed a clarifier project at the WWTF for the City. In addition to the construction costs there are also design and construction inspections costs for a total project cost of \$1,060,000. The project will be funded with sanitary sewer utility funds.

Motion by Erickson, seconded by Rivera, awarding the bid to Magney Construction, Inc. in the amount of \$976,300 for the Wastewater Treatment Plant Activated Sludge Aeration Upgrades – City Project 19-03. Motion carried by unanimous vote.

Professional Services for South Shore Park Drop-Off – City Project 19-05

Gray stated that as a part of the Lake Bemidji South Shore Development PUD, a parcel was identified to be developed for future parking/drop-off for the South Shore Park. Three proposals were received to provide engineering design, bidding and construction services for the project. The following are the names of the firms and the combined fees for design and bidding:

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| 1. Freeberg & Grund | \$13,200 |
| 2. Karvakko | \$14,000 |
| 3. Widseth, Smith, Nolting | \$14,858 |

All of the firms submitted excellent proposals and are capable of completing this scope of work, and have completed numerous projects for the City of Bemidji as well as other cities in the State. The total cost for the project is approximately \$225,000 which is budgeted in the 2019 CIP.

Council discussed the following:

- Erickson and Beard stressed the need for parking for the disabled and families.
- Albrecht suggested using part of Lot 1, Block 5 South Shore Addition (just south of the proposed drop off site) to construct approximately 20 parking spaces. It would cost approximately \$40,000 to create those parking spaces.

Gray stated that Freeberg & Grund could include the work proposed for the additional 20 parking spaces in the preliminary design work as a bid alternate for council consideration.

Motion by Meehlhause, seconded by Beard, to enter into a Professional Services Agreement with Freeberg & Grund in the amount of \$13,200 for Design and Bidding Services for the South Shore Drop-off Road Project – City Project 19-05. Motion carried by unanimous vote.

Legislative Priorities

Mathews provided, for the council’s information, the list of the legislative priorities submitted to the Chamber for Bemidji Day at the Capitol. In addition to those issues, Mathews stated that staff is recommending that the City submit a state bond request for 2019 for \$2 million for the well project and also a state bond request for 2020 for \$10 million for a PFC water treatment plant at the airport. Representative Persell has been contacted and supports a bond submission by the City. Senator Eichorn will also be contacted.

Motion by Meehlhause, seconded by Rivera to direct staff to work with legislators to draft bonding language and work with legislators for a 2019 bond request of \$2 million (approximate) for the well project. Motion carried by unanimous vote.

ORDINANCES

“Special Events” Ordinance

Felix summarized the proposed changes to the draft ordinance based on the meeting of the Public Works Committee and concerned event organizers which includes exempting parades from providing mailed notice of a street closure and modifying the language regarding “no parking” signs.

Pursuant to published notice, a Continued Public Hearing was held to receive input regarding an Ordinance Amending Chapter 20 of the Bemidji City Code Entitled, “Streets, Sidewalks and Other Public Places” by Adding Section Relating to “Permitting of Special Events”. Mayor Albrecht re-opened the Public Hearing at 7:13 p.m. with the following comments:

- Lois & Steve Hensel, 102 3rd Street NW, suggested that the definition of a special event be more defined in regards to a “private” event versus a “community” event. They raised many concerns regarding an event in front of their business on 3rd Street NW held during their regular business hours.

Hearing no further comments Mayor Albrecht closed the public hearing at 7:25 p.m.

Motion by Meehlhause, seconded by Beard, accepting the revised Ordinance. Motion carried unanimously.

AN ORDINANCE Amending Chapter 20 of the Bemidji City Code Entitled, “Streets, Sidewalks and Other Public Places” by Adding Section Relating to “Permitting of Special Events” was given a second reading.

“Tobacco 21” Ordinance

Pursuant to published notice, a Public Hearing was held to receive input regarding an Ordinance Amending Chapter 12 of the Bemidji City Code, Article XIX Entitled “Tobacco”, Relating to the Minimum Age for Sales of Tobacco-Related Products. Mayor Albrecht opened the Public Hearing at 7:32 p.m. with the following comments:

The following individuals spoke in support of the “Tobacco 21” ordinance speaking to the epidemic use of e-cigarettes by minors which is then an introduction to the use of tobacco products and other illicit drugs; the significant health risks from the use of tobacco and its impact on the community; the struggle and challenge to quit smoking; and the leadership needed at the local level to help push the state legislature to change the age from 18 to 21 statewide to help protect youth from tobacco use and addiction.

- Cynthia Borgen, Beltrami County Public Health Director
- Peter Korhonen, 2080 Doris Ct, parent and registered nurse
- Nida Junaid, 415 Lakeshore Dr NE, physician at Sanford Health
- Sarah Lehmann, 2946 Forest View Dr, employee at Sanford Health and parent
- Warren Larson, Director of Public Affairs at Sanford Health

The following individuals spoke about including a “grandfather” clause in the ordinance so that those who are now legal to purchase tobacco products could still do so.

- Alisha Casey, 5716 Sumac Rd NE, business owner
- Carrie Soto, Hines, MN – supports a grandfather clause due to forcing a lifestyle change of tobacco users citing an individual’s choice to quit smoking

It was also noted that a written response was received from John Noraas, opposing the tobacco 21 ordinance, citing government overreach.

Hearing no further comments Mayor Albrecht closed the public hearing at 7:57 p.m.

Council discussed the following:

- Erickson stated that she opposes the enforcement of this at the local level and feels it should change at the state level.
- Rivera spoke of unintended consequences and youth vulnerability by changing who they purchase their tobacco products from.
- Beard supports the ordinance and spoke about the marketing to youth by tobacco companies.
- Meehlhause also spoke about the change of how minors access tobacco products. He stated he supports the ordinance because of the public health issues.
- Albrecht spoke about the leadership of the City Council in helping to push the state to change the age limit statewide.

AN ORDINANCE Amending Chapter 12 of the Bemidji City Code, Article XIX Entitled “Tobacco”, Relating to the Minimum Age for Sales of Tobacco-Related Products was given a second reading.

UPCOMING COUNCIL MEETINGS

- Monday, March 11 5:30 p.m. Work Session – Ice Study
- Monday, March 18 6:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

- Council members and staff provided updates on current issues and meetings.

ADJOURN

There being no further business, motion by Meehlhause, seconded by Rivera, to adjourn the meeting. Motion carried. Meeting adjourned at 8:30 p.m.

Respectfully submitted,



Michelle R. Miller
City Clerk