

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – July 6, 2015

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, July 6, 2015 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, Johnson, Hellquist, Olson, Erickson, Larson

Staff Present: City Manager Nate Mathews, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Albrecht called for any amendments to the agenda. The following item was requested to be added under the Consent Agenda: Authorize Greater Bemidji to Submit a Proposal to SBA for the "Start-Up in a Day Challenge".

Motion by Erickson, seconded by Hellquist, to approve the agenda as amended. Motion carried by unanimous vote.

MINUTES

The following minutes were presented for approval:

Regular Council:	June 15, 2015
Closed Work Session:	June 16, 2015
Sp Work Session:	June 16, 2015
Sp Work Session:	June 22, 2015
BEDA Meeting:	June 22, 2015

Motion by Erickson, seconded by Olson, to approve the minutes as prepared. Motion carried by unanimous vote.

CONSENT AGENDA

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

1. Claims Submitted by Finance Officer in the amount of \$1,901,465.22
2. Claims Submitted by Venuworks for the Sanford Center in the amount of \$45,604.46
3. General Business Licenses for 2015
4. 1 Day Temporary Consumption & Display Permit - Watermark Art Center – August 7
5. Budget Modification No. 1
6. **RESOLUTION NO. 5955:** Accepting a \$3,000 Donation from North Country Snowmobile Club – DARE Program
7. **RESOLUTION NO. 5956:** Approving the Site for the 2015 Lake Bemidji Dragon Boat Festival
8. **RESOLUTION NO. 5957:** Designating the City Act as Fiscal Agent on Behalf of Greater Minnesota Parks & Trails Commission
9. Proposal and Enter into Contract with the HRDC to Administer the Small Cities Development Program (SCDP) Award
10. Accepted the 2016-2017 Minnesota Auto Theft Prevention Grant
11. Travel Authorization – CGMC Summer Conference in Duluth, July 22-24 – Johnson, Meehlhause
12. Authorized Greater Bemidji to Submit a Proposal to SBA for the Start-Up in a Day Challenge"

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

- Lynn Moore, 8539 Waterview Ct. NE, stated each year in the United States, nearly 100 children under the age of 17 die from unintentional shootings and more than 400 commit suicide with the gun. Her purpose in being at the Council meeting was to spread the SMART message. Smart means: Secure all guns in your home and vehicles; Model responsible behavior around guns; Ask about the presence of

unsecured guns in other homes; Recognize the risks of teen suicide; and Tell your peers to be SMART.

- Adam Steele, 189 Gemmel Avenue, requested that the City Council have the crucifix on the corner of 2nd and Minnesota Avenue be removed.

OLD BUSINESS

Change Order #2 and #3 – Paul Bunyan/Library Park

Parks & Recreation Director Larson reviewed Change Order #2 for the Paul Bunyan/Library Park project which will address the following items at a cost of \$22,899.30:

- Additional borrow (dirt) and grading on the site to ensure grades are met and drainage;
- Removal of a portion of the bituminous trail where the play area will be located;
- Removals of existing plants and new planting in the planters in front of the Tourist Information Center.

Councilor Erickson stated that she called an area greenhouse and was quoted a price approximately \$10 per plant lower. Ms. Larson responded that the quote is from the subcontractor working for Reiersen Construction on this project.

Councilor Larson asked about the reason for the additional borrow on the site. Ms. Larson responded that it was a combination of the survey being off by approximately 15 feet and the quantity was estimated too low.

Motion by Meehlhause, seconded by Olson, to approve Change Order #2 for the Paul Bunyan/Library Park project in the amount of \$22,899.30. Motion carried with the following vote: Ayes: Meehlhause, Hellquist, Johnson, Erickson, Albrecht, Olson. Nays: Larson.

Change Order #3 according to the Parks & Recreation Director was provided to formalize the decision made by the City Council at their June 22, 2015 meeting. This change order includes the removal of the berm and boulders and general excavation, relocating the lighting on Paul & Babe, and costs associated with replacing the center landscaping concrete and the addition of a color to the plaza. Ms. Larson noted that this change order increases the contract time by 21 days, with substantial completion on October 6, 2015. The cost for Change Order #3 is \$65,202.

Motion by Erickson, seconded by Hellquist, to approve Change Order #3 which includes lighting, berm and color concrete for the Paul Bunyan Plaza in the amount of \$65,202. Motion carried with the following vote: Ayes: Hellquist, Johnson, Erickson, Larson, Albrecht. Nays: Olson, Meehlhause.

Location of Niimi Statue

Parks & Recreation Director Larson stated that the Parks & Trails Commission, members of the art community and staff identified four options for locating Niimi in the park. She reviewed the four options. She stated that the Parks & Trails Commission did not have a single recommendation on the location for the statue. Options 1 through 3 could be done at no additional cost and the location for Option 4 would require additional cost for design and construction of a new pedestal.

Wanda Odegard, Niimi Statue artist, stated that she has concerns about where the Council locates the statue. She has looked at all the proposed sites and recommended Option 4, north of the Tourist Information Center. She stated that the statue weighs less than 1,000 pounds and would require a 15' x 15' platform.

Sandy Kaul, Chair of the Public Arts Commission, stated that she also preferred the north location and had concerns about large public events and that the statue might get damaged if people climbed on it.

Discussion continued regarding the best location for the Niimi Statue. Several councilmembers felt that Option 1 would make the Niimi Statue visible from the 2nd Street entrance and provide a scenic background as well as separate it from the other statues in the park.

Motion by Larson, seconded by Erickson, to approve Option 1 as the new location for the Niimi Statue as well the location of the bike rack. Motion carried with the following vote: Ayes: Johnson, Erickson, Larson, Hellquist. Nays: Olson, Albrecht, Meehlhause.

NEW BUSINESS**Senior Deferred Special Assessment**

City Attorney Felix reviewed a request from the family of the former property owner at 915 America Avenue NW. He stated that the family is requesting the Council to consider either reducing or waiving the interest that has accrued on the Senior Citizen deferral granted for a previous special assessment levied against the property. Felix advised the Council not to revisit issues of accrued interest on a parcel by parcel basis. He further stated that the City should communicate to the property owner that the City cannot and/or will not reduce the amount of interest that has accrued and is otherwise due on the outstanding deferred special assessment.

Motion by Erickson, seconded by Larson, to not approve the request to waive or reduce the interest amount for the property owner at 915 America Avenue NW. Motion carried unanimously.

Liquor Store Feasibility Study

City Manager Mathews submitted a feasibility study proposal regarding the liquor store operations. He noted that both stores are profitable but we want to be sure they continue to be in the future.

Eischens stated that the Council has looked at expanding or new locations for the City's liquor stores in the past. The north liquor store is over 40 years old, has poor parking and access is challenging. He commented that the north location is excellent but this facility will need significant future investment if it is to remain as profitable. He stated that the liquor market share is limited. He stated that doing the study does not commit the City to liquor store expansion but will give additional data to analyze the pros and cons of doing so.

Erickson inquired about the building age and inventory. Eischens stated that the liquor store is old but the real issue is the design; there are two levels and inventory is kept in the basement.

Erickson asked if the intent was to hire this person to look at only the need for a new store as she does not support that.

Johnson stated that there have been many conversations over the years regarding the north liquor store location including buying the property next to it. He stated that the north liquor store is successful but there are many problems with the building and he believed that doing a study is important.

Meehlhause noted that we are not competing with just ourselves but surrounding liquor stores. Some of the neighboring liquor stores are newer with more products.

Erickson stated that our liquor stores are not failures as they make \$700,000 in profit. She asked perhaps there are more customers but we need to be careful not to create our own competition. She does not support the third store but would be interested in learning about the customer base.

Mayor Albrecht stated that our liquor stores do not have enough cooler space to offer what customers want. Albrecht stated that the law may change in the future that will allow Sunday liquor and the City should prepare now.

Motion by Hellquist, seconded by Meehlhause, to accept the proposal from Dakota Worldwide Corporation for financial and market feasibility study for an additional liquor store location or expansion in the amount of \$8,250. Motion carried unanimously.

ORDINANCE

AN ORDINANCE Repealing Ordinance No. 115, 3rd Series, and Amending an Uncoded Section of the Bemidji City Code Pertaining to Street Vacation (Hillside Avenue NW) was given a first reading.

UPCOMING COUNCIL MEETINGS

- Monday, July 13 5:30 p.m. Work Session – Union Negotiations (Closed)
- Monday, July 20 6:00 p.m. Council Meeting

COUNCIL/STAFF REPORT

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

ADJOURN

There being no further business, motion by Hellquist, seconded by Meehlhause, to adjourn the meeting. Motion carried. Meeting adjourned at 7:23 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk