

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Work Session – May 9, 2022

Pursuant to due call and notice, a work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, May 9, 2022 at 5:30 p.m. in the Conference Room of City Hall, Mayor Prince presiding.

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

Staff Present: City Manager Nate Mathews, City Attorney Al Felix, Assistant City Attorney Andrea Kingbird, Assistant City Attorney Katie Nolting, Assistant City Attorney Greg Jones, Police Captain David LaZella, Police Officer Tabitha Carrigan, Rental Inspector Ben Hein, City Engineer Craig Gray, Deputy City Clerk Bobbi Fisher.

Others: Rental Committee member Kathy Guess.

Mayor Prince stated that the purpose of the work session is to discuss some of the work the ad hoc rental committee has been doing and the resulting rental ordinance.

Rental Committee/Rental Ordinance Discussion

Mathews stated in April 2021 the Ad Hoc Rental Committee was formed and have been meeting to review the rental ordinance in its entirety. The committee is ready to bring the conversation to the full council for opinions and additional conversation and direction. Mathews highlighted the following topics that stood out during the committee's discussions.

- Sections 10-42 Definitions – Specifically the Agent or Property manager, Family, Resident Manager, Dwelling Unit
- Section 10-45 Resident Agent Required - regarding location of said resident.
- Section 10-46 Crime Free Multi-Family Educational Training Program - merits and risks of the program
- Section 10-47 Occupancy – regulation of occupancy with unrelated parties.
- Section 10-52 Inspection program – the process and timing of inspections.
- Section 10.58 – Conduct on Registered Premises and the Strike program. Specifically if the program should be kept or not.

As a member of the Rental Committee, Councilor Rivera stated the committee's discussions have been in-depth and at a philosophical level on what's policy, what's ordinance, what can be handled inhouse, when involvement from law enforcement is needed and what needs to be written. Keeping in mind concerns related to the people whom are most vulnerable to the policy. Over the course of the last year the committee had invited and discussed the ordinance with local housing advocacy groups and members from various legal communities. Invitations were made to renters to participate, however input and feedback from renters was difficult to obtain.

The majority of council discussion surrounded the Crime Free Housing Strike Program. Council listened to the perspectives from Law Enforcement and Building Department staff, whom are both in favor of continuing the program. Stating it's a useful tool and aides in opening the lines of communication. It provides notification to landlords and tenants of issues and helps to remedy unfavorable situations. The perspective from the landlord is to keep the policy with updates as needed.

Those opposed to the policy list reasons such as the disparate impact on communities and how it negatively impacts communities of color. It also creates liability for the city, indicating that human error in determining what's a rental or not, which could potentially raise concerns about selective enforcement.

Council discussed and would like to see statistical data on the strike program's effectiveness. Members of the committee, law enforcement and staff have limited data due to non-trackable information or information that is difficult to put together such as the disparate impact. There is also missing information on rentals homes. Trying to find out how many evictions are done is difficult, often times a mutual agreement between a tenant and landlord is done to keep an eviction off their record.

General consensus of the council is the city should have program in place. There is a want for equitable housing in the City of Bemidji. The idea of a survey from the public is a great idea as many may not want to come in front of the public. Making changes without data is difficult and the council would like to revisit this topic in a pre-designated amount of time.

Council also discussed occupancy requirements which led the conversation back to the definition of family and number of bedrooms in a home. Council briefly touched on strikes against a property to hold the landlord and property manager accountable for unsafe living conditions.

Mathews summarized the council's direction for the committee as the need for more tenant input, more specific occupancy requirements, data on strikes and a policy on strikes against the property.

ADJOURN

There being no further business, motion by Peterson seconded by Eaton, to adjourn the meeting. Motion carried. Meeting adjourned at 8:02 p.m.

Respectfully submitted,



Bobbi Fisher
Deputy City Clerk