

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Work Session – Friday, May 29, 2020

Pursuant to due call and notice, a special meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Friday, May 29, 2020, at 1:00 p.m. in the Chambers of City Hall, Mayor Albrecht presiding via video and telephone conference.

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

Staff Present: City Manager Nate Mathews, Finance Director Ron Eischens, City Attorney Alan Felix, Assistant City Attorney Katie Nolting, City Engineer Craig Gray, Parks & Recreation Director Marcia Larson, City Clerk Michelle Miller, Deputy City Clerk Bobbi Karpinski, Building Official Bryan Kerby, Police Chief Mike Mastin

Consider Outdoor Seating Options for Restaurants/Liquor Establishments

Mathews stated that the Public Affairs Committee met on Tuesday, May 26 to discuss developing guidance and recommendations to assist restaurants and bars in Bemidji to open on June 1 under the new executive order issued by the Governor's office. He stated that, regarding the downtown area, it was clear that no comprehensive ROW use plan can be created without the potential of creating more problems, as the downtown is a mix of retail, professional, residential and restaurant/bar use. Staff have received several proposals from businesses for council consideration. Additionally, staff met with each owner on-site to discuss their proposed plan and to help alleviate questions and concerns. The proposals received were as follows:

- Buffalo Wild Wings, expanded outdoor patio use on private property (with alcohol)
- Hard Times, expanded outdoor patio use on public property (with alcohol)
- Keg-n-Cork, expanded outdoor patio use on public property (with alcohol)
- Tutto Bene, expanded outdoor patio use on public property (with alcohol)
- Brigid's Pub, expanded outdoor patio use on public property (with alcohol)
- Bar 209, expanded outdoor patio use on public property (with alcohol)
- Wild Hare, request for designated parking spaces for curbside pickup (food only)
- MN Nice, outdoor patio seating on public property (food only)

Felix stated that with the expanded outdoor patio use for the service of alcohol, the city will need an updated certificate of insurance for the expanded outdoor premises and to also list the City of Bemidji as additional insured if the expanded premises is located on public property. Additionally, applicants must provide a site plan for the outdoor patio space which must be compact and contiguous to the building for the service of alcohol.

Motion by Meehlhause, seconded by Johnson, approving the expanded outdoor patio space for the service of food and alcohol on private property for Buffalo Wild Wings. Motion carried by the following roll call vote: Yeas: Rivera, Erickson, Meehlhause, Albrecht, Johnson. Nays: None. Absent: Thompson

Mathews presented the proposal from Hard Times which consists of utilizing sidewalk and parking spaces for outdoor seating at the intersection of Beltrami Avenue and Third Street NW. Staff stated that the outdoor seating areas will close at 10:00 p.m. Additionally, Felix stated that smoking is not prohibited from outdoor seating areas. However, individual business owners can determine if they will allow smoking in the outdoor areas.

Gray addressed the proposal submitted by Dave Hengel and Abby Randall which proposes to create a one-way southbound lane on Beltrami Avenue between 3rd and 5th Streets, as well as a half block one-way northbound lane on Minnesota Avenue outside of Bar 209/Red Stu. He reported that the cost to install one way barriers and provide appropriate detour signage, the cost to have that done is \$24,000. However, if the city chooses to close parking spaces for outdoor patio use, the cost of renting water filled jersey barriers is about \$12,000 for the downtown businesses requesting public use for outdoor patio space through October 1, 2020. While city staff could install those barriers, since businesses are able to open on Monday, June 1, the barriers would need to be installed on Saturday, which will incur staff overtime to accomplish that. The approximate cost of overtime is \$3,500. Council suggested that the Federal Cares funds could potentially reimburse the city for these costs.

Motion by Meehlhause, seconded by Johnson, authorizing staff to rent water filled jersey barriers through October 1, 2020 in the amount of \$12,000 and authorizing staff overtime

for the installation of these barriers by noon on Monday, June 1 in the approximate amount of \$3,500. Motion carried by the following roll call vote: Yeas: Erickson, Albrecht, Johnson, Rivera, Meehlhause. Nayas: None. Absent: Thompson

Motion by Meehlhause, seconded by Johnson, approving the use of public right of way, including sidewalk and parking spaces, for outdoor patio space for the service of food and alcohol for Hard Times. Motion carried by the following roll call vote: Yeas: Meehlhause, Johnson, Rivera, Erickson, Albrecht. Nayas: None. Absent: Thompson

Mathews presented the proposals from Tutto Bene, Keg-n-Cork and Brigid's Pub. All three of these establishments are located on Beltrami Avenue between 3rd and 4th Streets. Brigid's is requesting use of the sidewalk and parking spaces. Tutto and Keg-n-Cork are requesting sidewalk and alley space. After discussions with staff and the business owners and upon council discussion, it was recommended that Tutto and Keg-n-Cork should be allowed to use parking spaces in order to provide adequate spacing between tables and provide a walkway for pedestrians.

Abby Randall, Bemidji Chamber President, described the proposal submitted by Bemidji Alliance. She stated that they canvassed the area and spoke to as many businesses owners as possible. They provided an overall concept after the public affairs committee discussion. They also worked with the Bemidji Downtown Alliance regarding the use of parking lots. Gray stated that he does not recommend a one way lane for safety reasons and cost. Erickson and Rivera expressed concern of businesses and residents not being consulted with or notified of the proposed one-way lane option. There was no consensus of the council to adopt the one-way lane on Beltrami Avenue from 3rd Street to 5th Street.

Motion by Rivera, seconded by Johnson, approving the use of public right of way, including sidewalk, alley and parking spaces, for outdoor patio space for the service of food and alcohol for Keg-N-Cork. Motion carried by the following roll call vote: Yeas: Johnson, Albrecht, Erickson, Meehlhause, Rivera. Nayas: None. Absent: Thompson

Motion by Meehlhause, seconded by Erickson, approving the use of public right of way, including sidewalk and parking spaces, for outdoor patio space for the service of food and alcohol for Tutto Bene. Motion carried by the following roll call vote: Yeas: Erickson, Johnson, Rivera, Albrecht, Meehlhause. Nayas: None. Absent: Thompson

Motion by Meehlhause, seconded by Johnson, approving the use of public right of way, including sidewalk and parking spaces, for outdoor patio space for the service of food and alcohol for Brigid's Pub. Motion carried by the following roll call vote: Yeas: Johnson, Albrecht, Meehlhause, Rivera, Erickson. Nayas: None. Absent: Thompson

Mathews presented the request from Bar 209 and Red Stu at Minnesota Avenue NW and 3rd Street NW. They requested a one-way lane northbound on Minnesota Avenue from the alley to 3rd Street. However, after consulting with staff, due to safety and costs concerns, it was recommended to close the entire street, from the alley to 3rd Street NW for the use of Bar 209 and Red Stu which could each serve 50 guests each for a total of 100. Concerns were addressed from a neighboring business of the closure. Rivera expressed concern of closing the entire section of road. Gray recommends either closing the entire section or closing only parking spaces.

Motion by Johnson, seconded by Erickson, to close Minnesota Avenue NW from the alley to 3rd Street NW, for outdoor patio space for the service of food and alcohol for Bar 209/Red Stu. Motion carried by the following roll call vote: Yeas: Albrecht, Meehlhause, Johnson, Erickson. Nayas: Rivera. Absent: Thompson

Consider Refund of a Portion of Liquor License Fees

Due to the length of the meeting, the issue of refunding a portion of liquor license fees will be discussed at the June 1, 2020 council meeting.

Adjourn

There being no further business, motion by Erickson, seconded by Johnson, to adjourn the meeting. Motion carried. Meeting adjourned at 4:36 p.m.

Respectfully submitted,



Michelle R. Miller
City Clerk