PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – March 17, 2025

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, March 17, 2025, at 6:00 p.m. in the Council Chambers of City Hall, Mayor Pro Tem Rivera presiding.

Upon roll call, the following Councilmembers were declared present: Prince (WebEx), Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer.

Staff Present: City Manager Rich Spiczka, Finance Director Donna Coe, Parks and Recreation Director Marcia Larson, Police Chief Mike Mastin, City Clerk Michelle Miller

AMENDMENTS TO AGENDA

Mayor Pro Tem Rivera called for any amendments to the agenda. **Motion by Peterson, seconded by Thayer, approving the agenda as presented. Motion carried by unanimous roll call vote: Yeas: Peterson, Thayer, Fiskevold Gould, Prince, Rivera, Eaton, Dickinson.**

MINUTES

The following minutes were presented for approval:

Sp Work Session:	February 18, 2025
Council Meeting:	February 18, 2025

Motion by Thayer, seconded by Dickinson, approving minutes as presented. Motion carried by unanimous roll call vote: Yeas: Prince, Rivera, Thayer, Dickinson, Eaton, Fiskevold Gould, Peterson.

CONSENT AGENDA

Mayor Pro Tem Rivera called for any amendments to be made to Consent Agenda. Staff requested that the SAFER Grant Application for Fire be moved to the March 24 Work Session. Thayer requested that the Lease with First National Bank Bemidji be removed for discussion. Rivera requested that the Special Event Permit for Babe's Burnout Car Show be removed for discussion. The following Consent Agenda items were presented for approval. **Motion by Fiskevold Gould, seconded by Thayer, to approve Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the Amount of $1,874,444.16
2. Claims Submitted by ASM Global for the Sanford Center in the Amount of $60,924.40
3. 2025 Business License Approvals
4. Approve Transfer of Liquor License (Green Mill)
5. Approve SAFER Grant Application Submission (Fire)
6. Approve Purchase Agreement for BNSF Real Estate in Rail Corridor
7. Approve Change Order No. 8 - Phase 2 Water Treatment Plant - City Project 21-05
8. Approve Memorandum of Understanding with MnDOT - Trunk Highway 197 Improvements
9. Approve Safety Vendor Contract with Safe Assure
10. Approve KRLS Projects for the Bemidji Library
11. **RESOLUTION NO. 6601:** Approving Temporary Off-Premises Alcohol Permit for the Babe's Burnout Car Show
12. **RESOLUTION NO. 6602:** Approving Engineering Detour Agreement No. 1059161 with MnDOT
13. **RESOLUTION NO. 6603:** Authorizing Calendar Parking (Park Ave NW)
14. **RESOLUTION NO. 6604:** Restricting Parking (Hannah Ave NW)
15. **RESOLUTION NO. 6605:** Restricting Parking (Middle School DR NW)
16. Approve Council Travel Authorization-LMC Annual Conference (Duluth), June 25-27-Prince

Motion carried by the following roll call vote: Yeas: Eaton, Prince, Peterson, Thayer, Dickinson, Rivera, Fiskevold Gould.

CITIZENS WITH BUSINESS NOT ON AGENDA

- John Henningsgaard, 1520 Bixby Avenue, spoke in support of Canada's sovereignty. He encouraged the city council to pass a resolution supporting Canada, citing their current distress and the strong neighborly ties between the United States and Canada. He noted that many Canadians are choosing to buy Canadian products and reconsidering travel to the United States, and he believes that as a border state and nearly a border city, Bemidji should show support for their friends and neighbors.

- John Kloesel, 633 Patriot Drive NW, discussed a parking ticket issue he experienced during a recent snowstorm. He was towed after parking on the wrong side of the street, even though the street had been completely plowed. Clay argued that since the street was clear, a parking ticket would have been more appropriate than a $250 tow, especially given his limited income. He suggested that if a patrol officer notices a vehicle parked illegally on a cleared street, they could issue a ticket instead of immediately towing the vehicle.

- Wes Newell, 189 Adams Avenue NW, expressed frustration about lighting requirements for two of his business properties. He criticized the city's lighting code (Section 28.408) as vague and open to interpretation. Newell argued that the city's own downtown lights do not comply with the code, yet he is being asked to change lights that have been in place for decades. He suggested the code is creating obstacles for employment and small businesses. Newell even contacted a nearby resident who confirmed the current lights provide a sense of security, and he proposed that simply turning off the lights would be his solution if forced to make expensive changes.

OLD BUSINESS

Consider Resolution Authorizing Grant Submission to DNR Local Trails Connection Grant - Cameron Access Trail Project

Larson stated that the Department of Natural Resources announced the solicitation for the Local Trail Connections Programs. The purpose of the Local Trail Connections Program is to promote relatively short trail connections between where people live and desirable locations, not to develop significant new trails. Priority for trail project funding will be given to projects that provide significant connectivity, will meet the needs and interests of future generations and diverse communities, provide an opportunity to connect underserved communities to significant public resources and provide for a unique and interesting connection to the outdoors. The grant per the resolution requires maintenance of the trail and a local match of 25%.

The Cameron Park Access Trail is a good match for the Local Trail Connection Program Grant. The proposed 10ft wide paved trail connects the neighborhood and community to Cameron Park and its amenities including the swimming beach, play area, picnic pavilion and picnic area and boat access (carry-in and motorized). The trail is approximately .21 miles and provides safe pedestrian/bicycle access to the park. This project has been identified as a need throughout the years and highlighted during the Strategic Planning Process in 2023.

The City Engineering Department has provided a preliminary design and cost estimate for the trail construction. The estimated cost includes construction of the .21 mile of a 10ft wide paved trail along the hillside of Cameron Park (including a short retention wall); bike rack and fix-it station and professional services. A site plan for the project is attached.

The main goal of the project is to provide an accessible non-motorized trail connection into the park and avoid the use of the main road for non-motorized use. The secondary benefits of the project include: the ability to improve the sledding hill through providing easier access, a better loading zone at the top of the hill and additional groundwork to ensure better safety for sledders; assist with erosion of the hillside, by creating a designated route into the park; as well as the ability to add pollinator/native plants to the hillside. The trail will connect to existing wide sidewalk to continue the walking/biking corridor.

The total estimated cost of the Cameron Park Access Trail is $194,337. Grants are reimbursement based up to 75 percent of the total eligible project costs, and recipients must provide a non-state cash match of at least 25 percent. The City's match is approximately $48,590.

The Finance Director has recommended utilizing the OPC Fund (Outdoor Program Center Fund # 224) for the local match. These funds are currently available and have no specific designation for certain uses.

Councilmembers generally supported the Cameron Access Trail resolution. Mayor Prince was pleased they found funding through the Outdoor Program Center (OPC) fund instead of relying on liquor store funding. Councilmember Thayer asked about the history of the OPC fund and was informed it was established when the Outdoor Program Center was built, using half-cent sales tax revenue and lease payments from Bemidji State University. Councilmember Eaton noted the importance of continuing trail improvements. Councilmember Peterson appreciated that the sledding hill would be preserved and potentially enhanced.

RESOLUTION NO. 6606: Supporting Application to the Department of Natural Resources Local Trail Connection Grant Program was offered by Councilmember Fiskevold Gould, who moved its adoption, and upon due second by Councilmember Peterson, passed by the following roll call vote: Yeas: Dickinson, Fiskevold Gould, Prince, Eaton, Peterson, Thayer, Rivera.

NEW BUSINESS

Consider Resolution Awarding Bid - 2025 Street Renewal Project - City Project 25-01

Background

Anderson stated that January 6, 2025 the City Council approved the feasibility report for the proposed 2025 Street Renewal Project. A public hearing was held on February 3, 2025 and at the conclusion of the hearing the city council passed a resolution ordering the project and authorizing the preparation of engineering plans and the receipt of bids.

The streets that are proposed to be included:

Hannah Avenue NW	from	30th Street NW to 600' north of 34th Street NW

Norton Avenue NW	from	12th Street NW to 15th Street NW
14th Street NW	from	Norton Avenue NW to Delton Avenue NW
Taft Avenue NW	from	Mill Street NE to End of Taft
Mill Street NW	from	Taft Avenue NE to Lake Avenue NE

Bids
A bid opening for the project was held on Tuesday, March 11th, 2025 and the following four (4) bids were received:

Bidder	Base Bid
Sparky's Construction, Inc.	$1,303,170.47
Reierson Construction, Inc.	$1,371,923.94
Red Lake Builders	$1,697,538.95
R.L. Larson Excavating, Inc.	$1,797,777.77
City Engineer's Estimate:	$1,553,547.00

Assessments
Hannah Avenue NW, Norton Avenue NW, and 14th Street NW would be assessed per the city's current assessment policy of $45/front foot and $1,070 for each utility service that may be required. Corner lots are assessed for half of the property frontage abutting the project.

Taft Avenue NE and Mill Street NE are proposed to be assessed at $1,595 per unit. This is roughly 20% of the estimated street costs divided up among the total number of units within the project area. Since the current adjacent properties are multiple different sizes, we have taken the Beltrami County shoreland zoning lot width minimum of 100 ft to be a single unit. The adjacent lots of record will have their assessable frontage divided by 100 to convert to total units. An example is a 200 ft lot would be charged 2 units or a 50-foot lot will be charged 0.5 units. Corner lots will have ½ their frontage on the improved street converted to an assessable unit per our current city policy.
Finances:

The Sparky's Construction, Inc. bid amount of $1,303,170.47 will result in a total project cost of approximately $1,500,000.00 after design engineering and construction inspection costs are added in. This is roughly $ 250,000 less than the amount that was estimated for the project.

Funding sources are proposed to come from the following sources:

Street Assessments	$ 271,450
General Tax Levy	$ 535,000
MnDOT Funding	$ 105,889
Storm Sewer Fund	$ 279,361
Sanitary Sewer Utility Fund	$ 87,790
Water Utility Fund	$ 190,090
Water Assessments	$ 13,210
Construction Fund Reserves	$ -0-
Project Total:	$1,500,000

Project Schedule
Construction of the project is set to begin as soon as May 12, weather permitting. It is anticipated to be completed in September this year.

RESOLUTION NO. 6607: Awarding Bid to Sparky's Construction, Inc. in the Amount of $1,303,170.47 for the 2025 Street Renewal Project, City Project 25-01 was offered by Councilmember Dickinson, who moved its adoption, and upon due second by Councilmember Thayer. Motion passed by the following roll call vote: Yeas: Rivera, Peterson, Dickinson, Fiskevold Gould, Thayer, Prince, Eaton.

Consider Resolution Approving the Agreement Between the City and IUOE, Local 49 for 2025-2027
RESOLUTION NO. 6608: Approving the Agreement Between the City of Bemidji and IUOE, Local 49 Representing the Public Works, Parks, Streets and Utility Employee Bargaining Unit for 2025-2027 was offered by Councilmember Fiskevold Gould, who moved its adoption, and upon due second by Councilmember Eaton passed by the following roll call vote: Yeas: Thayer, Dickinson, Eaton, Rivera, Fiskevold Gould, Peterson, Prince.

Consider Resolution Approving Agreement Between the City and LELS, Police Local 126 for 2025-2027
RESOLUTION NO. 6609: Approving the Agreement Between the City of Bemidji and Law Enforcement Services, Inc., Police Department Local No. 126 Employee Bargaining Unit for 2025-2027 was offered by Councilmember Eaton, who moved its adoption, and upon due second by Councilmember Fiskevold Gould, passed by the following roll call vote: Yeas: Fiskevold Gould, Eaton, Rivera, Peterson, Prince, Dickinson, Thayer.

<u>Consider Resolution Approving Agreement Between the City and LELS, Sergeants Local 227 for 2025-2027</u>

RESOLUTION NO. 6610: Approving the Agreement Between the City of Bemidji and Law Enforcement Labor Services, Inc., Sergeants Local No. 227 Employee Bargaining Unit for 2025-2027 was offered by Councilmember Peterson, who moved its adoption, and upon due second by Councilmember Thayer passed by the following roll call vote: Yeas: Peterson, Thayer, Fiskevold Gould, Prince, Rivera, Eaton, Dickinson.

<u>Consider Lease with First National Bank of Bemidji (ATM)</u>

Councilmember Thayer state she pulled the ATM lease agreement because she wanted to understand the details of the lease, particularly regarding the space and potential rental income. She was curious about why the ATM lease wasn't presented during the original building purchase agreement and wanted to know if the city would be charging rent for the ATM's location. The city manager explained that the lease was intentionally kept separate from the purchase agreement, allows the bank to use the existing ATM with 90 days' notice to terminate, and is for a nominal fee of $1.

RESOLUTION NO. 6611: Approving Commercial Lease Agreement with First National Bank of Bemidji for ATM Use and Authorizing the Mayor and City Manager to execute the Agreement was offered by Councilmember Eaton, who moved its adoption, and upon due second by Councilmember Dickinson passed by the following roll call vote: Yeas: Prince, Rivera, Dickinson, Eaton, Fiskevold Gould, Peterson. Nays: Thayer.

<u>Consider Special Event Permit for Babe's Burnout Car Show (July 11-12)</u>

Rivera stated that she pulled the special event permit for Babes Burnout, stating that she wanted to pull it so she could vote in opposition to the event in support of individuals who had voiced opposition to the event. Councilmember Thayer raised some questions about noise levels and the damage to the parking lot surface during the event.

Motion by Peterson, seconded by Eaton, approving the Special Event Permit for Babe's Burnout Car Show. Motion carried by the following roll call vote: Yeas: Eaton, Prince, Peterson, Thayer, Dickinson, Fiskevold Gould. Nays: Rivera.

COUNCIL COMMITTEE UPDATES

- Councilmember Fiskevold Gould attended Parks and Recreation meeting and participated in Bemidji Day at the Capitol with Councilmember Thayer and Mayor Prince
- Councilmember Peterson attended Fire Relief Association meeting; discussed upcoming summer events and fall open house; noted the women's fire auxiliary is now active and mentioned upcoming northern region meeting in Winger
- Councilmember Thayer attended Bemidji Day at the Capitol; attended MMRI 218 event; participated in Sustainability Commission meeting; and discussed upcoming events and comprehensive plan
- Councilmember Eaton mentioned upcoming meetings: Animal Ordinance, Airport Authority, KLRS Board, and Library Board
- Councilmember Dickinson attended Rotary meeting where Marcia Larson presented Parks and Recreation information
- Mayor Prince attended Bemidji Day at the Capitol; attended League of Minnesota Cities events; met with legislators; attended Northwest ICDC meeting; did a ribbon-cutting for Buena Vista celebrating 75 years; currently attending an insurance risk conference
- Councilmember Rivera provided updates on Public Arts, HRA, DWI Court and Treatment Court.

UPCOMING MEETINGS

- Monday, March 24 5:30 p.m. Work Session

ADJOURN

There being no further business, motion by Peterson, seconded by Thayer, to adjourn the meeting. Motion carried by unanimous roll call vote: Yeas: Dickinson, Fiskevold Gould, Prince, Eaton, Peterson, Thayer, Rivera. Meeting adjourned at 7:07 p.m.

Respectfully submitted,

Michelle R. Miller

Michelle R. Miller
City Clerk