

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Special Joint Work Session – April 5, 2023

Pursuant to due call and notice, a special joint work session of the City Council of the City of Bemidji, and Northern Township Board, Beltrami County, Minnesota, was held on Wednesday, April 5, 2023, at 5:00 p.m. in Council Chambers of Bemidji City Hall, Mayor Prince and Northern Township Chair Frenzel, presiding.

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

Upon roll call, the following Township Supervisors were declared present: Frenzel, Kelly, Blumhagen, Lahn, Barnard.

Staff Present: City Attorney Katie Nolting, Assistant City Engineer Sam Anderson, Planning Administrator Jamin Carlson, Assistant City Engineer Jenna Roberts, City Clerk/acting City Manager Michelle Miller.

DISCUSSION ON WATER AND SEWER INFRASTRUCTURE ALONG THE NORTHERN PORTION OF LAKE BEMIDJI

The following comments were made from members of the boards as well as City Staff:

Northern Township:

- The state bonding bill request is not moving forward due to the lack of an agreement between the Township and the City.
- The federal dollars are still earmarked for the project but more details are still coming.
- Ruttger's has to make a decision by the end of year.
- Phase 1 of the project includes Birchmont Beach Road and Ruttger's Birchmont Lodge.
- The City proposed several options, the Township opted to move forward with the most difficult option, now the City says it will not work.
- The Township has received several letters of support to seek funding and have had several conversations with different entities.
- Preliminary conversations with the State Park, they have indicated they would allow the pipe to be installed across its property to allow for future extension to the Lavinia area.
- The MPCA has indicated they will stay neutral regarding any authority they might have regarding forcing annexation.
- The Township attorney and engineer have reviewed the memorandum prepared by the City Attorney and City Engineer and disputes some of the "impossible" scenarios in the memo.
- The Township started exploring incorporation due to the need for staff in order to maintain infrastructure and to maintain a tax base.
- A mediated discussion regarding the details of an MOU would be beneficial.
- Kelly stated that the Township does have a "Plan B", that being a lagoon system; however, they prefer to try to work with the city for extension of services.
- Lahn stated the Township wants the City to follow through with the offer it made to the Township.

City of Bemidji

- Johnson supports either orderly annexation or straight annexation to extend services.
- Capacity at the water treatment plant is sufficient with the new clarifier project coming in 2024.
- Rivera expressed a desire for these conversations between the City and the Township be facilitated as well as including other entities that may be affected in the conversations; including, but not limited, Beltrami County, DNR, and others.
- The details of any Memorandum of Understanding are contingent upon who owns and maintains the equipment. Other details include fees, which are also contingent upon who owns and installs meters as well as billing for usage.
- Contractual solutions are good intentions, but in the event of catastrophic events, the citizens are still at risk and suffering the effects of that event.
- Nolting stated that certain conditions can be included in an MOU; however, conditions used to go around annexation is not allowed by a Memorandum of Understanding and must be done with an Orderly Annexation Agreement.
- Thayer supports working towards an MOU and would like to avoid annexation.
- Eaton inquired about the Township doing a lagoon system.
- Prince reiterated that he was willing to explore the option offered by the City and accepted by the Township but it depends on the details. In order for the Council to proceed with discussions on a Memorandum of Understanding, Prince posed the question of whether or not the council wants to change the City policy to extend services without annexation.
- Eaton and Rivera inquired if the Township and City can form a water/sewer district.

- Prince suggested an agenda item at an upcoming council meeting to vote on whether or not the council wishes to proceed with an MOU discussion.
- Nolting advised the Council to obtain outside counsel as it relates to a water/sewer district. Nolting also advised that the Council should make a decision on moving forward with the MOU before negotiating terms of a Memorandum. Nolting stated she could get a quote for council at the next council meeting from a law firm related to water/sewer district legal advice.

ADJOURN

There being no further business, motion by Prince seconded by Eaton, to adjourn the meeting. Motion carried. Meeting adjourned at 6:50 p.m.

Respectfully submitted,



Michelle R. Miller
City Clerk