

City Council Minutes
March 20, 2023

The Fergus Falls City Council held a regular meeting on Monday March 20, 2023 at 5:30 pm in the City Council Chambers. Bill Sonmor gave the invocation, and the Pledge of Allegiance was recited. The following council members in attendance: Job, Kvamme, Rufer, Kremeier, Thompson, and Hicks. Rachels and Fish were absent.

Approval of Agenda

A motion and second were made by Hicks and Job to approve tonight's agenda with Kvamme's request to remove the library policies from the consent agenda and Kremeier's request to add old and new business to the agenda and the motion carried. Mayor Schierer commented he would like to address how items are added to the agenda at a future council retreat.

Sloane Petersen was introduced as an intern working in the Kennedy Secondary School work based learning program. She is a senior considering a career in Environmental or Conservation Law and she spoke about her experiences in the Community Development department.

Consent Agenda

The following items were approved under **Resolution #49-2023** by Thompson: Motion approving the following licenses: Minnesota Lawful Gambling Fergus Falls Hockey Association selling pull-tabs, electronic pull-tabs and electronic linked BINGO at Little Chief Outpost; Fergus Falls Area Youth Association dba: Otter Golf for raffle on May 3 at the Pebble Lake Golf Course; Church of Our Lady of Victory for raffle on April 15, 2023 at the Church, 426 W Cavour Ave; THC Product Sales Lincoln Vapors. **Resolution #50-2013** setting a public hearing for a vacation easement as requested by Vector Windows on April 3, 2023 and directing the City Attorney to draft the ordinance language. **Resolution #51-2123** setting a public hearing for April 3, 2023 to consider a business subsidy in the amount of \$250,000 IRP loan to I-94 Properties LLC as recommended by Business Development for Fergus Falls. **Resolution #52-2023** approving budget adjustments. **Resolution #53-2023** accepting the donation of a sound system from the Otter Dugout Club and Fergus Falls Youth Baseball to be permanently installed at the American Legion Baseball Field. The resolution was seconded by Rufer and was adopted.

Minutes

Kremeier asked for a clarification in the minutes and motion and second were made by Kremeier and Hicks to approve the amended minutes from the March 6, 2023, City Council meeting and the motion carried.

Library Policies

Kvamme asked to have the library policies pulled from the consent agenda to comment on the positive impact the library has on many of our community members and to give Library Director Gail Hedstrom the opportunity to promote some of their programs. Hedstrom spoke about the new building and opportunities to provides to all members of the community. She talked about the summer reading and tutoring programs, their art, CD's, vinyl record, cake pan and seed collections that are available for the community to enjoy. The Library Board has been reviewing policies to remain relevant and current noting the council will be asked to act on these recommendations over the upcoming months. Rufer commented on the free audiobook opportunities and thanked both Hedstrom and her predecessor Erin Smith for their enthusiasm and dedication to the Public Library. Kvamme offered **Resolution #54-2023** approving library policies as recommended by the Library Board, which was seconded by Rufer and was adopted.

Bicycle Friendly Community

It has been four years since the city was given a Silver Status as a Bicycle Friendly Community. Wayne Hurley of West Central Initiative and Pedal Fergus Falls has offered to work on the submission of an updated application which is due in August with the assistance of some staff time. There is no fee or requirements of the city to submit the application. The city's work to improve infrastructure, bike lanes, trails and the adoption of a bicycle/pedestrian master plan will be highlighted in the application. Hicks offered [Resolution #55-2023](#) authorizing the submission of a Bicycle Friendly Community application, which was seconded by Thompson and was adopted.

Job Creation Fund

The Job Creation Fund is a Minnesota Department of Employment and Economic Development program that provides financial incentives to new and expanding businesses that meet certain job creation and capital investment improvements. SCR Solutions (SCR) is a local business intending to expand by doubling their current building square footage and adding 8 new full-time staff members within their first 2-3 years of expanded operations. They requested the city adopt a resolution of support for their project that will be submitted along with their DEED application. Rufer offered [Resolution #56-2023](#) adopting a resolution of support for a Job Creation Fund application for SCR Solutions Inc., which was seconded by Kvamme and was adopted.

Reassignment of Tax Abatement Agreement

Northstar Behavioral Health has been providing mental health and chemical health programming in Fergus Falls since 2019. They are undergoing a change in ownership with NBH Fergus Falls, LLC which necessitates a reassignment of the tax abatement agreement from the original ownership entity. The county board also recently consented to the reassignment. All costs of this reassignment will be borne by NBH Fergus Falls, LLC. Hicks offered [Resolution #57-2023](#) approving the reassignment of a tax abatement agreement with Northstar Behavioral Health, LLC to NBH Fergus Falls, LLC, which was seconded by Thompson and was adopted.

Resolution of Accounts

A resolution was offered and seconded by Hicks and Rufer authorizing the payments and claims in the amount of \$1,213,945.86. Kvamme inquired about a professional services bill for the Union Avenue bridge project and railroad crossing easement payment. Hicks asked about furniture for the children's department at the library and the new office space for Visit Fergus Falls. After answering these questions, the resolution was adopted.

Old Business

Council member Kremeier was given the floor to clarify comments from the March 6, 2023, City Council meeting. He referenced the investigation that was brought forward to a council member regarding a private citizen in Ward 2 and a private citizen in ward 3. The private citizen in Ward 2 filed that grievance on his own and he (Kremeier) brought forward the concern from the private citizen in Ward 3 since he serves as a council member in that ward. He said this is not an issue between two council members, but rather between a private citizen and the council member. As the investigation went on in the Ward Three matter, the resident involved wanted to provide his testimony under oath. He was not sure why the testimony was not taken under oath, but since it was not done in that manner, the investigation was closed. He read the following statement, "Honor guides Marines to exemplify the ultimate in ethical and moral behavior, never lie, never cheat or steal, abide by an uncompromising code of integrity, respect human dignity and respect others. I'm going to say his name who that was because it was said by Councilman Rachels at the last meeting. That is Mike Mortenson. I've known Mike for quite a while. Mike is not only a business owner in Fergus Falls, he's a doctor a chiropractic

that treats veterans. He is also a Marine combat veteran who served in a part of the world who the bad guys thought it was okay to drag dead servicemen through the streets. Marine squad leader Mortenson went door to door in that country saving the friendlies allowing us to have our freedoms and one of those is freedom of speech. He has earned the right to speak and show he is not the bad guy.” He asked the mayor to allow Mr. Mortenson the opportunity to address the council. Mayor Schierer invited Mr. Mortenson to the podium.

The following comments were taken by transcription from the March 20, 2023, City Council meeting shown on the city’s YouTube channel.

Dr. Mike Mortenson stated “my address is 911 N Vine Street in Fergus Falls and I am a resident of the third ward. Thank you Mr. Kremeier, for recognizing my service to our country and thank you for being a council member in the third ward. This city is better because of you and how hard you are working for the residents of this ward. I am not represented by the Department of Veterans Affairs tonight or the federal government in my responses, but I am here as a private citizen with my own private views of what happened during the 2020 election. My remarks will be brief and Mayor, you will know when I am finished because my final comments will be directed towards you. Council Member Rachels is not present tonight, but I want to address his comments from the March 6 council meeting when Rachels felt he had to bring my name up and say my name to either be the “Big Man on Campus” or to disparage who I was. As Mr. Kremeier said I live my life by honor and integrity of who I am, and my reputation means everything to me and for me to stand out here today is quite a task in front of you. Everything I'm going to say today I don't take lightly everything is serious and it means a lot to me. Mr. Rachel's brought up my name in what I thought was still a closed investigation within the city at the time. He brought up my name. I was not able to get the transcript from the investigation that was done so to me he exposed my name to the community and that's why I'm here. Tonight, I'm here because he said my name and the mayor said my name and my name was said ten times over the course of that council meeting. I'm here tonight to set the record straight. I'm here tonight to say what happened during that 2022 election in entirety so there'd be no misconception to where it was at. I assure you might not answer the investigation was not out of fear or worry I have a legal team that advises me the same way and they advised me to give my testimony under oath. The discriminatory and the egregious things that were said needed to be under oath, so my name was solid. However, I said the word subpoena which was inappropriate, and they closed the case. I assure you that I was not afraid to make a statement about that. Tonight, I stand before you with an under-oath statement of what I was going to say to that investigation committee before it was closed. This statement can be used to the council at any time. I'll provide it to you once it's the right moment or used by the victim in this case. This is where we've gotten to you. Expose me now I'm here to talk about the case in an open forum for everyone to see everyone to watch all over the world.

Saturday, I had lunch with the victim. It's the first time I've met her. I called her up and I said that this investigation can no longer be held inside the city, and you deserve the right to know what happened and what's been going on. She agreed to meet me for lunch, and I will say for the record, she's a very nice kind person that didn't need to have this happen to her. As we were sitting there having lunch, I told her about a picture of her and a statement that she had written in her past that had been shown to me by a council member during the 2020 election. She sat there and said more I told her that I had been approached by the perpetrator to show this particular picture and the statements that she had written about race. As we sat there, and I talked about that with her I could see her just kind of sob. This is a woman. A black African American woman that sat before me and just kind of sobbed. I could see in her eyes the pain but what I had just said to her and what happened to her in 2020. I told her more, which is in the statement, but the thing that really bothered her the most was that a council member in the city of Fergus Falls felt he had to show her picture along with a statement where she was defending herself as a black woman. He felt he had to show that picture to constituents in the

ward and that's what bothered her when we talked about that he said do you know how many people he'd shown it to. I said it's not confirmed by me, but I know he's shown it to quite a few. She sat there and I sat with her as a real human being. You could feel that she had had her soul ripped out of her chest. When she had heard that to her being a black African American in our city and a council member feeling he had to show that to people just absolutely blew her away and why it blew her away is because it showed who she was. It showed the color of her skin. It showed her writings about how she was defending being a black person and that's what hurt the most to her. As I sat there and we were talking I thought, ladies and gentlemen, this is definitely a time where a picture is worth more than a thousand words. That picture meant one thing to her one thing. That the perpetrator had to show that she was a woman of color for one reason or another. He had to show who she was so people would be taken back and afraid to possibly vote for her. We are better than this in this community. I'll tell you what, this is a community of people that love each other, care about each other and this is not how we function as a council. This is not how we function as a community. This is not how we should be. I asked the council this, I would like you to go back into that statement from the investigation and I'd like you to read in there the perpetrator's remarks of how this picture was displayed throughout the ward. This African American black woman and I want to ask yourselves in all of your political careers have you ever had to go to a door and show someone a picture of your competitor have you ever done that the answer is no."

Council Member Rufer asked Mr. Mortenson to pause. "I'm sorry your honor, but what are we doing here. I don't really understand what's going on and I feel like we're litigating a case of some kind and is this furthering the public good right now?" The mayor asked Mr. Mortenson to continue. He responded "the council has brought me into this into the public forum so I am here today to clear the air of the public forum of what this is. I encourage the council to read this and look at this over the next few weeks and look at it if this is something that you would have done. I asked the council to look at it and consider what would be the appropriate action against this perpetrator. One would be censure. One would be reprimand and one would be removal. I am not going to suggest any of that. I am at a point where this is egregious to this person and it bothers me so much. So, what I would say at the end here Mayor, as I would say this, I would say this I've known you a long time Ben. I have and I've had a lot of respect for you over the years and I know you said something down here a few months ago where you said I am part of a political party because I care about people, and I know you meant that. I know you meant it what I'd ask you to do is care about this person and at least look at this and not see that this is ridiculous. This is about a human life of a person that had her picture showing around because of who she was and I'd ask you to do that please do that for her.

Mayor Schierer thanked Mr. Mortenson for his comments and service and said "I just want to make it very clear. I know this individual. I'm not going to bring her name into this I have spoken with this individual on multiple occasions about this and other issues that she deals with in our community. I certainly have compassion for this individual and I will continue to have a friendship with her. I will continue to discuss this in any other matter that she brings forward to me so this is part of an investigation." He again thanked Mr. Mortenson for his time and service.

New Business

Kremeier commented on last week's town hall meeting. He thanked staff, council members and the public that attended and touched on the topics addressed at the meeting including: Lake Alice, speed zones around the old Eisenhower School, Greater Fergus Falls, the RTC, TIF, small business loans, the location of the upcoming aquatics center and the open forum policy. He talked his plans to continue holding these types of meetings. City Administrator Andrew Bremseth said the city's Communication's Manager captured the questions from this event and the city's responses will soon be posted on social media and the city's website. Mayor Schierer congratulated Kremeier on the town hall event and suggested it would be beneficial for the council to discuss the best times and locations

for these events, staff's commitment to the meetings and making sure everyone has the same expectations going forward.

Bremseth informed the council that the US Fish and Wildlife Service has changed the status of the northern long-eared bat from threatened to endangered. This status change restricts the removal of trees they may be inhabiting from April 1 to October 31 unless the city wants to conduct a study to determine if the bats live in these trees. He recommended proceeding with the necessary tree removal for Phase II of the Downtown Riverfront Project next week to avoid the cost of another study. During this time approximately half of the public park lot in this area will be closed to conduct the work. Staff and representatives from Bolton & Menk will be going to each business to relay the message this week. Hicks thanked the anonymous person who paid for a family member's meal recently and the meeting adjourned at 6:22 pm.

Lynne Olson