

COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting – November 6, 2023

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, November 6, 2023 at 6:00 p.m. in the Council Chambers of City Hall, Mayor Prince presiding.

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

Staff Present: City Attorney Katie Nolting, City Engineer Sam Anderson, Parks & Recreation Director Marcia Larson, Fire Chief Justin Sherwood, Planning Director Jamin Carlson, Rental Inspector Ben Hein, City Clerk/acting City Manager Michelle Miller

AMENDMENTS TO AGENDA

Mayor Prince called for any amendments to the agenda. Motion by Rivera, seconded by Eaton to remove Discussion of Investigation Regarding the Process of 2022 Redistricting from the Agenda. Motion failed by the following roll call vote: Yeas: Fiskevold Gould, Eaton, Rivera. Nays: Johnson, Prince, Peterson, Thayer. **Motion by Peterson, seconded by Eaton, approving the agenda as presented. Motion carried by the following roll call vote: Yeas: Thayer, Johnson, Eaton, Rivera, Fiskevold Gould, Peterson, Prince.**

MINUTES

The following minutes were presented for approval:

| | |
|------------------|-----------------|
| Work Session: | August 14, 2023 |
| BEDA Meeting: | August 21, 2023 |
| Council Meeting: | August 21, 2023 |
| Work Session: | August 28, 2023 |

Motion by Rivera, seconded by Thayer, approving minutes as presented. Motion carried by the following roll call vote: Yeas: Rivera, Johnson, Fiskevold Gould, Thayer, Prince, Eaton. Abstain: Peterson.

CONSENT AGENDA #1

Mayor Prince called for any amendments to be made to Consent Agenda. Thayer requested that the Purchase of 2027 Fire Engine be pulled for discussion. The following Consent Agenda items were presented for approval. **Motion by Fiskevold Gould, seconded by Johnson, to approve Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the Amount of \$2,870,967.89
2. Claims Submitted by ASM Global for the Sanford Center in the Amount of \$229,280.03
3. Approve July and August Financial Statements for the Sanford Center Submitted by ASM Global
4. 2024 Business License Renewals
5. 2024 Liquor, Sunday Liquor and Wine License Renewals
6. First Reading of On and Off Sale Beer License Renewals for 2024
7. Approve Appointment of Kayla Winkler to the Sanford Center Advisory Board
8. Approve Appointment of Katie Carter to Public Arts Commission
9. Approve Purchase of Front-End Loader (Streets)
10. Approve 2024 Bemidji Volunteer Firefighters' Relief Association Pension Benefit
11. Approve Change Order #04 for the Water Treatment Plant Project
12. **RESOLUTION NO. 6518:** Adopting Assessment Roll for Water/Sewer Deferred Assessment Fees (Connections Completed in 2023)
13. Authorize Council Travel – 2023 CGMC Fall Conference (Willmar), November 16-17, 2023 (Prince, Thayer, Rivera)

Motion carried by unanimous voice vote.

CONSENT AGENDA #2

Mayor Prince called for any items to be pulled from consent agenda #2. The following Consent Agenda item was presented for approval. **Motion by Thayer, seconded by Johnson, approving Consent Agenda #2 as follows:**

14. Claims Submitted by Finance Officer for Visit Bemidji in the Amount of \$57,400.66

Motion carried by the following roll call vote: Yeas: Thayer, Fiskevold Gould, Prince, Rivera, Eaton, Johnson. Abstain: Peterson due to his role as the Executive Director of Visit Bemidji.

CITIZENS WITH BUSINESS NOT ON AGENDA

Rita Albrecht, 1910 Norton Avenue, provided comments regarding the Mississippi Headwaters Meeting held on November 3, 2023.

ORDINANCES**Public Hearing of an Ordinance Amending Fee Schedule (2024)**

Pursuant to published notice a public hearing was held regarding input on an Ordinance Amending Fee Schedule (2024). Mayor Prince opened the Public Hearing at 6:15 p.m. Hearing no comments, Prince closed the Public Hearing at 6:15 p.m.

AN ORDINANCE Amending Fee Schedule for 2024 was given a first reading.

Final Reading of Ordinance Amending Bemidji City Code to Replace Chapter 22 and Chapter 28 with a Development Code for the City

ORDINANCE NO. 199, 3RD SERIES, AN ORDINANCE Amending Bemidji City Code to Replace Chapter 22 and Chapter 28 with a Development Code for the City was given a final reading and passed by the following roll call vote: Yeas: Eaton, Prince, Peterson, Thayer, Johnson, Rivera, Fiskevold Gould.

Motion by Peterson, seconded by Thayer, approving publication of a summary of Ordinance No. 199, 3rd Series. Motion carried by unanimous voice vote.

Final Reading of an Ordinance Amending Chapter 2, Article V of the Bemidji City Code to Reestablish the City of Bemidji Planning Commission

ORDINANCE NO. 200, 3RD SERIES, AN ORDINANCE Amending Chapter 2, Article V of the Bemidji City Code to Reestablish the City of Bemidji Planning Commission was given a final reading and passed by the following roll call vote: Yeas: Prince, Rivera, Thayer, Johnson, Eaton, Fiskevold Gould, Peterson.

Motion by Rivera, seconded by Fiskevold Gould, approving publication of a summary of Ordinance No. 200, 3rd Series. Motion carried by unanimous voice vote.

AN ORDINANCE Amending Chapter 2, Article V of the Bemidji City Code to Reestablish the City of Bemidji Planning Commission was given a second reading.

Final Reading of an Ordinance of Bemidji City Code Amending the 2023 Fee Schedule to Include Zoning Fees

ORDINANCE NO. 201, 3RD SERIES, AN ORDINANCE Amending the 2023 Fee Schedule to Include Zoning Fees was given a final reading and passed by the following roll call vote: Yeas: Fiskevold Gould, Eaton, Rivera, Peterson, Prince, Johnson, Thayer.

Motion by Peterson, seconded by Thayer, approving publication of a summary of Ordinance No. 201, 3rd Series. Motion carried by unanimous voice vote.

REPORTS

Jordan Lutz and Charles Biberg presented the Annual Sustainability Commission Report.

NEW BUSINESS**Consider Dissolution Agreement with Northern Township Regarding Joint Planning**

Motion by Thayer, seconded by Peterson approving the Agreement Regarding the Dissolution of the Greater Bemidji Area Joint Planning Board Joint Powers Entity and authorizing the Mayor and City Clerk/acting City Manager to execute the agreement. Motion carried with the following roll call vote: Yeas: Johnson, Fiskevold Gould, Prince, Eaton, Peterson, Thayer, Rivera.

Consider Request from Beltrami County History Center

The Beltrami County Historical Society (BCHS) was in communication with staff of the following departments, the JPB, City Building Department, City Fire Department, City Legal, and the City Clerk Office to discuss a proposal for the purchase and installation of a Great Northern Railway Caboose. BCHS will secure the ownership of the caboose from East Grand Forks and requests the City of Bemidji allow for the placement on the railway tracks in front of the Depot. City Staff met with BCHS representatives on October 25, 2023 to answer questions and address concerns on both sides. Staff concerns were the placement of the caboose blocking visibility to the Depot outside wall fire suppression system, the caboose using a locking system on the wheels to the track and requested a solid safety railing around caboose to prevent the community from climbing on the caboose or falling onto the tracks. No zoning issues were seen in allowing the caboose's placement. The BCHS agreed to move the Caboose to the east to allow visibility of the Fire Suppression System from the parking lot and street, agreed to use locks to prevent the caboose from moving unless needed to be moved for maintenance of the caboose or building, and will investigate a more solid railing system to secure the safety of the community around the caboose.

Emily Thabes, Executive Director of the Beltrami County History Center was available for additional presentation and questions.

Motion by Fiskevold Gould, seconded by Peterson approving the placement of the Great Northern Railway Caboose with the agreed safety features and placement of the Great Northern Railway caboose to allow visibility to fire systems. Motion carried with the following roll call vote: Yeas: Thayer, Johnson, Eaton, Rivera, Fiskevold Gould, Peterson, Prince.

Consider Resolution Adopting City Council Code of Conduct

RESOLUTION NO. 6519: Adopting City Council Code of Conduct was offered by Councilmember Rivera, who moved its adoption, and upon due second by Councilmember Thayer was passed by the following roll call vote: Yeas: Rivera, Peterson, Johnson, Fiskevold Gould, Thayer, Prince, Eaton.

Discussion of Investigation Regarding the Process of 2022 Redistricting

Nolting described three options (1) council could conduct its own investigation into the matter which would be a public process; (2) hire outside counsel to investigate and provide a report; which would be a private process; or (3) the new city manager, Mr. Spiczka, could investigate.

Motion by Rivera, seconded by Eaton, to table discussion until July 2024 for the city manager to review the process. Motion failed by the following roll call vote: Yeas: Fiskevold Gould, Rivera, Eaton. Nays: Peterson, Thayer, Prince, Johnson.

Motion by Fiskevold Gould, seconded by Eaton, to direct the new city manager to review the process and provide recommendations on next steps. Motion failed by the following roll call vote: Yeas: Eaton, Rivera, Fiskevold Gould. Nays: Prince, Peterson, Thayer, Johnson.

Motion by Johnson, seconded by Thayer, to obtain quotes from investigators for the review of the 2022 City of Bemidji redistricting process to confirm that the redistricting fully complied with state requirements and that all information received by the council was done in a timely, complete, and accurate fashion. Motion carried by the following roll call vote: Yeas: Prince, Thayer, Johnson, Peterson. Nays: Rivera, Eaton, Fiskevold Gould.

Consider Purchase of 2027 Fire Engine

Thayer inquired about the cost and details of the purchase of a 2027 fire engine. Chief Sherwood stated that this purchase was pushed from 2026 to 2027 due to the increased costs and supply chain delays.

Motion by Peterson, seconded by Fiskevold Gould authorizing the Mayor and staff to execute a contract to purchase a 2027 Fire Engine. Motion carried with the following roll call vote: Yeas: Fiskevold Gould, Eaton, Rivera, Peterson, Prince, Johnson, Thayer.

UPCOMING COUNCIL MEETINGS

- Tuesday, November 7 ALL DAY Special Election
- Monday, November 20 6:00 p.m. Council Meeting
- Monday, November 27 5:30 p.m. Work Session (2024 FMP)

ADJOURN

There being no further business, motion by Fiskevold Gould, seconded by Peterson, to adjourn the meeting. Motion carried by unanimous voice vote. Meeting adjourned at 8:24 p.m.

Respectfully submitted,


 Michelle R. Miller
 City Clerk