

BEMIDJI CITY COUNCIL REGULAR MEETING AGENDA

Monday, August 3, 2026

**Council Chambers
City Hall – 317 4th Street NW
6:00 PM**



CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

AMENDMENTS TO THE AGENDA

MINUTES

- 1) June 1, 2026 Council Meeting
June 15, 2026 Council Meeting

CONSENT AGENDA #1

Items in the Consent Agenda are approved with one motion without discussion/debate. The Mayor will ask if any Councilmember wishes to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.

- 2) Claims Submitted by Finance Officer in the Amount Of \$2,414,058.50
- 3) Claims Submitted by Legends Global for the Sanford Center in the Amount of \$32,202.31
- 4) Approve June Financials from Legends Global for the Sanford Center
- 5) Adopt City of Bemidji Personnel Policy
- 6) Approve Purchase of Bobcat SP13 Stainless-Steel Salt Spreader
- 7) Approve Hockey Shooting Room Buildout at the Sanford Center
- 8) Resolution Accepting Donation from Craig and Wendy Boyer
- 9) Resolution Entering Into TZD Enforcement Grant/Agreement with MN DPS-OTS
- 10) Resolution Adopting Policy and Rules of Decorum for Public Comment and Public Hearings
- 11) Resolution Approving Temporary Off-Premises Alcohol Permit to Buffalo Wild Wings

CONSENT AGENDA #2

- 12) Claims Submitted by Finance Officer to VisitBemidji in the Amount of \$64,000.88

CITIZENS WITH BUSINESS BEFORE THIS COUNCIL-NOT ON AN AGENDA

Public Comment – Please give your name, address, and state your concern/comment. Visitors may share their concerns with City Council on any issue, which is not already on the agenda. Each person will have 3 minutes to speak. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive or overly argumentative. The Mayor may also limit the number of individual presentations on any issue to accommodate the scheduled agenda items. COMMENTS WILL BE TAKEN UNDER ADVISEMENT BY THE COUNCIL.

BUSINESS LICENSE HEARING

- 13) Conduct Business License Suspension/Revocation Hearing - Siam Massage and Wellness Spa

- a. Consider Resolution of Findings, Conclusions and Order Regarding Revocation of Massage Facility License Issued to Siam Massage and Wellness Spa

BUSINESS

COUNCIL COMMITTEE REPORTS

UPCOMING MEETINGS

- 14) August 10, 2026 - 5:30 p.m. Planning Board
August 11, 2026 - PRIMARY ELECTION
August 17, 2026 - 6:00 p.m. Council Meeting
August 24, 2026 - 5:30 p.m. Work Session

ADJOURN

MEMBER ATTENDING REMOTELY

MEMBERS OF THE COUNCIL MAY BE ATTENDING VIA WEBEX UNDER THE AUTHORITY OF MINNESOTA STATUTES SECTION 13D.02. MEMBERS OF THE PUBLIC MAY MONITOR THE MEETING BY ACCESSING THE REMOTE MEETING LINK ON THE CITY WEBSITE

<https://bemidjmn.portal.civicclerk.com/>

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – June 1, 2026
DRAFT

Call to Order

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, June 1, 2026, at 6:00 p.m. in the Council Chambers of City Hall, Mayor Prince presiding.

Roll Call

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

Present

City Manager Rich Spiczka, City Engineer Sam Anderson, Administrative Assistant Ainslee Krause

Amendments to Agenda

Mayor Prince called for any amendments to the agenda. **Motion by Thayer, seconded by Peterson. Motion carried by unanimous voice vote.**

Minutes

The following minutes were presented for approval:
April 21, 2026 Local Board of Appeal

Motion by Eaton, seconded by Dickinson to approve the minutes as presented. Motion carried by the following roll call vote: Yeas: Rivera, Peterson, Dickinson, Thayer, Eaton. Abstain: Prince due to absence from meeting.

Consent Agenda #1

Mayor Prince called for any amendments to be made to Consent Agenda. The following Consent Agenda items were presented for approval. **Motion by Peterson, seconded by Thayer, to approve Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the Amount Of \$1,049,930.48
2. Claims Submitted by Legends Global for the Sanford Center in the Amount of \$42,742.72
3. Approve April Financials from Legends Global for the Sanford Center
4. 2026 Business License Approvals
5. Approve Temporary 1-4 Day Liquor License for United Way of Bemidji Area
6. Approve Appointments to the Parks & Trails Commission
7. Approve Appointment to the Housing & Redevelopment Authority
8. Approve Appointment of Mayor Jorge Prince to the JAZB Board
9. Approve Professional Services Agreement for 15th Street NW Water Tower Valve Vault Improvements - City Project 26-05

10. Approve Quote for WWTP Mural Restoration
11. Approve Acceptance of Funds from Congressional Directed Spending Grant- Fire Station #1
12. **RESOLUTION NO. 6704:** Authorizing Deferred Loan Agreement for Ridgeline Properties Workforce Housing Project

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 Eaton, seconded by Dickinson, approving Consent Agenda #2 as follows:**

1. Claims Submitted by Finance Officer to Visit Bemidji in the Amount of \$36,741.36

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

Citizens with Business Not on Agenda

Joshua Kennedy, 630 7th Street NW, Earl Rapp, 701 Mississippi Ave NW, and Tammy Whiting, 607 Mississippi Ave NW, spoke regarding a nuisance property in their area. They expressed concerns about suspected drug activity, frequent police calls, poor property conditions (including mold and disrepair), aggressive and neglected dogs, a recent dog attack, high traffic, and discarded needles, and requested that the City take action to address ongoing safety and livability issues.

Ordinances

Ordinance Amending an Uncoded Section of Bemidji City Code – Authorizing the Sale of Real Property (Norris Court)

ORDINANCE NO. 237, 3rd SERIES, an Ordinance Amending an Uncoded Section of Bemidji City Code – Authorizing Sale of Real Property (Norris Court) was given a final reading and passed by the following unanimous roll call vote: Yeas: Peterson, Thayer, Prince, Rivera, Eaton, Dickinson. Absent: Fiskevold Gould.

Motion by Peterson, seconded by Eaton, approving publication of a summary of Ordinance No. 237, 3rd Series. Motion carried by unanimous voice vote.

Business

Consider Award of Bid for the 5th Street NW Trail Project – City Project 26-03

Anderson stated that back in March 2021, staff were notified of receiving a Transportation Alternative Program (TAP) Federal Grant to assist with constructing a 10-foot-wide paved trail along the south side of 5th Street NW connecting the Jefferson Avenue NW roundabout to Irvine Avenue NW (post office). Since award of the grant, staff have spent many hours coordinating environmental documents, purchasing wetland credits for minor impacts, executing short term & long-term easements with BNSF Railway for the current road crossing and future trail project, and developing plans & specifications to meet the requirements of the state and federal funding involved.

In 2025, staff also applied for additional funding and received another \$200,000 in Active Transportation (AT) grant funds to offset more of the local share on the project.

A bid opening for the project was held on Wednesday, May 20th, 2026 and the following four bids were received:

<u>Bidder</u>	<u>Base Bid</u>
Reiersen Construction	\$ 855,959.75
Northern Paving, Inc.	\$ 857,642.15
Casper Construction, Inc.	\$ 860,000.00
KGM Contractors	\$1,199,236.98
City Engineer's Estimate:	\$ 790,000.00

The low base bid of \$855,959.75 will result in a total project cost of approximately \$1,100,000.00 after previous soft costs related to BNSF easements (including the 5th Street NW crossing replacement), wetland credits, survey, design engineering and construction inspection & testing costs are added in. The grant funding is tied to this construction season.

Funding for the project is proposed from the following sources:

TAP Grant (Federal Funds)	\$ 468,000
AT Grant (State Funds)	\$ 200,000
State Aid Construction Funds	\$ 382,000
Construction Fund Reserves	\$ 50,000
	\$ 1,100,000

If awarded, construction can take place after the July 4th weekend and should be completed by September.

Motion by Thayer, seconded by Rivera, awarding the bid to Reiersen Construction, Inc. in the amount of \$844,959.75 for the 5th Street NW Trail Project – City Project 26-03. Motion carried by unanimous voice vote.

Council Committee Updates

- Councilmember Eaton attended State Aid Rules Advisory Committee meeting in St. Cloud; discussion focused on 10-foot traffic lanes and bike lanes.
- Councilmember Rivera attended HRA meeting (reported 997 households on the Section 8 waiting list and a large waiting list for Northland Apartments) noted ongoing difficulty finding affordable units that accept vouchers. Reported MOU with BiCap to provide supportive housing services at Northland Apartments (and possibly scattered sites). Thanked staff for work on the wastewater treatment plant mural restoration/upgrade. Attended a YMCA event and served as the only council representative present.
- Councilmember Thayer had no report.
- Councilmember Peterson reported on Heritage Preservation Commission (May 19)-reviewed ordinance changes needed for the City to become a Certified Heritage Preservation Organization (SHPO); discussed Pumping Station 1909 and potential salvage/reuse of elements when it is removed. Fire Department Long-Range Planning-grant request submitted for a wildfire mitigation position.

New fire engine expected in early 2027 (January/February). Discussion about a new training officer position and potentially bringing the building department under the fire department. Station One remodel planned for late summer/early fall, using received funds.

- Councilmember Dickinson had no report.
- Mayor Prince attended Greater Minnesota Housing Fund Loan Committee meeting; no unusual items to report. Spoke at the Bemidji Chamber Awards of Excellence. Attended Sanford Center Advisory Board meeting; board discussed responding to the Council's request for input and chose to prepare goals and aspirations for the Sanford Center to bring back to the Council, expected at the next regular meeting.

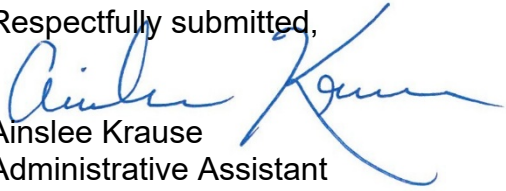
Upcoming Meeting

- June 8, 2026, 2026 (5:30 p.m.) - Planning Board
- June 15, 2026 (6:00 p.m.) - Council Meeting
- June 22, 2026 (5:30 p.m.) - Work Session

Adjourn

There being no further business, motion by Peterson, seconded by Eaton, to adjourn the meeting. Motion carried by unanimous voice vote. Meeting adjourned at 6:22 p.m.

Respectfully submitted,


Ainslee Krause
Administrative Assistant

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – June 15, 2026
DRAFT

Call to Order

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, June 15, 2026, at 6:00 p.m. in the Council Chambers of City Hall, Mayor Prince presiding.

Roll Call

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

Present

City Manager Rich Spiczka, Planning Director Jamin Carlson, City Clerk Michelle Miller

Presentation of LeadersLink Disaster Leadership Award

Mayor Prince was presented with the LeadersLink Disaster Leadership Award by representatives from LeadersLink and League of Minnesota Cities, Kathleen Koch and Luke Fischer.

Prince called for a brief recess at 6:41 p.m. Meeting reconvened at 6:48 p.m. with all members present.

Amendments to Agenda

Mayor Prince called for any amendments to the agenda. **Motion by Peterson, seconded by Thayer, approving the agenda as presented. Motion carried by unanimous voice vote.**

Consent Agenda

Mayor Prince called for any amendments to be made to Consent Agenda. The following Consent Agenda items were presented for approval. **Motion by Thayer, seconded by Peterson, to approve Consent Agenda items as follows:**

1. Claims Submitted by Finance Officer in the Amount Of \$1,543,983.73
2. Claims Submitted by Legends Global for the Sanford Center in the Amount of \$120,799.71
3. **RESOLUTION NO. 6705:** Accepting Active Transportation Grant Funds and Approving Grant Agreement
4. **RESOLUTION NOI. 6706:** Approving Amendment to Jiigibiig Facility Operations Agreement with Bemidji State University
5. Approve HomeCo Insulation Restoration for the Sanford Center (\$182,526)
6. Approve Advance Tile and Terrazzo Co Inc. Contract for Repairs to Terrazzo in the Sanford Center (\$52,850)
7. Approve Change Order for Dick's Plumbing and Heating for Roof Drains-Rain Leaders Testing (\$39,458.05)

8. Approve Contract with Property Solutions Duluth LLC for Final Cleanup at the Sanford Center (\$25,869)
9. Authorize Professional Services Agreement for WWTP Digester Sludge Pump Replacement Project - City Project 26-06

Motion carried by unanimous voice vote.

Citizens with Business Not on Agenda

- CT Marhula, 4524 Birchmont Drive NE, alleged lack of transparency and accountability regarding an agreement; accused council/administration of not acting in good faith.
- Melody Wass, 805 America Ave NW, raised safety concerns about activity around People's Church; requested stronger city response, more shelter options, and consideration of making the shelter "dry."
- Henoc Preciado, Bemidji State University, on behalf of President Hoffman, congratulated Mayor Prince on the Tommy Longo Disaster Leadership Award; praised the city's and BSU/NTC's collaboration and community resilience after the 2025 storm.
- Manidoikwe Devlin Turtle Island, criticized Bemidji State University leadership, stating concerns about stalking not being addressed and feeling exiled.
- Birgitte Simpson, Pastor at People's Church, thanked city and partner agencies for collaboration; reported progress in housing highly vulnerable individuals; described increasing substance use and behavioral issues in the community; requested a multi-sector task force or coordinated community response.
- Misty Bray, requested information on the upcoming Fifth Street railroad crossing closure, including detour routes and emergency response access; asked that maps/details be posted on the city website; staff noted coordination underway with BNSF.
- Shawn McGinsky, 805 America Ave NW, echoed concerns about unsafe conditions near People's Church impacting his family; cited frequent exposure to drug use and crises; asked city to pursue safer, better-located shelter options and limit repeated strain on emergency services.
- Charles Biberg, 1109 Beltrami Avenue NW, requested calendar parking reforms (e.g., no calendar parking on wide streets, fixed one-side parking on narrow streets, summer enforcement suspension); urged city to reduce regulatory burdens and fees that function like an HOA.

Ordinances

Ordinance Amending Chapter 2, Article V, Division 2 of the Bemidji City Code Entitled Heritage Preservation Commission

Legal Counsel explained the rewrite is needed to align with Minnesota SHPO Certified Local Government (CLG) requirements, which would make the city eligible for additional historic preservation grant funding; changes formalize how properties are designated and how alterations are reviewed.

Staff noted the ordinance would currently affect only existing designated historic properties, which are city-owned landmarks stating the 100-year home recognition program is separate and not governed by this ordinance.

Councilmembers raised concerns about property owner consent, potential added regulation and complexity (especially for future private designations), how the 45-day HPC review period fits into existing 60-day planning timelines, commission membership requirements (Historical Society seat, preservation professionals), and who funds required training.

Motion by Thayer, seconded by Fiskevold Gould to table the public hearing and first reading of the Ordinance Amending Chapter 2, Article V, Division 2 of the Bemidji City Code Entitled “Heritage Preservation Commission” until the July 20, 2026 council meeting. Motion carried by unanimous voice vote.

Report

Planning Director Jamin Carlson presented the Electric Vehicle (EV) Roadmap developed through the Minnesota Pollution Control Agency (MPCA) Local Climate Action Planning Grant in partnership with the Great Plains Institute (GPI). As part of the grant requirements, staff worked with GPI to develop a community EV roadmap, review zoning code considerations, establish community EV goals, and create a communitywide EV vision statement. The project concludes on June 30, 2026, with the final report to be presented later this summer after remaining data is compiled.

The roadmap was developed under the MPCA "Charging Smart" initiative to evaluate current and projected EV adoption in Bemidji and Beltrami County, identify public and fleet charging infrastructure needs, analyze opportunities for city fleet electrification, and provide policy options related to procurement, zoning, and building code considerations.

Carlson reviewed existing public charging infrastructure, noting that Bemidji currently has Level 2 charging stations at City Hall, the Paul Bunyan/Paul & Babe area, the Sanford Center, and several hotels, along with DC fast charging available in the area. While the community is generally well served today, projections indicate additional Level 2 charging capacity will be needed by 2030, particularly in the downtown area. The analysis estimates approximately 320 plug-in electric vehicles in Beltrami County will rely on public charging by 2030, creating a need for approximately 17 Level 2 charging ports. Much of the anticipated expansion could be provided through private investment at hotels, and commercial properties.

The presentation also included suitability mapping identifying potential future charging locations based on population density, destinations, equity considerations, and electrical grid capacity. Priority areas included portions of the east side of Lake Bemidji, the Nymore/Schmunk Park area, and other community destinations.

A city fleet analysis evaluated light, medium, and heavy-duty vehicles using total lifecycle costs, including fuel, maintenance, and depreciation. The analysis found that many light-duty vehicles and certain service pickups could provide lifetime cost savings if replaced with electric vehicles, while medium and heavy-duty electric vehicle technologies remain more costly and less practical at present. The report also identified potential long-term savings through an "EV-first" replacement strategy.

Carlson reviewed several policy concepts outlined in the roadmap for future consideration. These included adopting an EV-first procurement approach for city vehicles where operationally appropriate; incorporating EV-capable, EV-ready, or EV-installed infrastructure standards for future commercial and multifamily development;

encouraging private-sector investment in charging infrastructure while focusing public investment on equitable access; and engaging underserved neighborhoods to ensure charging opportunities are available for renters and lower-income residents.

The presentation also noted that local utilities, including Beltrami Electric Cooperative and Otter Tail Power Company, currently offer rebates for residential charging equipment and off-peak electric vehicle charging rates to encourage home charging.

Council discussion focused on cost-effective fleet electrification, the appropriate role of the City in funding public charging infrastructure, concerns about requiring EV infrastructure in private development, and the need for additional clarification regarding the report's assumptions and methodology. No formal action was taken. The roadmap will serve as a planning document and technical resource for future policy discussions and fulfills the City's grant requirements.

Council Committee Updates

- Councilmember Dickinson had no report.
- Councilmember Eaton, attended Airport Affairs Committee.
- Councilmember Rivera had no report.
- Councilmember Thayer attended HRDC meeting, noting Neighborhood Connections program; attended Sustainability Commission – reported on City Code Chapter 28, curbside recycling, energy efficiency work and planning for sustainability places tour.
- Councilmember Peterson, attended flag day ceremony at Ralph Gracie Park, attended Fire Relief Association meeting – reported on creation of bylaws and funding/grant committees, and volunteers supporting local events.
- Councilmember Fiskevold Gould, reported on first budget committee meeting, and meeting with Sanford Health regarding the Sanford Center.
- Mayor Prince attended first budget committee meeting, spoke at Great River Greening tree planting event, League of Minnesota Cities Insurance Trust Board meeting reporting a dividend check that Bemidji will receive and attended community events.

Upcoming Meeting

- June 22, 2026 (5:30 p.m.) – Work Session
- July 6, 2026 (6:00 p.m.) – Council Meeting
- July 13, 2026 (5:30 p.m.) – Planning Board
- July 20, 2026 (6:00 p.m.) – Council Meeting

Adjourn

There being no further business, motion by Thayer, seconded by Peterson, to adjourn the meeting. Motion carried by unanimous voice vote. Meeting adjourned at 8:41 p.m.

Respectfully submitted,



Michelle R. Miller
City Clerk

Bill List Summary

August 3rd, 2026

<u>Check /Wire</u>	<u>Vendor</u>	<u>Amount</u>
ACH	MacQueen Emergency Group	\$800,000.00
ACH	Reierson Construcion, Inc	\$771,845.91
45652	Bessler Electric	\$18,525.00
45653	Sparky's Construction, Inc	\$178,367.73
45567 - 45651	See Attached List	<u>645,319.86</u>
		\$2,414,058.50
	 TOTAL	 \$2,414,058.50

Accounts Payable

Blanket Voucher Approval Document

User: denisea
Printed: 07/29/2026 - 12:36PM
Warrant Request Date: 8/4/2026
DAC Fund:

Batch: 00404.08.2026

COUNCIL BILL LIST



Line	Claimant	Voucher No.	Amount
1	Ace On The Lake	000045567	1,381.20
2	Acme Tools-Bemidji	000045568	366.90
3	American Engineering Testing, Inc.	000045569	12,047.75
4	Artisan Beer Company	000045570	886.18
5	Auto Value Bemidji	000045571	335.39
6	Bank Forward	000045572	300.00
7	Barr Engineering Company	000045573	537.50
8	Bellboy Corporation	000000000	2,794.15
9	Beltrami County Auditor/Treasurer	000045574	69,600.02
10	Beltrami Industrial Service, Inc.	000045575	899.00
11	Bemidji Coca-Cola Bottling Co, Inc	000045576	990.22
12	Bemidji Community Arena	000045577	4,416.89
13	Bemidji Paper Sales, Inc.	000045578	1,799.21
14	Bernick's	000000000	27,334.02
15	Bessler Electric	000045579	1,529.12
16	Braun Intertec Corporation	000000000	6,070.00
17	Breakthru Beverage Minnesota Wine & Spirits, LLC	000045580	3,434.76
18	Brodart Co.	000045581	193.77
19	Cenex Fleetcard	000045582	25,743.97
20	Choice Therapy, PA	000045583	450.00
21	CM2 Supply	000045584	366.00
22	Core & Main	000045585	2,171.15
23	Craguns Resort	000045586	288.18
24	Crossroads Church	000045587	500.00
25	Dahlheimer Beverage Brainerd	000000000	959.35
26	Dakota Supply Group, Inc.	000000000	96.24
27	Delap,Amy	000045588	500.00
28	D-S Beverages	000045589	33,563.05
29	Eaton,Lynn	000000000	453.10
30	Ecolab Pest Elimination	000045590	174.69
31	ESRI, Inc	000000000	5,312.50
32	FleetPride, Inc.	000045591	273.13
33	GFL Environmental Services USA, LLC	000045592	489.80
34	GPE Controls, Inc	000045593	830.47
35	Great River Rescue	000045594	600.00
36	Gregg's Plumbing & Heating	000045595	1,414.93
37	Harris Mountain West LLC	000045596	1,901.09
38	Hawkins, Inc.	000045597	41,980.27
39	Headwaters Unitarian	000045598	545.79
40	helseM Architects LLC	000045599	8,750.00
41	HENSON,JOHN	000045600	797.74
42	Home City Ice Co.	000045601	934.96
43	In Control Inc	000045602	5,248.95
44	Ironhide Equipment, Inc.	000000000	1,154.99

Page Total: \$270,416.43

Line	Claimant	Voucher No.	Amount
45	J & L Oil	000045603	707.15
46	Jim Hirt Trucking, Inc	000045604	880.03
47	Joe's Northwoods Pest Control	000045605	700.00
48	Johnson Bros., Inc.	000045606	23,823.40
49	Jon's Refuse Solutions, Inc	000045607	3,494.05
50	JT Properties, LLC	000045608	7,624.83
51	KLJ Engineering LLC	000045609	15,616.50
52	KLM Engineering, Inc	000045610	1,000.00
53	Korinta,Tim	000000000	154.00
54	L & S Electric Inc	000000000	1.00
55	Larson Elevator Company	000045611	1,650.75
56	Lath Stakes Hubs LLC	000045612	338.00
57	Leech Lake Band of Ojibwe	000045613	500.00
58	LVC Companies	000045614	410.00
59	Maid In Bemidji, Inc.	000000000	1,189.00
60	Marco	000045615	374.93
61	Marco Technologies, LLC	000045616	8.09
62	McKinnon Co., Inc.	000045617	27,091.35
63	Menards-Bemidji	000045618	279.96
64	Minnkota Power Cooperative	000045619	663.40
65	MN DARE Officer's Association	000045620	250.00
66	MN Dept of Revenue ACH	000000000	99,248.00
67	MN Energy Resources	000000000	666.88
68	MN Fire Service Certif. Board (MSFCB)	000045621	75.00
69	MN Pollution Control Agency	000045622	1,200.00
70	MN State Fire Chiefs Assn.	000045623	528.00
71	MN Valley Testing Lab, Inc.	000000000	1,090.50
72	Mobile Repair Service & Equipment, Inc.	000045624	1,639.17
73	MoeCo Fire & Safety	000045625	59.49
74	NAPA Auto Parts/Premier	000045626	258.18
75	Nei Bottling, Inc.	000045627	82.59
76	Neopost-ACH	000000000	3,022.00
77	Ness Sealcoat Service	000045628	3,028.52
78	North Country Chevrolet	000045629	46,507.56
79	O'Reilly Auto Parts	000045630	212.97
80	Otter Tail Power Company	000045631	60,344.62
81	Oxford Street Merchants	000045632	576.00
82	Paul Bunyan Communications	000045633	3,267.57
83	Peterson Sheet Metal, Inc.	000000000	3,540.70
84	Phillips Wine & Spirits	000045634	3,087.45
85	Port-Able John Rental & Service	000000000	1,680.00
86	Puddle Duck Properties LLC	000045635	22,571.42
87	Quadient Leasing	000045636	355.02
88	Quillin,Katie	000045637	200.00
89	RMB Environmental Laboratories, Inc.	000045638	1,283.26
90	Sanford Health	000045639	650.39
91	Sanitation Products Inc.	000045640	417.72
92	Sherwin-Williams Co	000045641	1,501.39
93	Smith,Christopher	000000000	8.98
94	Southern Glazer's of MN	000045642	13,017.07
95	Southside Tow & Rec, Inc	000045643	1,245.11
96	Springbrook Software LLC	000000000	500.00
97	Streicher's	000045644	6,782.90
98	Thayer,Audrey	000000000	453.10
99	The Bearded Hauler	000045645	2,150.00
100	UPS Store	000045646	14.83
101	US Bank-CM-9690	000045647	575.00

Page Total: \$368,597.83

Line	Claimant	Voucher No.	Amount
102	USA Bluebook	000045648	629.63
103	Vestis	000045649	1,069.82
104	Vinocopia, Inc.	000000000	1,831.08
105	Zetah Construction, Inc	000045650	2,500.00
106	Ziegler, Inc.	000000000	64.70
107	Zoro Tools, Inc	000045651	210.37
Page Total:			\$6,305.60
Grand Total:			\$645,319.86

**Sanford Center
Cash Requirements
As of Aug 4, 2026**

Filter Criteria includes: 1) Invoices Due (no discount available). Report order is by ID. Report is printed in Detail Format.

Vendor	Description	Date	Amount Due
Advanced Business Integrations	Timeclock Software	7/18/26	340.63
ADP, Inc	Payroll Software	7/17/26	293.82
Ads On Boards	Arena Hockey Boards Cleaning	7/12/26	500.00
Amanda Schackman	July Cell Phone Reimbursement	7/31/26	60.00
Ashley Fearon	July Cell Phone Reimbursement	7/31/26	60.00
Bob's Econo Pump, Inc.	Car Show Portable Bathrooms	7/10/26	1,193.50
Brandon Mack	July Cell Phone Reimbursement	7/31/26	60.00
Constellation Newenergy-Gas Div. LLC	Utility - Natural Gas	7/21/26	1,470.82
Country Inn & Suites Bemidji	Event Lodging Reimbursable	7/1/26	278.74
D-S Beverages Inc	CM: Inventory - Beer	7/16/26	-1,627.60
Dacotah Paper Co	Janitorial Supplies	7/23/26	24.19
Dacotah Paper Co	Janitorial Supplies	7/24/26	24.19
Dacotah Paper Co	Dacotah Paper Co		48.38
Ethan Rogers	July Cell Phone Reimbursement	7/31/26	60.00
Forklifts of Minneosta, Inc.	Annual Forklift Emmission Test	7/16/26	65.00
Forklifts of Minneosta, Inc.	Annual Zamboni Emmission Test	7/16/26	65.00
Forklifts of Minneosta, Inc.	Annual Zamboni Emmission Test	7/16/26	65.00
Forklifts of Minneosta, Inc.	Annual Boom Lift Emmsion Test	7/16/26	70.54
Forklifts of Minneosta, Inc.	Annual Forklift Emmission Test	7/16/26	65.00
Forklifts of Minneosta, Inc.	Forklifts of Minneosta, Inc.		330.54
Hard Target, Inc.	Car Show Contracted EMS	7/16/26	380.00
Heidi Neese	July Cell Phone Reimbursement	7/31/26	60.00
Higgins Heating, A/C	Food & Beverage Freezer Repair	7/22/26	273.00
Janine Johnson	July Cell Phone Reimbursement	7/31/26	60.00
Jason Larimer	July Cell Phone Reimbursement	7/31/26	60.00
Kalley Dynes Levin	July Cell Phone Reimbursement	7/31/26	60.00

**Sanford Center
Cash Requirements
As of Aug 4, 2026**

Filter Criteria includes: 1) Invoices Due (no discount available). Report order is by ID. Report is printed in Detail Format.

Vendor	Description	Date	Amount Due
Legends Global	Event Insurance Reimbursable	7/23/26	500.00
Legends Global	Quarterly HR Software	7/27/26	5,723.00
Legends Global	Legends Global		6,223.00
Lexi Mudrick	July Cell Phone Reimbursement	7/31/26	60.00
Luekens Village Foods - North	Inventory - Food	7/20/26	11.68
Luekens Village Foods - North	Inventory - Food	7/22/26	102.01
Luekens Village Foods - North	Inventory - Food	7/22/26	21.65
Luekens Village Foods - North	Inventory - Food	7/24/26	7.78
Luekens Village Foods - North	Luekens Village Foods - North		143.12
Luekens Village Foods - South	Inventory - Food	7/22/26	95.80
Morgan Skiles	July Cell Phone Reimbursement	7/31/26	60.00
Dennis A. Noska	HVAC Maintenance	7/31/26	250.00
Orbis Payment Services, Inc	PCI Compliance	7/1/26	115.00
OtterTail Power Company	Utility - Electric	7/27/26	16,941.58
Performance Food Group	Inventory - Food	7/20/26	795.30
Performance Food Group	Inventory - Food	7/22/26	698.61
Performance Food Group	Performance Food Group		1,493.91
Robert Anderson	July Cell Phone Reimbursement	7/31/26	60.00
Rodney Anderson	July Cell Phone Reimbursement	7/31/26	60.00
Shelana Ysen	July Cell Phone Reimbursement	7/31/26	60.00
Social Indoor	Car Show Marketing	7/1/26	400.00
Sysco Western Minnesota, Inc	Inventory - Food	7/14/26	683.85
The Party Store LLC	Car Show Bouncy Houses	7/12/26	947.61
Vestis Group, Inc	Laundry & Linen	7/14/26	307.23
Vestis Group, Inc	Laundry & Linen	7/16/26	169.69
Vestis Group, Inc	Laundry & Linen	7/23/26	169.69
Vestis Group, Inc	Vestis Group, Inc		646.61

Sanford Center
Cash Requirements
As of Aug 4, 2026

Filter Criteria includes: 1) Invoices Due (no discount available). Report order is by ID. Report is printed in Detail Format.

Vendor	Description	Date	Amount Due
			<u>32,202.31</u>



SANFORD CENTER



Sanford Center

FOR THE MONTH ENDING JUNE 30th, 2026

DISTRIBUTED JULY 25, 2026

Prepared by: Trevor Johnson
Director of Finance, The Sanford Center

Distribution List:

John Drum, RVP, Legends Global
Stephanie Dorsey, Regional Director of Finance, Legends Global
Bobby Anderson, General Manager, The Sanford Center
Amanda Slanovec, Director of Venue Finance, Legends Global

LEGENDS GLOBAL ARENA MANAGEMENT - The Sanford Center

The Sanford Center

Jun-26

Financial Statements

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Legends Global Arena Management LLC

The Sanford Center – Bemidji, Minnesota

For the month of June 2026, The Sanford Center was packed with events that utilized the arena and the convention center such as the annual return of The Knights of Columbus Walleye Classic. This activity concluded the Sanford Center closing its book with a net operating loss of (\$65,096). This result is \$37,965 ahead of what was budgeted for June. Based on the previous forecast in May, we anticipated a loss of (\$68,443) in June. The variance for the forecast and actual income is favorable by \$3,347. This is due to our costs being managed well and F&B income performing better than expected.

The variance between the forecast and the actual net loss for June is the result of private and public events performing better than anticipated. We continue to spend on a necessity basis for indirect expenses; position vacancies and other costs within indirect expenses are also contributing to the offset of the adjusted gross income shortfall for the year. With these points, the Sanford Center is ahead of budget by \$196,502 year to date through June. We are set to fill two of the three operation staff vacancies in July.

Coming up in July and the following months, we are excited to host the annual return of Babes Burnout and many other private events.

A recap of events for the month of June:

- Noon Rotary Meetings
- Sanford Health Negotiations
- Sanford Health Pours for a Purpose
- KOC Walley Classic
- Summer Institute in American Indian Wellness
- Ottertail Power Open House Meeting
- Retired Law Enforcement Breakfast
- UMD Training
- Pinnacle Company Gathering

The current rolling forecast as of June projects a net operating loss of (\$549,261) for FY2026; this is a decrease of \$249 over May's forecast. The changes in our forecast are the result of minor changes to our events matrix.

	Current Month Actual	Current Month Budget	Current Month Act vs Budget	Year to Date Actual	Year to Date Budget	Year to Date Act vs Budget	YTD Prior Year
EVENT INCOME							
Direct Event Income							
Rental Income	21,490	17,400	4,090	343,028	334,949	8,079	254,755
Service Revenue	40,698	62,518	(21,820)	530,026	510,620	19,406	395,488
Service Expenses	(14,950)	(47,172)	32,222	(339,141)	(365,093)	25,952	(225,984)
Total Direct Event Income	47,238	32,746	14,492	533,913	480,476	53,437	424,259
Ancillary Income							
F & B Concessions	3,944	11,180	(7,236)	141,074	169,920	(28,846)	105,408
F & B Catering	68,590	27,681	40,909	308,843	231,919	76,924	182,376
Novelty Sales	0	2,500	(2,500)	1,903	5,500	(3,597)	0
Promoter Share	0	0	0	0	0	0	0
Promoter Share	0	0	0	0	0	0	0
Booth Cleaning Wages	0	0	0	0	0	0	0
Other Ancillary Sales	0	0	0	0	0	0	0
Total Ancillary Income	72,534	41,361	31,173	451,820	407,339	44,481	287,784
Other Event Income							
Ot Event Related	0	0	0	0	0	0	0
Suite Sales	0	3,200	(3,200)	32,761	21,600	11,161	24,356
Club Seat Tickets	0	1,000	(1,000)	3,580	5,700	(2,120)	1,421
Ad Income	0	0	0	0	0	0	0
Ticket Rebates	0	2,000	(2,000)	25,690	25,150	540	8,185
Facility Fees	0	8,000	(8,000)	56,687	76,500	(19,813)	45,923
Total Other Event Income	0	14,200	(14,200)	118,718	128,950	(10,232)	79,885
Total Event Income	119,772	88,307	31,465	1,104,451	1,016,765	87,686	791,928
OTHER OPERATING INCOME							
Luxury Suite Premiums	0	0	0	0	0	0	0
Suite Service Premium	0	0	0	0	0	0	0
Advertising & Sponsorship	11,585	32,083	(20,498)	115,205	192,500	(77,295)	145,171
Sanford Naming Rights	16,667	16,667	0	100,000	100,002	(2)	100,000
Coke Mktg Sponsorship	0	0	0	0	0	0	0
Ice Rental Revenue	0	0	0	0	0	0	0
Interest & Other Income	1,221	0	1,221	6,963	0	6,963	9,008
Total Oth. Operating Income	29,473	48,750	(19,277)	222,168	292,502	(70,334)	254,179
Adjusted Gross Income	149,245	137,057	12,188	1,326,619	1,309,267	17,352	1,046,107
INDIRECT EXPENSES							
Salaries & Wages	103,423	113,384	(9,961)	584,553	680,304	(95,751)	591,116
Payroll Taxes & Benefits	26,291	34,458	(8,167)	179,593	206,748	(27,155)	169,180
Net Salaries and Benefits	129,714	147,842	(18,128)	764,146	887,052	(122,906)	760,296
Contracted Services	0	0	0	0	0	0	0
General and Administrative	13,159	19,323	(6,164)	93,398	115,938	(22,540)	90,371
Operating	6,583	7,246	(663)	57,523	75,874	(18,351)	64,011
Repairs & Maintenance	6,562	14,795	(8,233)	20,822	52,251	(31,429)	17,721
Operational Supplies	4,295	4,443	(148)	22,351	28,658	(6,307)	43,499
Insurance	15,818	16,625	(807)	94,910	99,750	(4,840)	35,358
Utilities	27,315	18,917	8,398	241,714	214,302	27,412	195,144
ASM Management Fees	10,895	10,927	(32)	65,373	65,562	(189)	63,654
Other Mgmt Fees	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
Total Indirect Expenses	214,341	240,118	(25,777)	1,360,237	1,539,387	(179,150)	1,270,054
Net Income (Loss)	(\$ 65,096)	(\$ 103,061)	\$ 37,965	(\$ 33,618)	(\$ 230,120)	196,502	(\$ 223,947)
Non-Operating Income							
City of Bemidji Subsidy	0	0	0	175,000	0	0	350,000
Property Insurance	0	0	0	0	0	0	(38,566)
Extraordinary Items	0	0	0	0	0	0	0
Adjusted Net Income (Loss)	(\$ 65,096)	(\$ 103,061)	\$ 37,965	\$ 141,382	(\$ 230,120)	371,502	\$ 87,487

ASSETS

Current Assets

Cash	\$	550,363
Accounts Receivable		112,833
Prepaid Assets		102,465
Inventory		<u>56,073</u>

Total Current Assets 821,734

Fixed Assets

Building		0
Machinery & Equipment		0
Acc. Depreciation		<u>0</u>

Total Fixed Assets 0

Other Assets

Other Assets		0
Deposits		<u>0</u>

Total Other Assets 0

Total Assets \$ 821,734

LIABILITIES AND EQUITY

Current Liabilities

Accounts Payable	\$	146,259
Working Capital Loan		350,000
Accrued Expenses		62,559
Deferred Income		93,041
Advance Ticket Sales/Deposits		88,273
Other Current Liabilities		<u>0</u>

Total Current Liabilities 740,132

Equity

Net Funds Received		0
Retained Earnings		(59,780)
Net Income (Loss)		<u>141,382</u>

Total Equity 81,602

Total Liabilities & Equity \$ 821,734

**The Sanford Center
2026
Rolling Forecast**

		Year to Date Actual Thru June	Projected July Thru 12/31/2026	Rolling Forecast Fiscal YE 12/31/2026	Budget Fiscal Year Ending 12/31/2026	Variance Positive / (Negative)	Percentage Change Increase (Decrease)	Prior Year Actual Fiscal YE 12/31/2025	Variance Positive / (Negative)	Percentage Change Increase (Decrease)
Event Income										
Direct Event Income										
	Rental Income	343,028	258,815	601,843	613,694	(11,851)	-1.93%	504,148	97,695	19.38%
	Service Income	530,026	333,933	863,959	1,003,644	(139,685)	-13.92%	813,776	50,183	6.17%
	Service Expenses	(339,141)	(214,840)	(553,981)	(688,044)	134,063	-19.48%	(518,214)	(35,767)	6.90%
	Total Direct Event Income	533,913	377,908	911,821	929,294	(17,473)	-1.88%	799,710	112,111	14.02%
Ancillary Income										
	F & B Concessions	141,074	104,901	245,975	301,621	(55,646)	-18.45%	221,473	24,502	-43.23%
	F & B Catering	308,843	193,390	502,233	447,864	54,369	12.14%	504,966	(2,733)	55.24%
	Novelty Sales	1,903	1,250	3,153	11,750	(8,597)	-73.17%	4,703	(1,550)	-64.57%
	Total Ancillary Income	451,820	299,541	751,361	761,235	(9,874)	-1.30%	731,142	20,219	2.77%
Other Event Income										
	Luxury Box Ticket Sales	32,761	18,000	50,761	46,000	4,761	10.35%	24,356	26,405	-64.28%
	Club Seat Ticket Sales	3,580	3,000	6,580	10,700	(4,120)	0.00%	1,421	5,159	-88.39%
	Event Advertising Income	-	-	-	-	-	0.00%	-	-	0.00%
	Ticket Rebates (Per Event)	25,690	15,300	40,990	44,450	(3,460)	-7.78%	45,861	(4,871)	-93.70%
	Facility Fees	56,687	72,300	128,987	164,800	(35,813)	-21.73%	156,287	(27,300)	-40.74%
	Total Other Event Income	118,718	108,600	227,318	265,950	(38,632)	-14.53%	227,925	(607)	-0.27%
Total Event Income		1,104,451	786,049	1,890,500	1,956,479	(65,979)	-3.37%	1,758,777	131,723	7.49%
Other Operating Income		222,168	183,967	406,135	599,000	(192,865)	-32.20%	557,840	(151,705)	-27.20%
Adjusted Gross Income		1,326,619	970,016	2,296,635	2,555,479	(258,844)	-10.13%	2,316,617	(19,982)	-0.86%
Operating Expenses										
	Employee Salaries and Wages	584,553	656,894	1,241,447	1,360,615	(119,168)	-8.76%	1,259,598	(18,151)	-8.07%
	Benefits	179,593	206,733	386,326	413,481	(27,155)	-6.57%	353,901	32,425	5.11%
	Net Employee Wages and Benefits	764,146	863,627	1,627,773	1,774,096	(146,323)	-8.25%	1,613,499	14,274	-4.84%
	General and Administrative	93,398	105,236	198,634	232,840	(34,206)	-14.69%	210,219	(11,585)	14.15%
	Operations	57,523	31,672	89,195	107,650	(18,455)	-17.14%	116,746	(27,551)	14.44%
	Repair & Maintenance	20,822	47,846	68,668	141,050	(72,382)	-51.32%	33,640	35,028	35.60%
	Supplies	22,351	31,457	53,808	63,800	(9,992)	-15.66%	86,158	(32,350)	-84.87%
	Insurance	94,910	99,750	194,660	199,500	(4,840)	-2.43%	185,662	8,998	-111.39%
	Utilities	241,714	240,698	482,412	455,000	27,412	6.02%	435,324	47,088	-3.70%
	SMG Management Fees	65,373	65,373	130,746	131,127	(381)	-0.29%	127,308	3,438	-3.00%
	Total Operating Expenses	1,360,237	1,485,659	2,845,896	3,105,063	(259,167)	11.72%	2,808,556	37,340	-4.97%
Net Income (Loss) From Operations		(33,618)	(515,643)	(549,261)	(549,584)	323	-0.06%	(491,939)	(57,322)	11.65%
Other Income (Expenses)		175,000	175,000	350,000	350,000	-		350,000	-	0.00%
Net Income After Other Income (Expenses)		141,382	(340,643)	(199,261)	(199,584)	323	-0.16%	(141,939)	(57,322)	40.38%

The Sanford Center
Fiscal Year 2026
Operating Cash Flow Forecast

Month Ending	July 7/31/2026	August 8/30/2026	September 9/30/2026	October 10/30/2026
Beg Cash Flow (Non Ticketing/Unrestricted)	592,879.43	360,926.53	297,306.53	179,236.53
F&B Revenue	10,000.00	32,000.00	70,000.00	98,000.00
Rent Revenue	10,000.00	6,000.00	26,000.00	21,000.00
Service Revenue	5,000.00	10,000.00	35,000.00	26,000.00
Ticketing Transer				
A/R Collections	80,000.00	-	-	-
Sanford Naming Rights		200,000.00		
Total Inflows	105,000.00	248,000.00	131,000.00	145,000.00
Net Employee Wages and Benefits	(165,000.00)	(120,000.00)	(130,000.00)	(142,000.00)
Uncashed AP Checks	-	-	-	-
Unpaid AP	(85,288.90)	(100,000.00)	-	-
General and Administrative	(15,989.00)	(13,000.00)	(20,000.00)	(16,989.00)
Operations	(6,583.00)	(8,700.00)	(7,000.00)	(6,663.00)
Repair & Maintenance	(3,600.00)	(400.00)	(250.00)	(7,162.00)
Supplies	(972.00)	(15,000.00)	(3,300.00)	(9,829.00)
Insurance	(16,625.00)	(16,625.00)	(16,625.00)	(16,625.00)
Utilities	(20,000.00)	(22,000.00)	(46,000.00)	(47,117.00)
SMG Management Fees	(10,895.00)	(10,895.00)	(10,895.00)	(10,895.00)
Sales Tax	(12,000.00)	(5,000.00)	(15,000.00)	
Other Cash Outflows				
Total Outflows	(336,952.90)	(311,620.00)	(249,070.00)	(257,280.00)
Available Cash	360,926.53	297,306.53	179,236.53	66,956.53
Other Cash Inflow/Outflow				
Intercompany Payments				
Funding				175,000.00
Ending Cash balance	360,926.53	297,306.53	179,236.53	241,956.53

CITY COUNCIL AGENDA ITEM



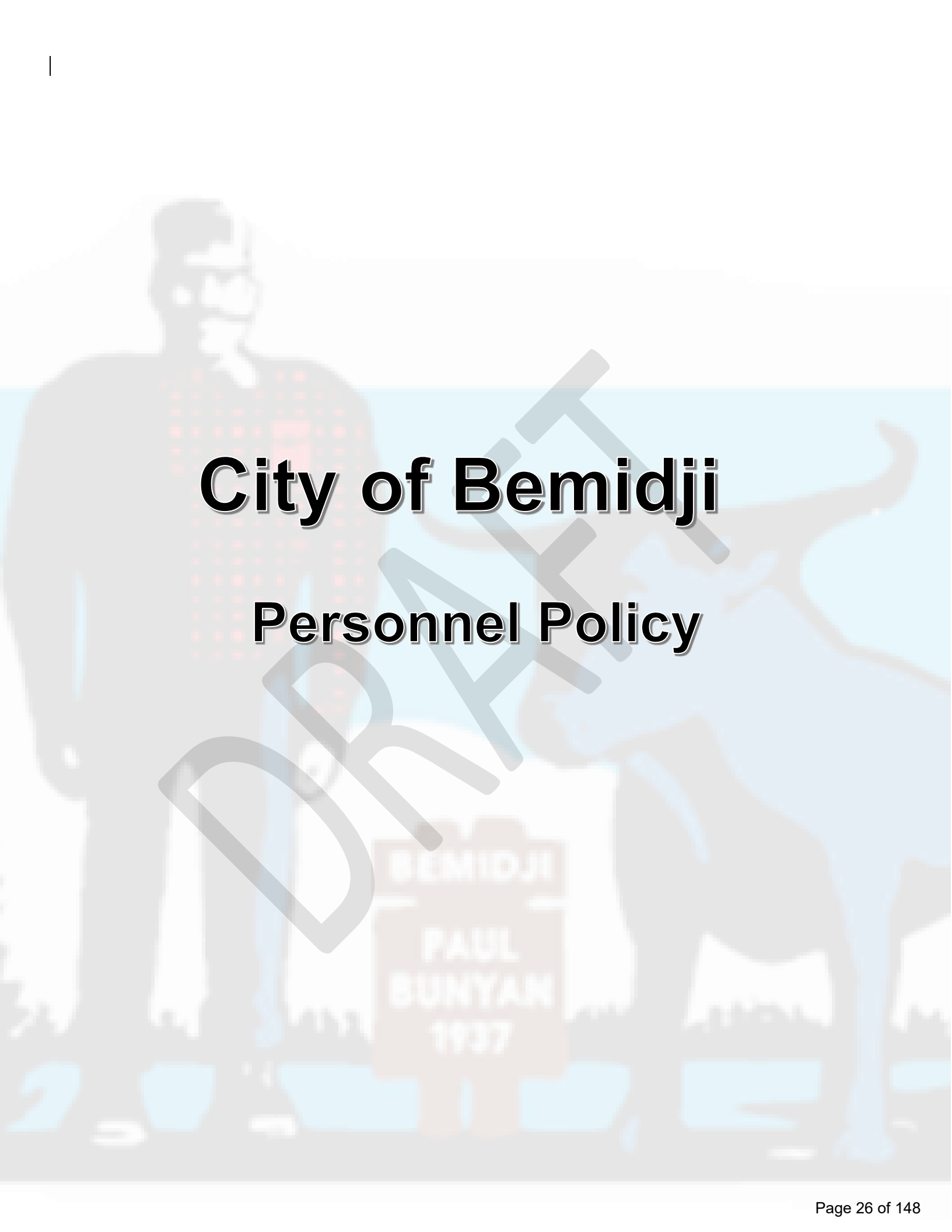
Meeting Date: August 3, 2026
Action Requested: Adopt Personnel Policy
Prepared By: Rich Spiczka, City Manager

Background:

City staff has been working for two years to update the City's Personnel policy. In that time City staff have been invited to meetings to share feedback and comments. City council has also been able to weigh in multiple times. It has been reviewed by legal and updated to assure compliance with the many state and federal updates since its last update. The personnel policy serves as vital document to support both the City and staff. The policy will continue to go through updates as laws and employment factors change, however it is imperative we get an updated policy in place.

Recommendation:

Adopt City of Bemidji personnel policy.

The background of the page features a stylized illustration. On the left, a man in a red and white checkered shirt and blue pants stands with his hands on his hips. To his right is a large blue bull. In front of the bull is a brown signpost with white text that reads "BEMIDJI", "PAUL BUNYAN", and "1937". A large, light blue "DRAFT" watermark is oriented diagonally across the center of the page.

City of Bemidji

Personnel Policy

|

June 25, 2026

DRAFT

Summary of Change

Revision dated (insert date approved)

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Article I. INTRODUCTION

Section 1.01 General

- A.** It is the purpose of these Personnel Policies to establish a uniform system of personnel administration, to set forth standards for workplace performance and conduct, and describe Employee benefits for Employees of the City of Bemidji.
- B.** These policies are not intended to be all-inclusive or to cover every situation that may arise.
- C.** Human Resources is responsible for maintaining the accuracy, clarity, and consistency of all personnel policies. This includes reviewing and updating documents as needed to correct grammar, formatting, or structural issues that do not alter the intent or meaning of the policy. These routine updates may be made without formal approval; however, any

changes that affect policy content or interpretation will follow the appropriate review and approval process.

D. All forms referenced in this policy are available on our designated forms website. This site is regularly updated to ensure all forms are current and reflect the most recent policy requirements.

E. Employees are encouraged to report any errors, inconsistencies, or suggestions for improvement. All corrections and recommendations should be submitted in writing to Human Resources for review. Submissions will be evaluated, and updates will follow the appropriate approval process to ensure the policy remains clear, current, and aligned with applicable local, State and Federal laws and regulations.

Section 1.02 Disclaimer

A. Nothing in this handbook or any other written or unwritten policies, course of conduct, or practices by the City, creates, or is intended to create, an express or implied contract, covenant, promise or representation between the City and our employees.

B. The City may change or eliminate policies, or portions thereof, contained in this handbook at its discretion at any time, and without notice.

C. This handbook does not vest in any employee a right, benefit, or privilege which cannot be changed or eliminated by the City Council, in its exclusive discretion, at any time without notice to Employees.

D. Employment with the City is at-will, except as otherwise provided by law or contract. This means that employment may be terminated with or without cause at any time at the option of either the employee or the City. No supervisor or other representative of the City has authority to enter into any agreement to the contrary unless approved by the City Council.

Section 1.03 Scope

A. The Personnel Policies established and adopted for the City are set in the following articles. Upon adoption of these policies by resolution of the City Council ("Council"), the policies shall constitute, and be referred to as, the official "Personnel Policies" of the City of Bemidji ("City"). The provisions hereof shall apply to all Employees of the City, except, in the case of conflict between applicable statute or ordinance, the statute or ordinance shall prevail. Responsibility and authority for the implementation and administration of these policies is vested in the City Manager, except as otherwise specifically provided herein.

B. If any specific provisions of the personnel policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law. Any Employee within

the jurisdiction of a personnel board or civil service commission established under Minn. Stat. Chapter 44, 419, or 420 is exempt from any provision of this part which is inconsistent with such a statute, or rules and regulations adopted thereunder.

C. Nothing in these policies is intended to modify or supersede any applicable provision of the Veterans' Preference Act or other State or Federal Law.

Section 1.04 Application

A. These policies and any amendment thereto, unless otherwise specified in the resolution adopting the amendment, shall be applicable to all present and future Employees of the City except Elected Officials, Appointed Board and Commission Members, and Volunteers.

B. The City reserves the right to alter or eliminate any benefit and to revise these policies. Any such alteration, elimination, or revision shall be applicable to current, as well as future, Employees.

C. Departments may have special work rules deemed necessary by the Department Head and approved by the City Manager for the achievement of objectives of that department.

D. The Council may vary rules and regulations by way of the City Manager's contract.

Section 1.05 Amendment to Policies

A. Amendments to these policies may be proposed by the Labor Management Committee, the City Manager, or any member of the Council. No part of this policy may be changed or deleted without said amendment being placed on the agenda of a regularly scheduled Council meeting for discussion, and a motion passed by a majority of the Council.

B. These policies supersede all previous Personnel Policies and can be amended at any time at the discretion of the City.

Section 1.06 Equal Employment Opportunity (EEO)

A. The City of Bemidji is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, selection, lay-off, disciplinary action, termination, compensation, and selection for training.

B. The City will not discriminate against any Employee or Applicant on the basis of race, color, creed, religion, national origin, ancestry, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), sexual orientation, gender identity or gender expression, disability, age, marital status, genetic information, status with regard to public assistance, Veteran status, familial status, political affiliation, or membership on a local human rights commission.

Section 1.07 Administrative Policy

- A.** The City Manager may issue administrative policies for the purpose of enforcement, implementation, or clarification of these personnel policies. Such policies shall be effective on the date specified and shall be placed on record.
- B.** These policies are open to public inspection during normal working hours. In case of any conflict between the personnel policies and any administrative policies, the personnel policies shall prevail. The Council may, by resolution, repeal any administrative policy.
- C.** Violation of these policies may result in disciplinary action in accordance with these policies and/or applicable collective bargaining agreement.

Article II. CODE OF ETHICS

Section 2.01 Dedication to Values

- A.** The proper operation of democratic government requires:
 - 1.** That public Employees be honest, impartial, and responsible to the people.
 - 2.** That government decisions and policies be made in the proper channels of the government structure.
 - 3.** That public employment is not used for personal gain, so that the public will have confidence in the integrity and ability of its government.
- B.** In recognition of these goals, this policy is established to guide all Employees.

Section 2.02 Dedicated Service

- A.** All Employees of the City should be loyal to the political objectives expressed by the electorate and the programs developed to attain those objectives.
- B.** Employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.
- C.** Employees should not exceed their authority, breach the law, or ask others to do so, and they should work in full cooperation with public officials and Employees unless prohibited from doing so by law or by the officially recognized confidentiality of their work.

Section 2.03 Conflict of Interest

- A.** No Employee, whether paid or unpaid, shall engage in any business or transaction, or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties in the public interest or would tend to impair their independence of judgment or action in the performance of their official duties.

B. Personal interest, as distinguished from financial interest, includes an interest arising from blood or marriage relationships or close business or political associations. City Employees are to remove themselves from situations in which they must act or decide where that action or decision could be a perceived or actual conflict of interest or could result in a personal benefit for themselves or a family member. If an Employee has any question about whether such a conflict exists, consultation with the Department Head, City Manager, or City Attorney is recommended.

Section 2.04 Values and Principles

A. This list of principles incorporates the characteristics and values that most people associate with ethical behavior. An ethical decision systematically considers which, if any, of the following principles are involved. These principles should be used as a guide by all Employees.

- 1. Honesty** – People are truthful, sincere, forthright, straightforward, frank, and candid; they do not cheat, steal, lie, deceive, or act deviously.
- 2. Integrity** – People with integrity are principled, honorable, and upright; they are courageous and act on convictions; they will fight for their beliefs and will not adopt an "ends justifies the means" philosophy that ignores principles or be expedient at the expense of principles, be two-faced, or unscrupulous.
- 3. Promise-Keeping** – A person worthy of trust keep promises, fulfill commitments, and abide by the spirit, as well as the letter, of an agreement.
- 4. Fidelity** – People worthy of trust demonstrate fidelity and loyalty do not use or disclose information learned in confidence for personal or political advantage. They safeguard the ability to make independent, professional judgments by scrupulously avoiding undue influences and conflicts of interest.
- 5. Fairness** – People who manifests a commitment to justice, the equal treatment of individuals, tolerance for and acceptance of diversity, and they are open-minded; they are willing to admit they are wrong and, where appropriate, change their positions and beliefs; they do not overreach or take undue advantage of another's mistakes or difficulties.
- 6. Caring** – Concern for the well-being of others manifests itself in compassion, giving, kindness, and serving; it requires one to attempt to help those in need and to avoid harming others.
- 7. Respect** – Ethical persons demonstrate respect for human dignity, privacy, and the right to self-determination of all competent adults; they are courteous, and decent.
- 8. Citizenship** – In a democracy, responsible citizenship is an ethical obligation; it involves lawfulness by abiding by laws and rules of society, participation by voting and

expressing informed views, social consciousness, and public service. Public sector Employees have the additional responsibility of encouraging participation of others and a special obligation to respect and honor the democratic processes of decision making and avoiding unnecessary secrecy or concealment of information and assuring that the citizenry has all the information needed to exercise responsible citizenship.

9. Excellence – Ethical people are concerned with the quality of their work; they pursue excellence, they are diligent, reliable, industrious, and committed. A public sector Employee must be well informed and well prepared to exercise on behalf of the public authority.

10. Accountability – Ethical people accept responsibility for decisions, for the foreseeable consequences of their actions and inactions, and for setting an example for others. Persons in the public sector have a special obligation to lead by example, to safeguard and advance the integrity and reputation of the legislative process, to avoid even the appearance of impropriety, and to take whatever actions are necessary to correct or prevent inappropriate conduct of others.

11. Avoidance of the Appearance of Impropriety – Because of the unique importance of credibility and public trust, Employees must avoid even the appearance of impropriety.

Article III. EMPLOYMENT

Section 3.01 Affirmative Action and EEO

A. The City has occasion to receive various state and federally funded grants. Minn. Stat. Section 363A.36, Subdivision 1, encourages municipalities to establish and adopt affirmative action plans to address the employment of minority persons, women, and the qualified disabled, and to submit the plan to the Commissioner of Human Rights. The City has adopted the following policy statement as part of its Affirmative Action and EEO Plan:

1. The City of Bemidji prohibits discrimination or harassment against any employee, applicant for employment, or third party contractor regardless of race, color, creed, religion, national origin, sex, sexual orientation, gender identity, gender expression, disability, age, marital status, familial status, status with regard to public assistance, membership or activity in a local human rights commission, or any other legally protected characteristic.

2. The City of Bemidji agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified women, minorities, and disabled individuals without discrimination in upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training.

3. The City of Bemidji will use its best efforts to afford minority and female business enterprises with the maximum practicable opportunity to participate in the performance of subcontracts for construction projects that the city engages in.

4. All solicitations and advertisements for Employees placed by the City of Bemidji (or on behalf of the City by subcontractors) will state that all qualified Applicants will receive consideration for employment regardless of their race, color, creed, religion, national origin, sex, disability, age, marital status, sexual orientation, or status with regard to public assistance by advertising the phrase "The City of Bemidji is an Equal Employment Opportunity Employer."

5. Help wanted ads shall not indicate a preference, limitation, specification, or discrimination based on sex unless sex is a bona fide occupational qualification for a particular job involved.

6. Special efforts will be made to include minority, female, and disabled persons on the personnel relations staff.

7. The City of Bemidji will commit the necessary time and resources, both financial and human, to achieve the goals of Equal Employment Opportunity and Affirmative Action.

8. The City of Bemidji fully supports incorporation of non-discrimination and Affirmative Action rules and regulations into contracts.

9. The City of Bemidji will evaluate the performance of its management and Supervisory personnel based on their involvement in achieving these Affirmative Action/Equal Employment Opportunity objectives as well as other established criteria. Any Employee of the City, or subcontractor to the City, who does not comply with the Equal Employment Opportunity Policies and Procedures as set forth in this Statement and Plan will be subject to disciplinary action. Any subcontractor not complying with all applicable Equal Affirmative Action laws, directives and regulations of the Federal State and Local governing bodies or agencies thereof, specifically Minnesota Statutes 363 will be subject to appropriate legal sanctions.

10. The City of Bemidji has appointed staff to manage the Affirmative Action/Equal Employment Opportunity Program. Responsibilities include monitoring all Equal Employment Opportunity activities and reporting the effectiveness of this Affirmative Action Program, as required by Federal, State and Local agencies. The City Manager of Bemidji will receive and review reports on the progress of the program. If any Employee or Applicant for employment believes he/she has been discriminated against, please contact the City Manager, 317 4th Street NW, Bemidji, MN 56601, or call 218-759-3565.

B. It is the policy of the City to recruit and select the best qualified people for positions within the City. The recruitment and selection process shall provide fair and equal opportunity for all qualified Applicants. If the position falls under a collective bargaining agreement, and all relevant job qualifications are equal, first consideration will be given to a current Employee within the applicable bargaining unit. This policy applies to all positions: Seasonal; Temporary; Permanent; Part-Time; and Full-Time, unless specifically waived by the City Council.

C. The City is an affirmative action, equal opportunity Employer and shall follow all applicable state and federal employment law.

D. A copy of the City's Affirmative Action and EEO Plan will be distributed to all Employees annually and/or upon revision.

Section 3.02 Types of Employment

A. Full-Time Employment – This employment is to a position which is computed at a full-time rate and for which all fringe benefits offered by the City are available, as specified in these policies, providing it is also a permanent position with Employees who are required to work 40 or more hours per week.

B. Emergency Employment – To prevent stoppage of public business, loss, or serious inconvenience to the public, the Department Head may authorize employment of a Temporary Employee, within the departmental budget. A vacancy of which a Department Head has had reasonable notice, or an employment condition of which they had, or might with due diligence have had previous knowledge, shall not be filled by an Emergency Employment.

C. Part-Time Employment – This is employment to a position which is paid at an hourly rate for Employees working less than 30 hours per week and for which the fringe benefits are not available, except as required by federal or state law or provided or elsewhere in these policies. Supervisors/Department Heads are responsible for tracking hours worked.

D. Part-Time Benefits Eligible Employment – This is employment to a position which is paid at an hourly rate for a work week of less than 40 hours but more than thirty 30 hours. Full health benefits are available with other fringe benefits pro-rated. Supervisors/Department Heads are responsible for tracking hours worked.

E. Temporary Employment – This is employment to a position predetermined at the time of hiring to be a period of six months or less. Temporary position also means a position occupied by a person hired as a temporary replacement.

F. Seasonal Employment – This is employment where the nature of the work or its duration are related to a specific season(s) of the year. regardless of whether the Employer anticipates that the same Employee will return to the position each season in which it becomes available. The entire period of employment in a year must be used to determine whether a position may be excluded as Seasonal when there is less than a 30-day break between one Seasonal position and a subsequent Seasonal position.

1. A period of 67 working days, or 100 working days if the Employee is under 23 and in school or off school during a break but enrolled for the upcoming academic year.

2. The 67-day maximum applies for a calendar year. In the event the Employee works in the same position at different times throughout the year, the days the employee works will be added together for purposes of reaching the applicable limit.

3. The time is calculated for all the time an individual (or individuals) works in a position. Time spent working in different positions are not counted together.

4. A Seasonal Employee is subject to Public Employees Retirement Association (PERA). The entire period of employment in a year must be used to determine whether a position may be excluded as Seasonal when there is less than a 30-day break between one Seasonal position and a subsequent Seasonal position.

5. Supervisors and Department Heads are responsible for tracking days worked.

G. Internship – An intern is typically a student working for the City through a program offered by a school. Normally, internships are performed by students who have already graduated, or are preparing to graduate, from a program and are willing to do an internship to gain work experience in their field of study. Depending upon the program and the City, the internship may be paid or unpaid. All Internship appointments must be approved by the City Manager and coordinated through Human Resources/Payroll to ensure accurate record keeping, onboarding and pay.

H. Paid-On-Call (POC) – This is employment in the Fire Department which is paid at an hourly rate for calls and training based on availability and quota requirements.

I. Volunteer – City Volunteers are individuals who perform services as part of a City function and under the City's direction and supervision.

Section 3.03 Probationary Period

A. All Employees will be subject to a standard probationary period of 180 days from their first duty day following appointment. However, Seasonal or Temporary Employees will be subject to a probationary period of 30 days. The probationary period is an integral part of the selection process and shall be utilized for observing the Employee's work, for securing the most effective adjustment of the Employee for the position, and for rejecting any Employee whose performance does not meet the required work standards.

B. The City Manager may terminate an Employee at any time during the probationary period. The Employee so terminated shall be notified in writing by the City Manager of the reasons for the termination and shall not have the right to appeal unless they are a veteran, in which case the procedure prescribed in Minn. Stat. 197.46 shall be followed.

C. An Employee who fails to successfully complete the probationary period for a position to which they were promoted or transferred, shall be demoted to the position the Employee was in prior to the promotion or transfer, or be placed on a leave of absence without pay, at the discretion of the City Manager. When a vacancy arises in the class from which the Employee was promoted or transferred, such Employee shall be reinstated to that position.

D. At least 10 days prior to the expiration of the probationary period, the Employee's Supervisor shall complete and submit a Supervisory or Non-supervisory Performance

Evaluation for the probationary period for the Employee. Only authorized evaluation forms shall be used per the Performance Evaluations Policy.

E. Based upon the performance evaluation, Supervisors shall recommend to the City Manager that:

1. The Employee be moved to permanent status.
2. The Employee be terminated.
3. The probationary period be extended for another six months to allow for further training and/or observation.

F. The City Manager shall act upon the recommendation of the Employee's Supervisor.

G. The City Manager reserves the right to affirm the Supervisor's recommendation, overturn the recommendation, or modify it in any manner deemed appropriate.

H. In the absence of a Supervisor's recommendation, an Employee is deemed to have satisfactorily completed their probationary period.

I. Nothing in this policy shall be construed to imply that after completion of the probationary period, an Employee has any vested interest or property right to continued City employment.

Section 3.04 Hiring Procedures

A. Determination of Open Position – Department Heads shall notify the City Manager when a vacancy exists. Such notification will include a recommendation for replacement and any changes in the applicable position description.

1. The City Manager will determine if the position description is appropriate and if the position will be filled through open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis. All Hiring Managers and Departments must follow the Hiring Process Steps flow chart and timeline.

2. Department Heads are required to obtain approval from the City Manager for all internships by completing the Internship Request form and providing any applicable supporting documentation.

B. Recruitment Protocol – If recruitment is deemed appropriate, the process shall include, at a minimum, the following:

1. City Application – Applicants for any City position will complete the online employment application located on the City's website.

2. Internal Recruitment – City Employees are notified via of position vacancies for a period of not less than five working days, or another period as stated in a relevant

bargaining unit contract. Interested internal Applicants shall complete the same application that is required of outside Applicants.

3. External Recruitment – An external recruitment may be conducted at the same time as the internal recruitment process. Positions shall be advertised by means of reaching the broadest range of diverse and qualified Applicants which may include but not limited to; newspaper, City's webpage or social medial sites, internet job sites, newsletters, colleges, universities, and other job-related publications for a period necessary to attract qualified candidates, but not less than 10 calendar days.

C. Job Posting – The posting shall include, but is not limited to:

1. Title of position.
2. Salary scale.
3. A description of the essential responsibilities and duties.
4. Immediate Supervisor.
5. The application deadline.
6. Any test to be given.
7. Minimum qualifications.

D. Selection Process – The selection of Applicants shall include, but not be limited to, the following:

1. Subject Matter Expert (SME) Review of Education, Training, and Experience – A minimum of three SME's shall review all applications and apply standardized points to each application based on qualifications for the job.

a. The assigned SME's will be a combination of experts with experience related to the position, as well as other Employees of the City to provide an unbiased review of the applicants.

b. Ratings shall be based on a 100-point scale, with point values assigned to education, training, and experience prior to advertising the position. Those Applicants not meeting the minimum qualifications shall not be considered.

2. Eligibility List – Human Resources assists the Hiring Manager to create an eligibility list of qualified Applicants including those with Preferred qualifications. The eligibility list shall be valid for a minimum of 90 days from the date of establishment, but not more than two years.

3. Testing – Applicants meeting minimum qualifications may be asked to participate in further testing conducted under the direction of the Department Head and Hiring Manager. This testing may vary depending upon the position but may include one or more of the following tests: written; ability; achievement; performance; physical agility; and/or dexterity. The Hiring Manager shall make test scores available to the individual who completes a test. Completed exams and/or answer keys to the exam shall not be provided to any Applicant.

4. Veteran's Preference – Veteran's Preference shall be afforded to a Veteran pursuant to Minn. Stat., Chapter 43A.11, and 197.455. The Veteran's Preference Law govern the granting of Veteran's Preference by the City. This policy is subject to change to comply with the most recent law.

5. Interview – Upon completion of the rating, and any other testing, the Hiring Manager should offer at least the top three candidates an interview. The interview shall be based on the use of structured questions relating to the responsibilities and duties to be performed in the position. The interview team may include the Department Head, any other direct Supervisor of the position, and additional staff as desired.

E. Appointment and Notification.

1. The Hiring Manager shall recommend the Applicant most qualified for the position in accordance with the Hiring Process Steps flow chart and timeline to the City Manager who will make the final hiring decision.

2. The Applicant selected for the position shall be notified in writing of the following information before their first day of work, pursuant to Minn. Stat., 181.55, Written Statements to Employees by Employers.

a. Position offered.

b. Anticipated starting date and time.

c. Position classification e.g., exempt/non-exempt, salaried/hourly, Part-Time/Full-Time, Department Head, etc.).

d. Compensation and any anticipated probationary increases.

e. Immediate Supervisor.

f. Any deviation from the personnel policies or collective bargaining agreement.

3. Reference and Background Checks – All offers of employment, to include Volunteers and Internships, shall be contingent upon successful reference checks and completion of any required criminal background investigation or other background investigation appropriate for the position and consistent with state and federal laws.

4. Medical Examination – Offers of employment may also be contingent upon the successful completion of state and federal examination requirements, including but not limited to a psychological and/or pre-employment physical, or medical examination.

5. All Applicants must be notified in writing, and by telephone if desired, as soon as practicable after they have been eliminated from consideration for the position.

F. Re-employment Policy – The City recognizes it may be beneficial to rehire a former Employee and will consider these applicants through the competitive process. Consideration for re-employment is consideration processes will comply with applicable laws, including federal and state discrimination laws, the Uniformed Services Employment and Reemployment Rights Act, and state military leave laws, as well as any applicable collective bargaining agreements. In some instances, hiring a former Employee may:

1. Reduce recruiting expenses.
2. Fill vacancies quicker.
3. Fill positions with personnel whose knowledge, skills, abilities, and efforts are known.
4. Require less orientation, training time and resources.

G. POC Firefighter Hiring Procedures – The City of Bemidji recognizes the value of allowing a regular full-time Employee to also serve as POC Firefighter with the Fire Department. By doing so, the City expects to help fill Fire Department vacancies, efficiently provide fire protection, and rescue services with staff already committed to serving the community and set an example for other Employers to allow their Employees to serve on the Fire Department and respond to emergency calls during normal work hours whenever possible. Therefore, the City will allow a regular full-time Employee, not currently a full-time firefighter, to serve as a POC Firefighter provided the following criteria and requirements are met:

1. A current Employee wishing to serve as a POC Firefighter must follow the normal hiring procedures for the position (including formal application, training and experience rating, written exam, oral interview, physical agility test, Fire Chief interview, pre-employment drug test, medical exam, and background investigation).
2. Any offer of employment as a POC Firefighter to an existing City Employee, or any offer of City employment to an existing POC Firefighter, shall be contingent upon the execution of an Agreement to Serve as POC Firefighter acknowledging details such as primary duties, priorities, Supervisor authority, compensation, and overtime hours. The Employee's regular full-time position shall be considered primary employment.
3. Exempt Employees may serve as a POC Firefighter but will not receive separate compensation from the City and are not eligible for overtime pay.

4. With Supervisor approval, an Employee will be allowed to respond to paged emergency calls with the Fire Department. However, the Supervisor and/or Department Head shall have full authority to approve or deny, for any reason, and the request to respond to an emergency call during regular working hours.

5. The Employee shall return to the primary position once the emergency call has ceased and accurately reflect the absence on the applicable timesheet.

6. When an affected Non-exempt Employee responds to POC emergency responses, calls, drills, meetings, training, or other approved activities during normal working hours, the use of compensatory time, paid-time-off (PTO) and/or floating holiday hours to fulfill their normal primary 40-hour workweek.

a. All Fire Department related hours will then be reported on a separate timesheet, treated as overtime hours, and paid at a rate of one and one-half times the hourly firefighter rate.

b. For example, a full-time City Employee also serves as a POC Firefighter. During the workweek, the Employee works 37 hours in the primary position and responds to a five-hour fire call (three of which were during normal working hours). The Employee will report 37 hours worked plus three hours of PTO on their normal timesheet and five hours on their Fire Department timesheet, which will be paid at a rate of one and one-half times the POC Firefighter rate.

7. All overtime related to POC hours must be paid (overtime hours accrued shall not be granted as compensatory time in lieu of overtime pay).

8. An Employee on pre-approved leave such as vacation, floating holiday or personal leave identified as PTO or compensatory time may respond to emergency calls. In this case, declared PTO, compensatory time and/or holiday hours will NOT be adjusted if the Employee responds to an emergency call, drill, meeting, training, or other approved activity as those hours should be reported on the Fire Department timesheet. An Employee responding to calls on a holiday will be paid at the normal POC Firefighter rate, unless otherwise stipulated in an executed labor agreement and/or the Fair Labor Standards Act (FLSA).

9. Department Heads have the authority to establish reasonable department-specific rules and guidelines to ensure the department operates as needed.

10. If an Employee violates any portion of this policy, the agreement may be terminated and/or the Employee may be subject to disciplinary action, up to and including termination.

11. Failure to comply with the criteria and requirements set forth in this policy may result in the retraction of the agreement and the City retains the right to retract the agreement at any time for any reason.

12. The agreement shall become null and void if/when an Employee retires, resigns, or is terminated from either the primary or POC position.

13. City Employees hired as a POC Firefighter may also be eligible to become members of the Bemidji Firefighter's Relief Association and receive the benefits provided to its members.

Section 3.05 Nepotism

A. No person serving as a member of the Council shall be eligible for employment with the City.

B. No Supervisor shall participate in decisions related to supervision/work direction, hiring, retention, promotion, or determination of the salary level of a member of their immediate family.

C. City Employees will not have direct supervisory responsibility for an immediate subordinate who is also member of their immediate family. This includes additional levels of supervision in the hierarchy.

D. For this policy, immediate family is defined as:

1. Spouse or domestic partner.
2. Parents (including stepparents and legal guardians).
3. Children (biological, adopted, stepchildren, or legal wards).
4. Siblings (including step- or half-siblings).
5. Grandparents and grandchildren.
6. In-laws (such as mother-in-law, father-in-law, son- or daughter-in-law).

E. The foregoing restrictions do not preclude consideration of a relative of an Elected Official or Supervisor for City employment except as specifically restricted herein. Evidence should be available demonstrating that procedures of the personnel policies were followed during the selection process and that the most qualified Applicant was selected.

F. A POC Firefighter may be granted an exception to this policy. Compensation, promotion, and discipline decisions must be reviewed by the City Manager in situations where an Employee is supervised by a relative.

Section 3.06 Change of Employment Status

A. Promotion Policy – Vacancies in positions are encouraged to be filled by the promotion of qualified a City Employee. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an

increase in compensation. Promotions may follow the hiring process or may be a process as determined by the City Manager, after consultation with the Supervisor assigned to that department.

B. Transfer – An Employee may be transferred to a similar position in a different department. An Employee desiring to be transferred should make a written request to the Supervisor for consideration when a vacancy occurs. The request must be approved by the current Supervisor, the City Manager, and the Supervisor receiving the Employee. Transfer of an Employee may be permitted when the Supervisor determines that the Employee meets the qualifications of the position, that the transfer is in the best interest of the City, and that further training and development of the Employee in the new position would be beneficial to the City.

C. Demotion – An Employee may be demoted to a position of lower grade at the discretion of the Supervisor, subject to the approval of the City Manager. Reasons for the demotion shall be detailed in a written statement.

D. Lay-off – If it is necessary to reduce personnel, Temporary Employees and those serving a probationary period in affected job classifications will be laid off before full-time Employees in those job classifications. The selection of Employees to be retained shall be based on merit and ability as determined by the Department Head, subject to the approval of the City Manager. Reduction of Department Head positions shall be at the sole discretion of the City Manager, in accordance with City Code 2-121. A minimum of a written two-week notice shall precede any lay-off.

E. Resignation and Retirement – An Employee electing to leave the municipal service in good standing, as determined by the City, shall file a written resignation with the Department Head at least 14 calendar days prior to the last day. Immediate supervisor or Department Head will submit a Personnel Action Form to Human Resources for processing.

1. Exempt Employees shall give 30 days' notice. The written resignation must state the effective date of the Employee resignation.

2. Exit interviews will be given to all Employees. Human Resources offers the exit interview either on paper questionnaire or digitally assigned. The interview can also be conducted by an Employee of choice in the event there is a conflict of interest.

3. Failure to comply with this procedure may be considered the cause for denying such Employee future employment by the City and denying termination benefits. Unexcused or unauthorized absences from work for a period of three consecutive workdays may be considered a resignation without proper notice.

F. Termination – An Employee terminated for misconduct will be denied termination benefits under the City Manager's discretion. Minnesota State Statute 268.095 Subd. 6 defines "employment misconduct" as any intentional, negligent, or indifferent conduct, on the job or off the job that is clearly a serious violation of the standards of behavior the Employer has the right to reasonably expect of the Employee.

G. Phased Retirement Option (PRO) – Pursuant to Resolution 5600 passed by the City Council on December 7, 2009, and amended on April 5, 2010, the City recognizes it may be beneficial to offer a Public Employees Retirement Association (PERA) PRO to certain staff either to enhance knowledge transfer to other staff, retain key staff until a replacement can be found, or to reduce the hours of staff for budgetary savings.

1. The City Manager will serve as the designated coordinator for the PERA PRO program and will identify Employees eligible to participate in the program, determine whether there is a benefit to the City in offering the program to those Employees, and will coordinate communication and implementation of the program to those suitable for the program.

2. If an Employee qualifies for the PRO and the City agrees to implement the option, prorated benefits shall be paid to the Employee in addition to their salary compensation. Prorated benefits include the cafeteria contribution, paid holidays, accrual of PTO, vacation and/or sick leave.

Article IV. EMPLOYEE RIGHTS AND RESPONSIBILITIES

Section 4.01 Employee Conduct

A. Upon employment with the City, an Employee becomes a representative of the City and is expected to:

1. Assist and serve citizens for whom they work.
2. Conduct themselves in a manner which reflects favorably on the City, and which demonstrates tact, courtesy, and good judgment.
3. Exhibit conduct that is ethical, professional, responsive, and of standards becoming of a City Employee.
4. Comply with established policies, rules, and procedures and follow the instructions of their Supervisors and Department Heads.

Section 4.02 Employee Responsibilities

A. The primary responsibility of an Employee is to serve the residents of Bemidji.

B. Daily responsibilities include:

1. Always performing assigned duties to the best of their ability and continually striving to improve performance.
2. Always rendering prompt and courteous service to the public.

3. Reading, understanding, and complying with the rules and regulations as set forth in these policies, as well as departmental work rules.
4. Conducting oneself professionally toward residents and staff and responding to inquiries and information requests with patience and courtesy.
5. Reporting all unsafe conditions to an immediate Supervisor.
6. Maintaining good attendance while meeting the goals of the department.

Section 4.03 Performance Evaluations

- A.** An objective performance review system will be established by the City Manager or designee for the purpose of periodically evaluating the performance of City Employees. The quality of past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.
- B.** Performance evaluations will be discussed with the Employee. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable using the grievance process, other performance evaluation data, including subjective assessments, are not. For those parts of the performance evaluation system deemed not challengeable, an Employee may submit a written response, which will be attached to the performance review. Performance evaluations are to be scheduled on a regular basis, at least annually. The applicable Performance Evaluation form with all required signatures, will be retained as part of the personnel file of the Employee.
- C.** During the training period, informal performance meetings should occur frequently between the Supervisor and the Employee. Conducting these informal performance meetings provides both the Supervisor and the Employee with the opportunity to discuss what is expected, what is going well and not so well.
- D.** Signing of the applicable Performance Evaluation form by the Employee acknowledges the review has been discussed with the Supervisor and does not necessarily constitute agreement. Failure to sign the document by the Employee will not delay processing.

Section 4.04 Falsification of Records

- A.** No person shall make false statements, certificates, marks, ratings, or reports regarding any test, certificate, or appointment held or made under the City personnel system, or in any manner commit or attempt to commit any fraud. Any Employee who makes false statements or commits, or attempts to commit, fraud to prevent the impartial application of these policies will be subject to immediate disciplinary action, up to and including termination of employment and possible criminal prosecution.
- B.** Whistleblower Protections – An Employee of the City who, in good faith, reports an activity that is illegal or dishonest to one or more of the parties may have whistleblower

protections. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate City management officials are charged with these responsibilities.

1. Whistleblower protections are provided in two important areas – confidentiality and against retaliation; insofar as consistent with Minnesota data practices, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

2. The City will not retaliate against a whistleblower. This includes but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes to be retaliated against must contact the City Manager immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing.

C. Examples of illegal or dishonest activities include violations of federal, state, or local laws; billing for services not performed or for goods not delivered, and other fraudulent financial reporting.

D. If an Employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the Employee is to contact an immediate Supervisor or the City Manager. The Employee must exercise sound judgment to avoid baseless allegations. An Employee who intentionally files a false report of wrongdoing may be subject to discipline up to and including termination.

Section 4.05 Gifts, Gratuities and Solicitations

A. No Employee of the City shall solicit, receive, or accept, directly or indirectly, any gift, gratuity, reward, favor, entertainment, remuneration, loan, or any other thing of monetary value, from any person who has, or is seeking to obtain, a contractual, business, financial, or other relationship with the City.

B. An Employee may be permitted to accept food and refreshments in the ordinary course of a business meeting or during an inspection tour where an Employee is properly in attendance. An Employee may be permitted to accept promotional material such as pens, pencils, notepads, calendars, and other items of nominal value that have not been solicited by the Employee.

C. Outside solicitations of any kind are not permitted in City buildings. However, City Employees are permitted to have sign-up sheets for school or organizational fundraisers provided the solicitation does not interfere with workplace performance and productivity.

Section 4.06 Access to and Use of City Property

A. City property is available for an Employee to use for official business. The Employee is responsible for the safekeeping and care of all such equipment. Personal use of City property is limited and requires prior approval by the immediate Supervisor or Department Head. This includes use of City vehicles, machinery, tools, equipment, buildings, telephones, fax machines, copy machines, office supplies, cellular phones, computers, internet services and any other property owned by the City. Disciplinary actions shall be taken in the event of abuse or misuse of City property, as determined by the City.

B. Personal Use of City Vehicles.

1. Personal use of a City vehicle is any use other than that which is required to perform assigned duties. Examples of personal use would include:

- a.** Use of a City vehicle for commuting to and from the normal place of work.
- b.** Taking a City vehicle home for the evening or for breaks.
- c.** Shopping for and/or transporting items that are not job related.
- d.** Transportation of family members or others not directly related to City business. However, family members attending a conference or seminar with a City Employee may be passengers in a City vehicle.
- e.** Any other non-work use of a City vehicle.

2. Except in the case of an emergency, any ongoing personal use of a City vehicle must have prior City Manager approval. The City Manager, or Department Head may also direct an Employee to take a vehicle home on an occasional or incidental basis, if it is to the City's advantage to do so. City Manager approval does not remove the tax consequences of personal use.

3. Internal Revenue Services (IRS) rules and regulations will be followed when an Employee is allowed the personal use of a City vehicle. Those rules and regulations require the Employer to report vehicle benefits as income to the Employee on their annual Form W-2, Wage and Tax Statement. The amount of income will be determined by either a mileage rate (the current IRS mileage rate), or an imputed annual lease rate (the current IRS lease rate) less any business use.

4. The Employee must track and report any personal mileage accrued on a City vehicle to the Finance Department by December 15th of that calendar year.

C. Upon termination of employment, the Employee is responsible for returning all property, tools and equipment belonging to and/or furnished by the City. This includes items such as keys, cellular telephones, safety equipment, clothing, etc.

Section 4.07 Personal Communications and Acceptable Use

A. This policy serves to protect the security and integrity of the City's electronic communication and information systems by educating Employees about appropriate and safe use of available technology resources.

B. Computers and related equipment used by Employees and are the property of the City. The City reserves the right to inspect, without notice, all data, electronic mail (E-mail), files, settings, or any other aspect of a City-owned computer or related system, including personal information created or maintained by an Employee. The City may conduct inspections on an as-needed basis as requested by the City Manager.

C. Beyond this policy, the Information Technology (IT) authority may distribute information regarding precautions and actions needed to protect City systems; all Employees are responsible for reading and following the guidance and directives in these communications.

D. Personal Use of City Equipment – The City recognizes that some personal use of City-owned computers and related equipment has and will continue to occur. Some controls are necessary to protect the City's equipment and computer network and prevent abuse of this privilege. Reasonable, incidental personal use of City computers and software is allowed but should never preempt or interfere with work. All use of City computers and software, including personal use, must adhere to provisions in this policy, including the following:

1. Employees shall not connect personal peripheral tools or equipment (such as printers, digital cameras, disks, Universal Serial Bus (USB) drives, or flash cards) to City-owned systems, without prior approval from a Supervisor. If permission to connect these tools/peripherals is granted, the Employee must follow the provided directions for protecting the City's computer network.

2. Personal files should not be stored on City computer equipment. This also applies to personal media files, including but not limited to MPEG Audio Layer 3 (MP3) files, Waveform Audio File Format (WAV) files, movie files, music files, or any other file created by copying a music Compact Disc (CD), Digital Video Disc (DVD), or files from the internet. The IT Authority staff will delete these types of files if found on the network, computers, or other City-owned equipment. Exceptions would be recordings for which the City has created, owns, purchased, or has a license.

3. City equipment or technology shall not be used for personal business interests, for profit ventures, political activities, or other uses deemed by the City Manager to be inconsistent with City activities. If there is any question about whether a use is appropriate, it should be forwarded to the Supervisor of the Employee for determination.

E. Personal Use of Digital Devices – Personal use of personal cellular or similar devices during work hours is at the discretion of the Supervisor.

F. System Hardware.

1. In general, the City will provide the hardware required for an Employee to perform assigned job duties. Requests for new or different equipment should be made to the Supervisor.

2. Only City staff may use City computer equipment. Use of City equipment by family members, friends, or others is strictly prohibited.

3. The Employee is responsible for the proper use and care of the City-owned computer equipment. City computer equipment must be secured while off City premises; do not leave computer equipment in an unlocked vehicle or unattended at any offsite facility. Computer equipment should not be exposed to extreme temperature or humidity. If a computer is exposed to extreme heat, cold, or humidity, it should be allowed to achieve normal room temperature and humidity before being turned on.

G. System Software.

1. In general, the City will provide the software required for an Employee to perform assigned job duties. Any requests for new or different software should be made to a Supervisor.

2. The Employee shall not download or install any software on a computer without prior approval from a Supervisor. Exceptions to this include any software approved by the IT Authority such as word processing updates, or other productivity software updates. The IT Authority may, without notice, remove any unauthorized programs or software, equipment, downloads, or other resources.

H. Electronic Mail (E-mail).

1. The City provides Employees with an e-mail address for work-related use. Some personal use of the City e-mail by Employees is allowed, provided it does not interfere with the work of the Employee and is consistent with all City policies.

2. Employee e-mails (including those that are personal in nature) may be considered public data for both electronic-discovery and information requests and may not be protected by privacy laws. E-mail may also be monitored as directed by City authorized staff and without notice to the Employee.

3. Employees must adhere to the following guidelines:

a. Never transmit an e-mail that you would not want your Supervisor, other Employees, members, City Officials, or the media to read or publish.

b. Use caution or avoid corresponding by e-mail on confidential communications (e.g., letters of reprimand, correspondence with attorneys, medical information).

c. Do not open e-mail attachments or links from an unknown sender. Delete junk or "spam" e-mail without opening it if possible. Do not respond to unknown senders.

d. Do not use harassing language (including sexually harassing language) or any other remarks, including insensitive language or derogatory, offensive, or insulting comments or jokes.

I. Personal Devices – Employees may choose to use their own equipment to read or compose e-mail or other City data as governed under this policy. Employees understand that by connecting their personal equipment to the City's e-mail server, their personal devices may be required to be surrendered for review for City data, or during electronic discovery or other court-ordered scenarios and the Employee agrees to grant access to the personal devices should such a situation arise.

J. Network Access – Personal computer equipment may not be connected to the City's network without prior approval of the City Manager. Personal equipment may be subject to password requirements or other electronic security measures as determined by the IT Authority.

K. Internet – The following considerations apply to all uses of the internet:

1. Information found on the internet and used for City work must be verified to be accurate and factually correct.
2. Reasonable personal use of the Internet is permitted. Employees may not at any time access inappropriate sites except for work purposes (e.g., law enforcement, City attorney's office). Some examples of inappropriate sites include, but are not limited to, adult entertainment, sexually explicit material, or material advocating intolerance of other people, race, or religions. If you are unsure whether a site may include inappropriate information, you should not visit it.
3. The City may monitor or restrict any Employee's use of the internet without prior notice, as deemed appropriate by the Supervisor of the Employee, in consultation with the City Manager.

L. Employees are prohibited from engaging in blogging during working time or while using City-owned equipment unless such activity is directly work related.

1. Employee blogging, including but not limited to the use of social media platforms outside of working hours and without using City equipment, must comply with the Minnesota Data Practices Act.
2. This includes avoiding the disclosure of trade secrets or other information regarding the City or any of its Elected Officials, Managers, or Employees which would constitute defamation. This is defined as the action of damaging the good reputation of someone; including slander (false spoken statement) or libel (published/written false statement).
3. Expect that if you publish online, the City or your co-workers will see it. Therefore, the City expects Employees to be fair, truthful, courteous, and respectful to Council

Members, Supervisors, co-workers, citizens, customers, and others associated with the City.

M. City Social Media.

1. Social networking in government serves two primary functions: to communicate and deliver messages directly to citizens; and to encourage citizen involvement, interaction, and feedback. Information, which is distributed via social media must be accurate, consistent, timely, and meet the information needs of City residents.

2. The City wishes to establish a positive and informative social media presence. City representatives have the responsibility to use the City's social media resources in an efficient, effective, ethical, and lawful manner.

3. The City will determine, at its discretion, how its web-based social media resources will be designed, implemented, and managed as part of its overall communication and information sharing strategy. City social media sites may be modified or removed by the City at any time and without notice.

4. City social media accounts are considered a City asset and administrator access to these accounts must be securely administered in accordance with the City's Computer Use Policy referenced above.

5. All social media websites created and utilized during the course and scope of an Employee's performance of job duties will be identified as belonging to the City, including a link to the City's official website.

6. Use of City's Social Media.

a. City Employees and agents with administrator access are responsible for managing social media. Facilities or departments wishing to have a new social media presence must initially submit a request to the City Manager. All approved websites will be clearly marked as a "City of Bemidji" site and will be linked with the official City website. No one may establish social media accounts or websites on behalf of the City unless authorized in accordance with this policy. All login information for social media accounts for the City must be provided to the City Clerk.

b. Administration of all social media must comply with applicable laws, regulations, and policies as well as proper business etiquette.

c. City social media accounts accessed and utilized during the course and scope of an Employee's performance of his/her job duties may not be used for private or personal purposes or for the purpose of expressing private or personal view on personal, political, or policy issues or to express personal views or concerns pertaining to City employment relation matters.

d. No social media may be used by the City or any City Employee to disclose private, confidential, or sensitive information. If there is any question as to whether information is private, confidential, or sensitive, contact the City Manager or City Attorney.

e. Be aware that content will not only reflect on the writer, but also on the City as a whole, including Elected Officials and other Employees. Any posts should adhere to the following:

i. Be free of grammatical errors.

ii. Be accurate.

iii. Not provide private or confidential information.

iv. Not negatively comment on community partners or their service.

v. Not provide information related to pending decisions that would compromise negotiations.

vi. Be aware that all content added to a site is subject to the Minnesota Data Practices Act and discovery in legal cases.

vii. Always keep in mind the appropriateness of content.

viii. Comply with any existing policy of ethical behavior established by the City.

f. Employees will not edit any posted comments to social media. If an Employee believes that a post or comment is abusive, obscene, defamatory, in violation of copyright, trademark, or other intellectual property right of any third party, or otherwise inappropriate or incorrect shall bring it to the attention of the City Manager and City Attorney. At no time shall comments or posts be removed without the approval of the City Manager and City Attorney.

g. At no time will any individual be “blocked” or not allowed to post on a City’s social media page without the approval of the City Manager and City Attorney.

7. Personal Communications and Use of Social Media - It is important for City employees to remember that the personal communications of Employees may reflect on the City, especially if Employees are commenting on City business or commenting on issues that implicate their City employment. As City representatives, Employees share in the responsibility of earning and preserving the public’s trust in the City. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all City staff will carry out City functions faithfully and impartially and without regard to factors such as race, sex/gender, religion, national origin, disability, sexual orientation, or other protected categories. Nonpersonal communications (performed within one’s job duties) to members of the public must be always professional. The following guidelines apply to personal communications,

including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements:

- a.** Do not share any private or confidential information you have access to as a result of your City position.
- b.** Any personal communications made on a matter of public concern must not disrupt the efficiency of the City's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any City department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing or sharing a social media post of another individual or entity.
- c.** Remember what you write, or post cannot easily be undone. It may also be spread to a larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.
- d.** The City expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the City. Avoid using statements, photographs, video, or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on sex, race, national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status regarding public assistance or membership or activity in a local human rights commission.
- e.** If you publish something related to City business and there is liable to be confusion whether you are speaking on behalf of the City, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the City of Bemidji."
- f.** City resources, working time, or official City positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the City's logo, email, or working time to promote a side business as a plumber; a parks Employee should not access a park with a key after hours; a clerk working at City Hall should not campaign for a friend running for City Council.

g. Personal social media account names or e-mail names should not be tied to the City (e.g., Bemidji Cop). They should not cause confusion to be an official City, e-mail, webpage, or social media account.

N. Media Requests – All Employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any Employee who identifies a mistake in reporting should bring the error to the attention of the City Manager or other appropriate staff.

1. With exception of routine events and basic information that is readily available to the public, all requests for interviews, private data, information outside the scope of an Employee's job duties, or information from the media are to be routed through the City Manager, the appropriate department, City Attorney or City Clerk.

2. No Employee is authorized to speak on behalf of the City without prior authorization from the City Manager or designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings and websites.

3. When responding to media requests, Employees should follow these steps:

a. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify your immediate Supervisor or the City Manager of the request.

b. If the request is regarding information about City personnel, potential litigation, controversial issues, an opinion on a City matter, or if an Employee is unsure if the request is a "routine" question, ask the media representative's name, questions, deadline, and contact information and forward the request to the City Manager.

4. All news releases concerning City personnel will be the responsibility of the City Manager.

5. When/if the City Manager authorizes staff to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications, Employees must:

a. Identify themselves as representing the City. Account names on social media sites must be clearly connected to the City and approved by the City Manager.

b. Be respectful, professional, and truthful when providing information. In most cases, only information (not opinions or editorial comments) should be provided, and corrections must be issued when needed.

c. Not include personal opinions in official City statements. One exception is any communication related to promoting a City service. For example, an Employee could post the following on the City's social media page: "My family visited Cameron Park

this weekend and really enjoyed the new picnic shelter.” Employees who have been approved to use social media sites on behalf of the City should seek assistance from the City Manager on this topic.

d. Notify the City Manager if they will be using their personal technology (cellular phone, home computer, cameras, etc.) for City business. Employees should be aware that the data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

O. Presentation of the City – Requests for City information can become very time-consuming and expensive. The City may contain public access points for information about the City, and for access to City records and information. These systems should be operated only by persons specifically authorized and trained to place or remove data on such a system. Release of data to the public in other formats should be carried out through authorized channels.

P. Cellular Phones – The City authorizes the use of an employee’s personal mobile device for business-related calls, text messaging, emails, and other required work functions.

1. The City will reimburse qualifying employees up to \$30.00 per month, based on the qualifying employee’s monthly mobile service plan and usage costs attributable to business use for the City of Bemidji.

2. To apply for Mobile Device Reimbursement, employees must [explain process seeking reimbursement]. Reimbursement amounts may be reviewed and adjusted periodically.

3. Employee mobile devices remain the personal property of the employee. However, the City may require access to City or work-related data on the device for purposes of complying with legal obligations (e.g., litigation holds or discovery, subpoenas, data requests under the Minnesota Government Data Practices Act), or administrative matters such as internal investigations involving City or work-related data or records.

4. Employees issued a City-owned cellular device may be required to provide login and password information in the event data from the device is subject to review.

Q. Violations – The City reserves the right to treat the misuse of these resources as any other act of employment in accordance with its personnel regulations. Violations of this policy will subject the user to discipline, up to and including discharge, as well as notification to law enforcement agencies when appropriate, or required by law.

R. Records Retention – Records retention schedules, based on the context of messages, are the same regardless of the medium - paper, voice, or electronic.

Section 4.08 Security and Access

A. Purpose.

1. The purpose of this policy is to establish clear, enforceable guidelines governing access to the City of Bemidji's building(s) and premises.
2. This policy is designed to ensure the security, safety, and efficient operation of the workplace by outlining the responsibilities and expectations for Employees regarding the use of access credentials and building facilities.

B. Definitions.

1. Applicant – An individual who has formally applied for City employment through the City's recognized formal application process for City hiring consideration.
2. Employee – Any individual who is formally employed by the City, whether full-time, Part-Time, Seasonal, Temporary, Volunteer or on a contract basis, and who has been granted access to the City's building(s) and premises as part of their job responsibilities.
3. Guest – Any individual who is not Employee, contractor, vendor, or other authorized personnel of the City and who is permitted entry into the building for a specific purpose (e.g., business meetings, interviews, personal visits).
4. Building – Any structure or physical premises owned, leased, or otherwise occupied by the City, including any associated facilities, grounds, or areas that are under the City's control or management, and to which Employees, contractors, or authorized individuals are permitted access for work-related purposes.

C. Access Rights.

1. Employees are permitted access to City buildings for purposes directly related to their employment.
2. Access is limited to the Employee's designated working hours and areas unless authorized by their Supervisor or Department Head in conjunction with the duties and responsibilities of their job description.

D. Employee Access Control.

1. Employees must use only authorized entry points and swipe cards, keys, or access codes provided by the City to enter the Buildings, facilities, and premises.
2. Employees are not permitted to lend, share, or otherwise disclose access credentials (e.g., keys, swipe cards, codes) to unauthorized persons.

- 3.** Employees must report disclosed, lost or stolen access credentials immediately to the Building Department or Human Resources.

E. Supervisor's Responsibility to Monitor Access.

- 1.** Supervisors play a crucial role in ensuring that Employees comply with Building access protocols and security policies. In addition to the Employee's individual responsibility, Supervisors are tasked with monitoring and overseeing Employee access to the buildings to ensure the safety, security, and proper use.
- 2.** Supervisors are responsible for ensuring that their Employees follow the City's Building access procedures, including adherence to working hours, authorized access points, and the appropriate use of access credentials (keycards, keys, security badges, etc.).
- 3.** Supervisors must verify that Employees only access areas necessary for the completion of their job responsibilities and that unauthorized areas are off-limits.
- 4.** Supervisors are required to regularly review Employee access logs, ensuring that any discrepancies or irregularities in access patterns are reported and addressed.

F. Security Protocols.

- 1.** Employees must comply with all buildings, facilities, and premises security measures.
- 2.** Employees should follow all posted signs and instructions regarding access points, emergency exits, and safety protocols.
- 3.** Employees are prohibited from allowing non-employees (e.g., family members, guests, contractors) to enter the buildings, facilities, and premises alone unless authorized by the City.
- 4.** Guests are only allowed to access certain areas of the Building based on the nature of their visit.
 - a.** Employees must ensure that their guest only enters authorized areas and is not allowed to roam freely within restricted or secure zones (e.g., server rooms, employee offices, storage rooms, etc.).
 - b.** Guest access is granted only for the specific time period necessary to complete the guest's business or visit. Once this time period has ended, the Employee is responsible for ensuring the guest exits the premises.

G. Use of Buildings.

- 1.** Employees are only permitted to access areas of the Buildings, facilities and premises related to their specific job functions, including office spaces, break rooms, restrooms, and common areas.
- 2.** Unauthorized access to restricted areas (e.g., server rooms, vaults, storage spaces, etc.), is prohibited.

H. Compliance with City Policies.

- 1.** Employees are expected to adhere to all City policies and procedures related to security, including the City's Data Practices Policy and the Minnesota Government Data Practices Act, safety procedures, and emergency protocols.
- 2.** Any suspicious activity, damage, or breaches of security must be reported to the building, facility and premises management or the appropriate authorities immediately.

I. Termination of Access.

- 1.** Building access privileges provided to the Employee are contingent upon their employment with the City.
- 2.** Upon termination of employment, the Employee's right to access the City's buildings, facilities and premises will be immediately terminated, and the following procedures will apply:
 - a.** Immediate Termination of Access – Upon the termination of employment, whether during or after business hours, the Employee will no longer be permitted to access the Building(s). All access credentials, including keys, keycards, access codes, or other means of entry, must be returned to the City no later than their final day of employment.
 - b.** Return of Access Credentials – It is the Employee's responsibility to return all Building access items, including but not limited to:
 - i.** Company-issued keys.
 - ii.** Access cards or fobs.
 - iii.** Security badges.
 - iv.** Any other materials used to gain access to the building(s) or restricted areas.

- c. If the Employee fails to return these items on their final day or by the date specified by the City, they may be subject to financial charges for the replacement of lost or unreturned items and deductions for the cost of the items may be made from the Employee's final paycheck.

Section 4.09 Personal Appearance

- A. Employee Appearance – Personal appearance and hygiene play an important role in projecting a professional image in the community and to the citizens, customers, and visitors that City Employee serve. It is important that an Employee's personal appearance reflects favorably on the City and the department.
- B. As a City Employee, you are expected to:
 - 1. Report for work with a neat and clean appearance in attire that is professional, appropriate, and suitable for your position.
 - 2. Strive to project a professional image while at work and in the public eye.
 - 3. Be conservative when selecting work attire.
 - 4. Follow personal hygiene and daily grooming habits.
 - 5. Avoid loose fitting clothing or items that may present a safety hazard in the workplace.
- C. For those working in an office setting, business casual should be the minimum standard applied. Those working in the elements or unclean environments have a need for more rugged, durable clothing; however, the clothing should be clean, in good repair, and serviceable.
- D. Although it is not possible to detail every article of attire that may or may not be appropriate, it is expected that Employees use good judgment and common sense when selecting attire. Supervisors are responsible for ensuring appropriate attire is worn during work hours.
- E. Jewelry may be worn with caution, particularly in areas where the job requires use of tools and equipment, or is in proximity to moving parts, belts, machines, or vehicles.
- F. Employees shall be considerate of others who may have scent sensitivities, allergies, or adverse reactions to certain odors (e.g., perfume, cologne, sprays).
- G. Appropriate footwear shall be worn to ensure Employee safety and comfort, as determined, or directed by the Supervisor.
- H. Employees should always consider each day's activities when determining attire. If an Employee is hosting or attending a meeting, attire should be planned accordingly.

Supervisors can specify additional or alternative attire and grooming requirements based on the needs of the department or requirements necessary for Employee safety.

I. Clothing with the City logo is encouraged and, in some cases, required.

J. Department Heads and Supervisors are responsible for monitoring and enforcing this policy. The policy will be administered according to the following action steps:

1. If questionable attire is worn, or if there is a complaint received from a citizen, customer or co-worker, the Supervisor will hold a personal, private discussion with the Employee to advise the Employee regarding the inappropriateness of the attire.

2. If an obvious policy violation occurs, the Supervisor will hold a private discussion and ask the Employee to change attire immediately. In the event that this requires the Employee to return home, under most circumstances, the Employee will not be compensated for this time away from work.

3. Repeat violations of this policy will result in disciplinary action, up to and including termination.

K. Advertisements on Attire – Employee attire will not reflect any business advertisement, other than the manufacturer or designer name.

L. Employee Uniforms – All uniforms paid for or provided by the City will be worn as required. Items will be replaced upon return if deemed unserviceable by the Supervisor. Uniformed Employees choosing to wear hats will wear uniform hats only when on duty. Uniforms, including hats, are not to be worn when off duty. Upon termination of employment, the Employee is responsible for returning all items belonging to and/or furnished by the City.

M. Employees who need an accommodation associated with a protected status, such as religion or disability should speak with the Human Resources to obtain approval to deviate from this policy.

Section 4.10 Lunch and Rest Breaks

A. Employees are entitled to a rest break of at least 15 minutes or enough time to utilize the nearest convenient restroom, whichever is longer, within each four consecutive hours of work. Employees working for six or more consecutive hours are entitled to an unpaid meal break of at least 30 minutes.

B. Rest and meal breaks are to be taken at times approved by the applicable Department Head. Supervisors will ensure that the Employee can take scheduled meal breaks. The meal break shall consist of 30 to 60 minutes without pay. Law enforcement and fire personnel will take meal breaks while on duty. Longer meal breaks can be arranged, with the approval of the applicable Supervisor.

C. Nursing mothers and lactating Employees will be provided reasonable paid break times (which may run concurrently with already provided break times) to express milk. The City will provide a clean, private, and secure room (other than a bathroom) as close as possible to the Employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private. The City shall not terminate, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an Employee for asserting nursing rights or remedies.

D. Supervisors are responsible for ensuring that breaks are scheduled to provide adequate personnel coverage during normal business hours.

E. Employees working in City buildings may be required to take their break at the place provided for that purpose in each building (exceptions may apply based on Supervisor approval). Employees working outside may take their break at the location of their work project or work site. Employee duties involving traveling throughout the City may stop along the required route at a restaurant or other public accommodation for breaks.

F. Department Heads may allow for the combining of breaks to accommodate departmental and/or Employee needs and/or to encourage physical activity but not to shorten the Employee's workday.

Section 4.11 Data Practices

A. The City conforms to the mandates of the Minnesota Government Data Practices Act, Minn. Stat. Chapter 13.

B. The City Attorney acts as the Data Practices Compliance Official and receives questions or concerns regarding problems in obtaining access to data or other data practices problems within the City.

C. The City Clerk acts as the Data Practices Responsible Authority for collection, use, and dissemination of any set of data.

D. Employee records are maintained in a secure location. Personnel data is retained in separate personnel files, payroll/benefit files and medical files. Information is used to administer Employee salary and benefit programs, process payroll, complete state and federal reports and document Employee performance. Employees have the right to know what data is retained, where it is kept and how it is used. All Employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act.

E. Any request for City data must be in writing. The City has a data request form to facilitate these requests and assist in processing these requests in a timely fashion. If an Employee receives a request for City data, the Employee should forward the data request form to the requestor, and immediately inform the City Clerk of the request.

Section 4.12 Political Activity

A. City Employees are neither employed or retained in City employment based on their political activity, but rather based on merit, fitness, performance, and ability.

B. Employees have the right to express their views and to pursue legitimate involvement in the political system. However, no City Employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the City to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another Employee to apply for or become a member in a political organization. An Employee of the City may not use official authority or influence to:

1. Compel a person to apply for membership in or become a member of a political organization.
2. Pay, or promise to pay, a political contribution.
3. Take part in political activity except when the City Manager approves political activity when it supports an official position of the City such as providing information to legislators on City projects or residing over local, state, or federal elections.

C. The City may not impose or enforce additional limitations on the political activities of its Employees.

D. If a City Employee becomes a candidate for political office, it is understood that a leave of absence without pay may need to be taken. If the needs of the City require the position to be filled during the leave of absence, the employment may be terminated.

Section 4.13 Travel and Per Diem

A. Employees required to travel outside of the area in the performance of duties will have authorized travel expenses paid for by the City. No payment will be made for meals during training events held in the Bemidji area. Employees will not be reimbursed for a meal when the cost of the meal was included in the training fee. All travel must be done in the most reasonable, cost-effective manner as determined by the City.

B. General.

1. City Employees may be authorized to travel time and expenses to attend conferences, conventions, schools, or to conduct official City business. Travel needs, including registration, should be anticipated in advance.
2. It is the intent of the City to pay for or reimburse the Employee for necessary transportation, food, lodging, registration, and authorized miscellaneous expenses. Alcohol is not reimbursable.

- a.** Employees and Officials are expected to secure accommodation and services, which are economical and fitting for the occasion.
 - b.** Employees attending the same function are encouraged to share transportation as practical and reasonable as possible.
 - c.** Employees will use appropriate and available department vehicles owned by the City before utilizing their personal vehicle.
- 3.** Time spent on attending or traveling to and from training programs and meetings, for which attendance has been authorized by the Department Head, shall be considered time worked and compensated in accordance with FLSA, unless attendance is voluntary, or the program or meeting is not directly related to the Employee's job.
- C.** Authorization – Pre-authorization from the City Manager is only necessary for out-of-state travel. Supervisor approval is required for all travel expenses. If the Employee intends to supplement the travel time with PTO, this should be indicated on the travel request. Employees are still required to account for all normal work hours for scheduled shift(s) in the form of time-off or hours worked.
- D.** Method of Travel – Transportation must be by the most economical means possible in terms of cost and time. If other means are used for travel, reimbursement will only be up to the least expensive alternative. If the Employee prefers to drive, any extra time required due to driving shall be taken as PTO, unless approved by the City Manager.
- E.** Travel Expense Reimbursements – Employees shall be reimbursed for travel by submitting the Travel Reimbursement Form (MR-2) to the Finance Office.
 - 1.** Expense reimbursements apply to Employees only. Costs associated with spouses, children, or other individuals not officially representing the City are not eligible for reimbursement.
 - 2.** Arrangements for lodging and payment of registration fees can be handled at the department level. Manual checks will not be authorized for lodging or registration fees.
 - 3.** City credit cards may be used to pay for travel expenses but may not be used to pay for meals.
- F.** Accounting for Expenses – Claims must be submitted within five business days after returning from travel. Submissions after this time will not be reimbursed without City Manager approval.
 - 1.** The following information is required for accurate reimbursement:
 - a.** Transportation – Mileage allowance at the current IRS allowed rate. Airfare, bus, taxi, rideshare services, or other means reimbursed at actual cost.

b. Lodging – Employee should utilize the City issued credit card to pay for lodging costs. Actual cost substantiated by receipt.

c. Meals – Reimbursement for meals will be based on the General Services Administration standard out-state Contiguous United States (CONUS) rates. A partial day meal allowance will be paid if less than a full day of travel is utilized. A full day meal allowance will be paid, provided the Employee departs by 7:00 a.m. and does not arrive earlier than 7:00 p.m.

d. Miscellaneous – Registration fees, parking, taxi, telephone, and other reasonably necessary expenses will be reimbursed at actual cost. Telephone reimbursement must be for documented City business purposes.

2. Each claimant must account for expenses in the following manner:

a. Submit receipts for lodging, transportation (other than mileage), registration fees and any other miscellaneous items.

b. If a receipt is lost or not available, a written verification detailing the facts must be submitted and approved by the City Manager.

G. Mileage Reimbursement.

1. The City will reimburse Employees for the use of a personal vehicle for conducting City business. Mileage will be reimbursed at the current IRS approved mileage rates. The Employee must substantiate the time, place, distance, and business purpose of each trip.

2. For use of a City-owned vehicle, expenses will be paid for actual receipted items (e.g., gas, repairs, etc.).

3. Unsubstantiated mileage expenses are subject to income tax withholding and payroll taxes.

H. City-owned Vehicles.

1. To provide for the most efficient means of transportation and to facilitate necessary off/on hour duties pertaining to a department, the City may provide a vehicle for specified departments or job classifications to be used while performing job related duties for the City.

2. The City will provide all fuel, maintenance, insurance, and repairs for the designated vehicle.

3. The City Manager shall assign the City-owned vehicle to the Employee. The vehicle shall be used for the purposes of performing City-related job duties and subject to the following conditions:

- a. Perform routine operational checks and maintenance on assigned vehicles and equipment. Failure to perform and maintain the vehicle/equipment is grounds for disciplinary action including, but not limited to, payment for repairs.
- b. May be permitted to drive the vehicle to and from their residence per Supervisor approval.
- c. Will not use the vehicle for personal use. Any personal use of City-owned vehicles shall be documented and approved by the City Manager.
- d. Shall obey all laws for operation of a motor vehicle.
- e. Shall be obligated to pay any fines assessed against the Driver for violation of any laws and regulations.
- f. Shall possess and maintain a current and valid Minnesota Driver's License, and any appropriate classification as required for the assigned vehicle.

4. It will be the City policy to comply with all current income tax laws as they pertain to personal use of Employer-provided vehicles.

I. Liability Insurance and Driver's License Requirements.

1. The City expects all Employees required to drive as part of the duties indicated in the job description to drive safely and legally while on City business and to maintain a good driving record. Employees shall not drive in conjunction with City business without a valid Minnesota Driver's license of the appropriate classification, whether driving a City-owned vehicle or their own personal vehicle. The driving records of City Employees driving as part of the duties indicated in the job description, or occasionally driving for City business, are subject to annual review of driving records.

2. An Employee using a privately owned vehicle while on City business is eligible for expense reimbursement only if liability insurance is maintained on the personal vehicle in the amounts required by state law. Evidence of such insurance shall be carried in the vehicle and the City may, at any time, require the Employee to provide proof of insurance.

Section 4.14 Purchasing Policy

A. Introduction – Minnesota Statutes, Section 471.382, allows cities to make purchases with credit cards. The use of credit cards enables the City to conveniently obtain certain goods and services and reduce petty cash payments and Employee reimbursements.

B. Purpose – The purpose of this policy is to establish guidelines for the use of credit cards to maintain clear accounting controls. It will also provide Employees with a flexible and convenient method to purchase materials, supplies, and services for the City when it is deemed efficient to do so.

C. Cards – Department Heads may be issued a credit card for use within each department.

D. Using a Card – All purchases made with the credit card are subject to Supervisor approval. Each purchase must be accompanied by supporting documentation from the vendor.

E. Monthly credit card statements, along with supporting documentation, must be submitted to the Finance Department within the first five (5) business days of a month, unless there is good cause.

F. Prohibited Use – Cards will not be used for meals, cash advances, gambling, alcoholic beverages, or personal expenses. Misuse of a card by an Employee will result in disciplinary action.

G. Lost or Stolen Card – Lost or stolen cards must be reported immediately to the Finance Department and financial institution that issued the card. Responsibility for the security of the card rests with the Department Head.

H. Card User Responsibilities – Every card user must take all precautions to ensure the card is kept secure and used only for legitimate City business purposes. Supervisors and Department Heads are responsible for ensuring that issued cards are used for proper City expenses.

Section 4.15 Volunteerism

A. The following guidelines are established for City Employees performing volunteer activities:

1. All volunteerism that impacts an Employee's regular work schedule must have prior approval from his/her Supervisor, Department Head, or City Manager.

2. City vehicles shall not be used for transportation to and/or from the volunteer site, unless it is a City sanctioned volunteer activity, and must be approved by the Department Head or City Manager.

3. If the volunteer project or program requires the Employee to be called during the Employee's regular assigned shift and all other requirements of this policy are met, any time away from work shall be considered unpaid leave or the Employee may use accumulated PTO or vacation leave.

4. Employees performing volunteer work for other organizations will not be covered by the City's worker's compensation, medical liability insurance, or professional liability insurance while performing the volunteer work.

Section 4.16 Tobacco and Vaping Use

- A.** The City of Bemidji does not allow the use of tobacco or vaping products in City-owned facilities, vehicles, or equipment. All use of tobacco or vaping products is prohibited within 10 feet of primary public entrances and exits, open windows or ventilation intakes of all City-owned buildings and facilities.
- B.** All other City and County ordinances must be adhered to regarding the use of tobacco and vaping products in adjacent parking lots, park land, trails, and recreational facilities.
- C.** Compliance procedures for City-owned facilities will be appropriately signed. The emphasis on enforcing the Tobacco and Vaping Free Policy is through voluntary compliance. However, Employees violating the policy may be subject to disciplinary action. All Employees are authorized and encouraged to communicate this policy with courtesy, respect, and diplomacy, especially regarding visitors.

Section 4.17 Anti-Harassment Policy

- A.** The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.
- B.** Applicability – Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel including regular and temporary employees, volunteers, and firefighters.
- C.** Abusive Customer Behavior – While the City has a strong commitment to customer service, the City does not expect that employees accept verbal abuse from any customer. An employee may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact.
- D.** If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their supervisor about the incident as soon as possible.
- E.** Types of Disrespectful Behavior – The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:
 - 1. Violent behavior: Includes the use of physical force, harassment, bullying or intimidation.
 - 2. Discriminatory behavior: Includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital

status, age, sexual orientation, familial status, or status with regard to public assistance, veteran status, membership on a local human rights commission, pregnancy, childbirth, or related medication conditions, reserve or National Guard status, military service, citizenship, or any other basis protected by law, except where there is a bona fide occupational qualification.

3. Offensive behavior: May include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based upon violent or discriminatory behavior as listed above. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout City, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or Department Head.

4. Sexual harassment: Can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- b. Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- c. Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

F. Sexual harassment includes, but is not limited to, the following:

1. Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
2. Verbal or written abuse, kidding, or comments that are sexually-oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
3. Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

G. Possession and Use of Dangerous Weapons – Possession or use of a dangerous weapon (see attached definitions) is prohibited on City property, in City vehicles, or in any

personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

H. The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

I. Employee Response to Disrespectful Workplace Behavior – Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. ~~However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below.~~ If employees see or overhear a violation of this policy, they are encouraged to follow the steps below:

1. Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.
2. If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or Department Head or his or her designee(s). The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.
3. In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, Department Head, or Police Department. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or Department Head.

J. Supervisor's Response to Allegations of Disrespectful Workplace Behavior – Employees who have a complaint of disrespectful workplace behavior will be taken seriously. In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to a Department Head, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

1. Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

2. Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The investigator will obtain the following description of the incident, including date, time and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

3. Step 3. The supervisor must notify the Department Head about the allegations.

4. Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

5. Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

6. Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable and the extent permitted by law.

K. Special Reporting Requirements – When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the Department Head who will assume the responsibility for investigation and discipline.

L. If the Department Head is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City's legal counsel who will confer with the City Manager regarding appropriate investigation and action.

M. If the City Manager is perceived to be the cause of a disrespectful workplace behavior incident involving City personnel, a report will be made to the City's legal counsel who will confer with the City Council or designated committee regarding appropriate investigation and action.

N. Confidentiality – A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from

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the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

O. Retaliation – Consistent with the terms of applicable statutes and City personnel policies, the City may discipline any individual who retaliates against any person who reports alleged violations of this policy. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

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Article V. HOURS OF WORK

Section 5.01 Work Week

- A.** The standard work week shall be 40 hours, plus up to 30 minutes per day of uncompensated time for lunch or a meal, except for Exempt Employees.
- B.** The City's work week is declared to be a seven consecutive day period commencing at midnight Saturday and ending at midnight the following Saturday.

Section 5.02 Working Hours

- A.** Normal working hours for each Employee are determined by each department and are based needs, and on hours of operation. Supervisors may require/approve Employees working other schedules as dictated by departmental needs and based upon the nature of the assignment. Flexible hours may be established on a departmental basis if it does not interfere with staff coverage for the department.
- B.** Employee absence from work must be reported to a Supervisor as soon as possible in advance of the absence. In case of an unexpected absence, Employees must report the reason as soon as practical to his/her Supervisor, prior to the scheduled start time if possible. Tardiness or failure to use the established reporting process will be disciplined accordingly.
- C.** To comply with the health care reform law while avoiding penalties, Part-Time Employees will be scheduled as needed and in a manner which ensures positions retain their Part-Time status as intended.
- D.** Employees in Part-Time and Temporary positions will not be permitted to work thirty 30 hours or more each week, including hours worked, paid leave (such as annual leave or holiday leave).
- E.** All shifts, including scheduled trades or picked-up shifts, must be pre-approved by the Supervisor. Working a shift without prior approval may result in discipline, up to and including termination of employment.
- F.** In some rare instances, a Part-Time, Seasonal, or Temporary Employee may be offered health insurance to comply with federal health care reform laws and regulations.

Section 5.03 Telework

- A.** As necessary, the City may create positions that telecommute either as a regular work schedule or as a portion of the work schedule. A specific and detailed telework agreement outlining the provisions of the telecommuting arrangement must be developed and approved by the Department Head, and final approval from the City Manager prior to implementation.
- B.** Telework Procedures and Guidelines.

1. Telework is the practice of working from an alternative location. Telework is a business management strategy that when reasonable and practical, can have a positive effect on productivity, transportation, business costs, recruitment, reasonable accommodations, and retention.

2. Telework should not adversely affect other operational needs of the City and is voluntary for the Employee and at the sole discretion of management and/or the Employee's Supervisor. An Employee is not entitled to a telework arrangement, it is management's prerogative to establish a telework arrangement.

C. Definitions.

1. Permanent/Principal Work Location – The City's worksite to which an Employee is permanently assigned.

2. Alternative Work Location – A work location away from the permanent/principal assigned location or other City facility. Examples of an alternative work site can be a home office, a work center, or an approved officer in a remote location not on City premises.

3. Telework Hours – Work schedule, including hours and days of work, agreed to by the teleworker and the City, reflected in the Telework Agreement, during which the Employee will be teleworking.

4. Teleworker – An Employee that performs telework pursuant to a Telework Agreement between the City and the Employee.

5. Telework – "Working at a distance." Work performed at an alternative location linked via an approved network connection to the City. Telework is a work arrangement between the City and the Employee when supported by business justifications and provided solely at the Employer's discretion. A Telework arrangement may be agreed upon in one of the following manners:

a. An Employee works primarily at an alternative work location away from the permanent/principal workplace either in their home or another approved remote location and only intermittently works at the permanent/principal located as needed (no dedicated office space is established on City premises).

b. An Employee splits time spent between an alternative work location, in a home or another approved remote location, and a permanent/principal workplace on a routine schedule (e.g., Employee may work two 2 days from a home office and the remainder is in the City office).

6. Mobile Worker.

a. Primary job functions of mobile workers are completed in the field generally requiring an Employee to meet and work with clients/customers located on-site throughout the City (e.g., engineering technicians and building inspectors).

b. Mobile workers are not considered teleworkers but are responsible for providing proper equipment control, maintenance, and data security privacy of

work product. This definition does not include positions where driving is a continuous task (e.g., Police Officers, Maintenance Workers, and Public Works Operations Technicians).

7. Situational Remote Worker.

- a.** An Employee working from home or an approved remote location on a short-term or intermittent situation basis. This may also include incidental work being completed on an extended leave when work is required to be performed to keep a project or task moving forward while out of the office.
- b.** Occasional work at home or approved remote location must comply with all terms and conditions of the Teleworking Policy and must meet all requirements of the FLSA. These Employees are not required to fill out a telework agreement. However, Supervisory discussion and pre-approval by the Department Head and City Manager is needed before an Employee may work from home or an approved remote location.

D. Selection Criteria.

- 1.** Supervisors should assess each request for telework on a case-by-case basis, considering at a minimum the following criteria:
 - a.** The needs of the department/work unit.
 - b.** The Employee's duties and responsibilities.
 - c.** Overall costs and who is responsible for those costs. The arrangement should be at the least cost neutral for the Employee and City.
 - d.** Employee's current and past job performance.
 - e.** Expectations for future performance by the Employee and how performance will be measured.
 - f.** Positive or negative effects on the quality of customer service.
 - g.** Positive or negative effect on the work unit, department, division, and City as a whole.
 - h.** Availability of high-speed internet at the alternative work site.
 - i.** Availability of electronic equipment and software.
 - j.** Availability of adequate equipment and workspace at the alternative work site.
 - k.** Employee has demonstrated essential work skills, such as time management, organizational skills, self-motivation, and the ability to work independently.
 - l.** Individual department parameters.

m. Telework is NOT:

- i.** A viable work arrangement for all positions or well suited to all Employees.
- ii.** An approved arrangement to complete personal or non-City endeavors during work hours.
- iii.** Considered a contract or guarantee of continued employment.
- iv.** A benefit or an extension of the workday.

2. Employees authorized for telework are required to read and sign the Telework Agreement.

Section 5.04 Unauthorized Absence

A. Any unauthorized absence of an Employee may result in disciplinary action. An Employee who is absent for three consecutive days, without proper notice to their Supervisor, may be considered to have voluntarily resigned.

B. If the Supervisor determines extenuating circumstances existed, the absence may be changed to leave, with or without pay, at the discretion of the Department Head, after consultation with the City Manager. This policy does not preclude the City from administering discipline for unexcused absences of less than three days. Individual departments may establish more specific report procedures.

Section 5.05 Compensatory Time

A. The City shall keep records of all accrued compensatory time.

B. Overtime to be credited as compensatory time shall be awarded only if the work was approved in advance by the appropriate Supervisor or in a situation determined to be an emergency by the Supervisor or City Manager.

C. Eligibility for compensatory time and other overtime payment requirements will be governed by the FLSA, as amended, and applicable regulations. The maximum accumulation of compensatory time shall be 100 hours. Once an Employee reaches the 100-hour maximum, no further comp time may accrue. All further overtime will be paid.

D. FLSA Non-Exempt Employees.

1. As governed by the FLSA, non-exempt Employees must be paid the minimum wage (or more) and are entitled to overtime pay for any time worked beyond 40 hours each week. Department Heads shall determine if overtime is necessary due to workload, staffing levels, or emergency needs. Employees shall not normally work overtime without prior approval of their Supervisor.

2. Employees shall be paid one and one-half times the regular rate of pay for all hours worked over 40 in the workweek or they may elect to accrue compensatory time off at that same rate. "Hours worked" shall include PTO, sick leave, compensatory time, and holiday hours declared by the Employee in that workweek.

3. To compute overtime compensation, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked. Overtime will be calculated to the nearest one-quarter hour.

4. Eligible Employees shall note election of overtime compensation or compensatory time on time sheets. At the time of separation from employment with the City, any remaining compensatory time shall be cashed out at the rate of the Employee's existing hourly wage.

E. FLSA-Exempt Employees.

1. Exempt Employees are not granted the protections of the FLSA and are, therefore, not entitled to overtime pay or compensatory time.

a. Exempt Employees are expected to work the hours necessary to fulfill their responsibilities and meet the performance expectations outlined by the Supervisor and/or the City Manager.

b. Generally, to meet these expectations and for reasons of public accountancy, exempt Employees are ordinarily expected to be present at the applicable work site during regular operating hours for the department or City, as well as any other appearance or meeting requirements. Exempt Employees may be required to work more than 40 hours a week based on the need of the City.

2. Exempt Employees are required to use accrued paid leave when on personal business or away from the office for four hours or more, on a given day. Absences of less than four hours do not require use of paid leave as it is presumed the Employee regularly puts in work hours above and beyond the normal workday or workweek requirement. Exempt Employees must communicate an absence to the Supervisor or the City Manager.

3. If an Employee is regularly absent from work under this policy and it is found there is excessive time away from work that is not justified, the situation will be handled as a performance issue.

Section 5.06 On-Call Time

A. Hourly Employees will be compensated for on-call time in accordance with the applicable collective bargaining agreement.

Section 5.07 Time Records

A. To comply with FLSA, hours worked, and any leave time used by non-exempt Employees are to be accurately recorded on the City timesheet and submitted to the Supervisor as required by the Finance department.

B. Supervisors are responsible for verifying the accuracy of the time records submitted. Reporting false information on a timesheet may be cause for disciplinary action, up to and including termination.

Section 5.08 Outside Employment

A. An Employee may engage in employment outside of City employment if the other employment does not create either the appearance of or the potential for a conflict of interest with the development, administration or implementation of policies, programs, services, or any other operational aspect of the City. In order to protect the Employee and City, Employees are encouraged to communicate with their supervisor any outside employment which may have the potential to, or have the appearance of, a conflict with the Employee's work at the City.

B. For this policy, outside employment refers to any non-City employment or consulting work for which an Employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with City employment. The following is to be considered when determining if outside employment is acceptable:

1. Outside employment must not interfere with a full-time Employee's availability during the City's regular hours of operation or with a Part-Time Employee's regular work schedule.
2. Outside employment must not interfere with the Employee's ability to fulfill the essential requirements of the position with the City.
3. The Employee must not use City equipment, resources, or staff in the course of outside employment.
4. The Employee must not violate any City policies because of outside employment.
5. The Employee must not receive compensation from another individual or Employer for services performed during hours for which there is compensation by the City. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
6. No Employee will work for another Employer, or for personally owned businesses, while using any paid sick leave from the City for those same hours.
7. Departments may establish more specific policies as appropriate, subject to the approval of the City Manager.

Section 5.09 Paid Time Off (PTO)

A. It is the policy of the City to provide Employees with the necessary time away from work.

B. Employee PTO can be utilized for any purpose, subject only to necessary request/approval procedures consistent with policy and labor contracts.

C. Accrual Rates.

1. PTO will accrue at the following rates:

Tier	Months of Service	Accrual Rate Per Pay Period (Hours)
1	0-11.99	6.15
2	12-47.99	6.77
3	48-59.99	8.00
4	60-119.99	8.31
5	120-167.99	8.92
6	168-179.99	9.54
7	180 and above	10.15

2. When a new Employee starts, the Supervisor, with the approval of the City Manager, may prorate up to forty 40 hours of PTO banked time to the new Employee while on probation.

D. Use of PTO.

1. PTO is accrued per pay period and may be used after it is earned.
2. Non-scheduled use must be requested prior to the beginning of a shift or per departmental practices. Non-scheduled PTO requests may be denied depending on staffing needs.
3. Probationary Employees may use PTO as it is earned.
4. Maximum PTO accrual is 100 days, which is the equivalent of 800 hours.
 - a. Any hours over 800 after year end will be capped and removed from the Employee's balance.
 - b. The 800-hour cap will be applied on the first paycheck in January, which includes December 31st in the pay period and any amounts accrued for that pay period remain in the total.

- c. Example: First pay date in January.

Beginning PTO Balance	810.00
Accrual for pay period	+10.15
PTO used	-8.00
New Balance	812.15
Hours lost	-2.00
Capped Balance on pay stub	810.15

- d. PTO must be used in increments of 15 minutes, which is the equivalent of 1/4 hour.
- e. Employees receiving worker's compensation, short-term disability, or long-term disability may use accrued PTO hours to return 100 percent of their net salary.

f. Previously accrued grandfathered sick leave hours must be used prior to beginning an unpaid leave of absence for medical reasons.

g. An Employee taking an unpaid leave of absence for other than medical reasons must use all accrued PTO hours before beginning the unpaid leave.

E. Conversion Option.

1. Employees may convert their PTO hours from the end of the previous year to cash as follows:

a. Years of Service include all years worked for the City (including full-time, Part-Time, and Seasonal positions). This can also be adjusted by starting at a higher accrual rate due to previous work experience.

b. Hours of Conversion Allowed will be based on an Employee's Actual Years of Service or the Years of Service associated with their Accrual Rate.

Years of Service	Hours of Conversion Allowed
0 – 5	60 hours per year
6 – 10	80 hours per year
11 – 14	100 hours per year
15+	120 hours per year

2. An Employee may request the conversion option a maximum of three times a year during the months of April, July, and December.

a. Notification must be in writing and turned into Payroll the Wednesday prior to the date of the pay period in which payment is to be received. Timesheets are due for the payout.

b. The conversion option will be included in the regular payroll check and taxes will be deducted from the money requested.

3. Non-exempt (hourly) Employees may cash out any or all accumulated compensatory time balances in conjunction with PTO cash out dates. Exempt (salaried) Employees may cash out PTO hours if the total hours cashed in are within the table of Hours of Conversion Allowed listed above.

F. Eligibility – All regular full-time City Employees eligible for benefits can participate in the PTO program. Part-Time Employees working 30 or more hours per week on an annual basis shall accrue PTO on a pro-rata basis.

G. Termination Benefits.

1. Upon termination of employment with the City, except for misconduct described in Section 3.06. PTO will be paid at the Employee's hourly wage rate multiplied 100 percent of their balance.

2. Severance benefits will be paid to Employees with extended sick leave banks in accordance with provisions in the appropriate bargaining agreements or personnel policies.

3. Termination pay cannot be used to extend the Employee's date of termination beyond the last scheduled workday unless approved by the City Manager.

H. Medical Certification.

1. Good attendance is an essential job function for all City Employees. If unplanned absences are excessive, a statement from a physician may be required. This certification is to state the nature and duration of the illness or injury and verify that the Employee is unable to perform the duties and responsibilities of the position. Leave may be denied for any Employee required to provide a doctor's statement until such a statement is provided.

2. Following a medical absence, a statement from a physician attesting to the Employee's ability to return to work and safely perform the essential functions of the job may be required before the Employee is permitted to return to work. The statement shall indicate the nature of the illness or medical condition, clearly describe any work restrictions, and/or attest to the Employee's ability to return to work with or without reasonable accommodation.

Section 5.10 Earned Sick and Safe Time (ESST)

A. For the purposes of this section only, the following definitions apply:

1. Employee – A person who is employed by the City, including Interns, Temporary or Part-Time Employees, who perform work on behalf of the City for at least 80 hours in a year for the City. For the purposes of this section, an Employee does not include elected officials, independent contractors, POC Firefighters or Employees who are provided with paid leave equal to or exceeding the amounts in Minn. Stat. §181.9446.

2. Family Member – As defined in Minn. Stat. §181.9445.

3. Safe Time – The need for time off under the circumstances described in Minn. Stat. §181.9413(b).

4. ESST – Leave, including paid time off and other forms of paid leave, shall be compensated at the same hourly rate the Employee normally earns and may be used for the same purposes and under the same conditions as outlined in Minn. Stat. §181.9447.

5. Domestic Abuse – As defined in Minn. Stat. §518B.01.

6. Stalking – As defined in Minn. Stat. §609.749.

B. Accrual of ESST.

1. An Employee accrues a minimum of one hour of ESST for every 30 hours worked up to a maximum of 48 hours of ESST in a year. Employees may not accrue more than 48 hours of ESST in a year.
2. Employees are permitted to carry over accrued, but unused ESST into the following year. The total amount of accrued but unused ESST for an Employee must not exceed eighty 80 hours at any time.
3. Employees begin to accrue ESST at the commencement of employment of the employee or January 1, 2024, whichever is later.
4. Employees may use ESST time as it is accrued.

C. Use of ESST.

1. An Employee may use accrued ESST time for:
 - a. An Employee's:
 - i. Mental or physical illness, injury, or other health condition.
 - ii. Need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition.
 - iii. Need for preventative medical or health care.
 - b. Care of a family member:
 - i. With a mental or physical illness, injury, or other health condition.
 - ii. Who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or other health condition.
 - iii. Who needs preventative medical or health care.
 - c. Absence due to domestic abuse, sexual assault, or stalking of the Employee or Employee's family member, provided the absence is to:
 - i. Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking.
 - ii. Obtain services from a victim service organization.
 - iii. Obtain psychological or other counseling.
 - iv. Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking.
 - v. Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.

d. Closure of the Employee's place of business due to weather or other public emergencies, or an Employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergencies.

e. The Employee's inability to work or telework because the Employee is:

i. Prohibited from working by the Employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency.

ii. Seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public health emergency and such employee has been exposed to a communicable disease or the City has requested a test or diagnosis.

f. When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the Employee or family member of the Employee in the community would jeopardize the health of others because of the exposure of the Employee or family member of the employee to a communicable disease, whether the Employee or family member has contracted the communicable disease.

g. To make arrangements or attend funeral services or a memorial or address financial or legal matters arising after the death of a family member.

2. An Employee shall give reasonable notice of the need to use ESST to their Supervisor, in writing, if the need for use is foreseeable. If the need is unforeseeable, the Employee shall give notice of the need to use ESST to their supervisor, in writing, as soon as practicable.

a. Notice may be provided as follows:

i. A court record or documentation signed by a Volunteer or Employee of a victim's services organization, an attorney, a police officer, or an antiviolence counselor.

ii. For time to care for a family member, a written statement from the Employee indicating that the employee is using or used earned sick and safe time for a qualifying purpose.

b. Within one business day of receiving the notice, the Supervisor shall provide the documentation to the City's Human Resources.

D. Termination, Separation, or Transfer.

1. Upon an Employee's termination, resignation, retirement, or other separation from employment with the City, and has been rehired within 180 days of separation from the City, the previously accrued unused ESST will be reinstated.

2. Upon transferring to another department or position within the City, an Employee will retain any unused ESST that has been accrued.

Section 5.11 Holidays

A. Each Employee shall receive a total of 88 holiday hours per year. Non-Union Employees shall observe the following paid holidays:

Holiday	Calendar Date
New Years Day	January 1st
Martin Luther King Jr. Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19th
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday in November
Day After Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25th

1. Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday.
2. When it falls on a Sunday, the following Monday shall be observed.
3. When a holiday falls within a period of paid leave (e.g., vacation, sick leave, etc.) the Employee shall be paid at their normal rate of pay for the holiday and the holiday shall not be subtracted from the accrued leave.

B. If a permanent, full-time FLSA non-exempt Employee is required to work on a holiday, the Employee shall receive one and a half times their regular rate for all hours worked on the holiday. They will also be entitled to eight hours of holiday pay for that day or an alternate day off. All Employees covered under a collective bargaining contract should refer to the agreements in the current contract.

C. Permanent, full-time Employees will receive eight hours pay for a holiday. Permanent, Part-Time Employees will receive prorated holiday pay based upon their normally scheduled hours. Any Employee on a leave of absence without pay is not eligible for holiday pay.

D. Employees wanting to observe holidays other than those officially observed by the City may request either to use PTO or unpaid leave for such time off.

E. In addition to the above holidays, one additional day off per year, with pay, shall be granted to each individual Employee by mutual agreement between the Supervisor and the Employee. Such a day off with pay shall be considered a "floating holiday." Floating holidays cannot be accumulated from one year to the next. If a floating holiday has not been taken by December 31st of any given year, the holiday is forfeited.

F. Employees are expected to provide their reasonable accommodation for excused absences. Reasonable Accommodations includes qualifying disability, religious beliefs, pregnancy, a formal request is not necessary, however the employee is expected to submit a notice for their Supervisor's review.

Section 5.12 Emergency Closings

A. Adverse Weather Conditions.

1. City facilities will be open during adverse weather. Due to individual circumstances, each Employee will need to evaluate the weather and/or road conditions when deciding to report to work or leave early.
2. Employees not reporting to work or leaving early must use paid time off, compensatory time or time without pay; modify the work schedule or make other reasonable schedule adjustments with Supervisor approval.
3. Sworn Police Officers and Public Works Maintenance Employees will generally be required to report to work regardless of conditions.
4. Decisions to cancel departmental programs (e.g., special events or recreation programs) will be made by the respective Supervisor or the City Manager.

B. Emergency-Related (e.g., Toxic Spill or Hostage Situation) – When a short-term emergency of less than eight hours exists, the City Manager or a designee may choose to close one or all City offices. Unless determined otherwise by the City Manager, Employees will not have to use vacation time without pay, sick leave, or compensatory time for the time the offices are closed.

C. Closing Protocol During Regular Office Hours – When an emergency has been declared during normal business hours (Monday through Friday, 8:00 a.m. to 4:30 p.m.), the City Manager or a designees should notify all the building sites affected by the emergency in a timely manner. It will be the responsibility of the designated person at each site to notify the Employees.

D. Closing Protocol During Non-Office Hours – When an emergency has been declared during other than normal business hours (after 4:30 p.m. on normal business days, or between 4:31 p.m. Friday through 7:59 a.m. Monday), the City Manager or a designee should provide notification to the area radio stations of such determination. This notice should be in as timely a manner as possible.

Section 5.13 Reasonable Accommodations Related to Pregnancy

A. The City will attempt to provide reasonable accommodations to employees with health conditions related to pregnancy or childbirth:

1. More frequent restroom, food, and water breaks.
2. Seating.
3. Limits on lifting over 20 pounds.

4. Additional accommodations may be reasonable depending on the situation, including temporary details or assignments to less stressful position should one be available.

5. Unless such accommodations impose an undue hardship for City, an interactive process with respect to an Employee's request for a reasonable accommodation will be considered.

Additionally, the City will provide reasonable accommodations, including, but not limited to, temporary leaves of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods and limits to heavy lifting to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates the accommodation would impose an undue hardship on the operation of the employer's business. In accordance with state law, no employee is required to take a leave of absence for a pregnancy nor accept a pregnancy accommodation.

Unless such accommodations impose an undue hardship on the City, the City will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

The City will not terminate, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting reasonable accommodations pregnancy rights or remedies.

Section 5.14 Light and Modified Duty

A. This policy is to establish guidelines for temporary assignment of work to temporarily disabled Employees who are medically unable to perform regular work duties. Light duty is evaluated by the City Manager on a case-by-case basis. This policy does not guarantee assignment to light duty.

B. Such assignments are for short-term, or temporary disability purposes. The assignment of light duty is at the discretion of the City Manager. The City Manager reserves the right to determine when and if light duty work will be assigned.

C. Employees unable to perform the essential requirements of the assigned position must notify the Supervisor in writing as to the nature and extent of the temporary disability, including the ability to perform the essential functions, duties, and requirements of the position.

1. This notice must be accompanied by a statement from a physician containing a diagnosis, current treatment, and any work restrictions related to the temporary disability.

2. The notice must include the anticipated timeline for returning to work without restrictions, confirming the ability to meet all essential duties and functions outlined in the City's job description, along with a written request for light duty. Upon receiving this written request, the Supervisor must forward a copy of the report to the City

Manager. The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

D. It is at the discretion of the City Manager whether to assign light duty work to the Employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

E. If the City offers a light duty assignment to an Employee on leave for workers compensation, the Employee may be subject to penalties if there is refusal to perform such work. The City will not, however, require an Employee who is otherwise qualified for protection under FMLA to accept a light duty assignment.

F. The circumstances of each Employee performing light or modified duty will be reviewed regularly. Any light duty and modified work assignment may be discontinued at any time.

Section 5.15 Family and Medical Leave Act (FMLA) of 1993

A. It is the policy of the City to provide family and medical leave in accordance with the federal FMLA and state law. If leave qualifies as FMLA under both state and federal laws, entitlement will be used under each law at the same time, to the extent permitted by law.

B. Federal FMLA provides that an eligible Employee may take a total of 12 workweeks of leave during any 12-month period for one or more of the following:

1. Birth of a child, including prenatal care.
2. Placement of a child with the Employee for adoption or foster care.
3. To care for the spouse, child, or parent of the Employee, with a serious health condition.
4. A serious health condition that makes the Employee unable to perform the essential functions of their position.
5. A covered military member's active duty or call to duty, or to care for a covered military member known as Military Caregiver and Qualified Exigency Leave.

C. Employees are eligible for this leave if they have been employed by the City for at least 12 months and have worked a minimum of 1,250 hours during the preceding 12-month period.

1. Employees must use accrued paid leave concurrent with FMLA. After the accrued paid leave is exhausted, the remaining will be unpaid.
2. No paid leave shall accrue during the unpaid portion of FMLA .
3. Pursuant to FMLA, the City will continue health benefits during this period under the same conditions applicable to active Employees.

4. Upon return, the Employee shall be returned to the former position or equivalent position with equivalent Employee benefits, pay and other terms and conditions of employment.

D. The length of FMLA cannot exceed 12 weeks in any twelve 12-month period. The leave year is calculated based on a “rolling” 12-month period measured backward to the date of any FMLA usage.

E. A 30-day advanced notice is required for planned health events, such as births or medical treatment. Other cases require as much advance notice as practical. Employees requesting leave are required to notify Human Resources, to initiate the process and complete the required documentation.

F. Under certain circumstances, if the Employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the City may require the Employee to repay the portion of the monthly cost paid by the City for group health plan and/or other benefits.

1. If an Employee does not return to work following the 12 weeks of FMLA, the Employee may be subject to COBRA continuation.

2. If the Employee fails to pay their share of the premiums owed to the City during FMLA leave and does not return to work, their coverage may be terminated. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

3. If the Employee does not return from FMLA leave and coverage ended sometime during the FMLA due to lack of payment, there is no COBRA election available. For COBRA to apply, the Employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the Employee did not return from FMLA.

G. Employees not eligible for FMLA have no continuation of benefits outside of COBRA. This policy establishes a uniform application for non-FMLA medical leaves of absence granted by the City Manager.

H. City Subsidy – For Employees granted non-FMLA leave by the City Manager, the City will pay half of the insurance premiums that were previously paid by the City. The Employee portion shall be paid monthly, in advance. This subsidy shall continue for the duration of the leave granted.

Section 5.16 Employee Leave

A. Depending on an Employee’s situation, more than one form of leave may apply during the same period (e.g., FMLA is likely to apply during a worker’s compensation absence). An Employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

1. Bone Marrow Donation Leave – Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours, unless agreed to by the City, to undergo medical procedures to donate bone marrow, in accordance with Minn. Stat. 181.945. The City may require a statement from a physician of the purpose and length of the leave requested. If there is a medical determination that the

Employee does not qualify as a bone marrow donor, the paid leave of absence granted to the Employee prior to that medical determination is not forfeited.

2. Elections and Voting Leave.

- a.** Every Employee eligible to vote in an election has the right to be absent from work for the purpose of voting during the date of that election, without penalty or deduction from salary or wages because of the absence. An Employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an Employee (Minn. Stat. 204C.04, Subd. 1).
- b.** Full-time Employees serving as an Election Judge for the City will be paid at the same rate as their full-time position for any duties and responsibilities related to performance of an Election Judge.

3. Bereavement Leave.

- a.** Leave may be taken consecutively or dispersed to cover events or responsibilities related to bereavement. The authorized leave is not chargeable to any accrued leave and will be treated as an “approved holiday” for pay purposes.
- b.** Permanent, Part-Time Employees will receive prorated bereavement leave based upon their normally scheduled hours.
- c.** Full-time Employees may use up to 24 hours of bereavement leave.
- d.** The following relationships of the Employee are eligible:
 - i.** Spouse or domestic partner.
 - 1.)** Siblings of spouse or domestic partner.
 - 2.)** Parents and grandparents of the spouse or domestic partner.
 - ii.** Children, wards, or stepchildren.
 - iii.** Parents, stepparents, or guardians.
 - iv.** Siblings or stepsiblings.
 - v.** Grandparents.
 - vi.** Grandchildren.
 - vii.** Parent of the Employee’s child.
- e.** Employees requiring additional leave for bereavement are able to request an unpaid leave of absence, use accrued PTO, or request leave donation.

4. Judicial Appearances Leave.

a. Jury Duty.

i. Regular full-time and Part-Time Employees will be granted paid leaves of absence for required jury duty. Employees are required to notify the Supervisor as soon as possible after receiving notice to report for jury duty.

1.) Such Employees will be required to turn over any compensation received for jury duty, minus mileage reimbursement, to the City to receive regular wages for the period.

2.) Time spent on jury duty will not be counted as time worked in computing overtime. Employees excused or released from jury duty during regular working hours will report to regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

3.) The Employee will be responsible for notifying Payroll of jury duty by providing applicable documentation provided by the Clerk of Court. Employees will receive their check with \$20 and mileage per day.

4.) Temporary and Seasonal Employees are typically not eligible for compensation for absences due to jury duty but can take leave without pay subject to Department Head approval. However, if a Temporary or Seasonal Employee is classified as exempt, they will be compensated for time spent on jury duty.

b. City Related Court Appearances – Employees will be paid at the regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g., subpoena fees) arising out of or in connection with City employment, minus mileage reimbursement, must be turned over to the City.

c. Victim and Witness Court Appearances.

i. An Employer must allow a victim or witness, subpoenaed, or requested by the Prosecutor, to attend court for the purpose of giving testimony.

ii. The Employer is also required to allow reasonable time off from work to attend criminal proceedings related to the victim's case if the victim is the spouse or immediate family member (e.g., parent, spouse, child, or sibling) of such victim.

5. Military Duty and Military Family Leave.

a. State and federal laws provide protection and benefits to Employees called to military service, whether in a reserve or on active-duty status. Such Employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the Employee is engaged in reserve training or active service not exceeding a total of 15 days in any calendar year.

b. The leave of absence is only in the event the Employee returns to employment with the City as required upon:

- i. Being relieved from service.
 - ii. Prevented from returning by physical or mental disability or other cause not the fault of the Employee.
 - iii. Required by the proper authority to continue in military or naval service beyond the 15-day paid leave of absence. Employees on extended unpaid military leave will receive fifteen 15 days paid leave of absence in each calendar year, not to exceed five years.
- c. Where possible, notice is to be provided to the City at least ten 10 working days in advance of the requested leave. If an Employee has not yet used the fifteen 15 days of paid leave when called to active duty, any unused paid time will be allowed for the active-duty time, prior to the unpaid leave of absence.
- d. Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.
- e. Eligibility for continuation of insurance coverage for Employees on military leave beyond fifteen 15 days will follow the same procedures as for any Employee on an unpaid leave of absence.
- f. Under FMLA, eligible Employees with a spouse, son, daughter, or parent on active duty or call to active-duty status in the National Guard or Reserves in support of a contingency operation may use the 12 weeks leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include:
- i. Attending certain military events.
 - ii. Arranging alternative childcare.
 - iii. Addressing certain financial and legal arrangements.
 - iv. Attending certain counseling sessions.
 - v. Attending post-deployment reintegration briefings.
- g. FMLA also includes a special leave entitlement that permits eligible Employees to take up to 26 weeks of leave to care for a covered service member during a single twelve 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, with one of the following:
- i. A serious injury, or illness incurred in the line of duty on active duty may render the servicemember medically unfit to perform duties for which the servicemember is undergoing medical treatment, recuperation, or therapy.
 - ii. In outpatient status.

iii. On the temporary disability retired list.

6. Emergency Services Volunteer Leave.

- a. For this policy, emergency services include fire departments, ambulance services, first responder services, Red Cross and the Salvation Army.
- b. City Employees responding as volunteers to provide emergency services during regular working hours will not be penalized for response, provided previous permission is received from the Department Head or Supervisor.
 - i. The Employee is allowed to respond to an emergency call and is expected to return to work when the emergency is over.
 - ii. The Employees will be paid by the City for normal working hours. No overtime will be authorized. Any additional volunteer work must be done after regular working hours or approved as vacation time. Department Heads and/or Supervisors may impose additional restrictions.
 - iii. Department Heads may limit participation if City needs to dictate an Employee's presence, responses have been too frequent or time consuming, or Employees have abused the response privilege. Abuse may also result in disciplinary action.

7. Parental Leave.

a. **Pregnancy and Parenting Leave.** Employees are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to 12 weeks of unpaid leave and must begin within twelve (12) months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employee should provide reasonable notice, which is at least 30 days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy.

- i. **Adoptive Parents.** Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

i. Employees should provide reasonable notice, when possible. If the leave must be taken is less than three days, the Employee should give as much notice as practicable.

ii. Employees are required to use accrued leave (e.g., sick leave, PTO leave) during Parental Leave. If the Employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently.

iii. The Employee is entitled to return to work in the same position and at the same rate of pay the Employee was receiving prior to commencement of the leave.

1.) Group insurance coverage will remain available while the Employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the Employee will be responsible for the entire premium unless otherwise provided in this policy (e.g., where leave is also FMLA qualifying).

2.) For Employees on an FMLA absence as well, the Employer contributions toward insurance benefits will continue during the FMLA leave absence.

b. School Conference and Activities Leave.

i. Pursuant to Minnesota law, any Employee who has worked an average number of hours equal to at least half the full-time equivalent may take unpaid leave for up to a total of 16 hours during any 12-month period to attend school conferences or classroom activities.

1.) The Employee's child (to include foster children) must be under 18, or under 20 and still attending secondary school, provided the conference or classroom activities cannot be scheduled during non-work hours.

2.) When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the Employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the City.

3.) Employees may choose to use vacation leave hours for this absence but are not required to do so.

4.) For purposes of this section, an Employee's "child" includes foster children.

c. Sick or Injured Childcare Leave – Employees are allowed to use ESST for absences related to the illness or injury of their child, insofar as the Employee's presence is necessary. Leave must be granted on the same terms the Employee is able to use sick leave benefits for own illness or injury.

d. Adoptive Parents – In addition to FMLA and the Minnesota Parental Leave Law, Minn. Stat. 181.92 provides that adoptive parents be given the same time off as biological parents. When the leave begins is up to the adoptive parent but must begin before or at the time of the child's placement in the adoptive home. The leave must be for the purpose of arranging the child's placement or caring for the child after placement.

8. Athletic Leave of Absence.

a. Pursuant to Minn. Stat. §15.62, Employees who qualify as members of the United States team for athletic competition on the world championship, Pan American, or Olympic team in a sport sanctioned by the International Olympic Committee, shall be granted a leave of absence without loss of pay or other benefits for the purpose of preparing for and engaging in the competition.

b. In no event shall the paid leave exceed the period of official training camp and competition combined, or 90 calendar days a year whichever is less. The Employee shall provide documentation establishing their participation on said team and in said event.

9. Administrative Leave – An Employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the City Manager.

10. Leave without Pay.

a. Employees must use all accrued leave prior to taking a leave of absence without pay.

b. Leave without pay of five days or less, may be granted by the Department Head.

c. Leave without pay of greater than five days may be granted to an Employee with the written approval of their Department Head and action by the City Manager. A written request shall be made by the Employee to their Supervisor for leave without pay. The City Manager may extend such leave up to a maximum of one year if circumstances warrant such action.

d. No other type of leave shall accrue during a leave without pay.

e. Educational and sabbatical leave are considered leave without pay.

f. The City may temporarily fill a position during an Employee's period of leave without pay.

g. Fringe benefits shall not accrue during a period of leave without pay, nor will the City make any contributions during such a period to retirement or group insurance programs. However, qualified Employees may participate in the group insurance programs during such periods, provided the Employee deposits, in

advance with the City, the amounts necessary to cover the total cost of the premiums for each month of the leave.

h. Employees in a leave without pay status are not required to perform the duties and responsibilities of their job description or position. The Department Head or Supervisor has discretion in the continued use of City-owned equipment or property. Employees are required to keep their Supervisor informed on a regular basis as to their return status or any other needs related to their employment with the City.

i. Any City-owned equipment may be required to be returned at the discretion of the Supervisor or Department Head. This includes but is not limited to keys, vehicles, computers, cellular devices, and access cards.

B. Suspension of Paid Leave – The City reserves the right to postpone all leaves for an Employee, or recall an Employee from paid leave, in the event of an emergency, except during a period of authorized sick leave.

C. Leave Donation.

1. The City supports giving Employees a chance to donate their unused leave to coworkers who have used up or will soon use up their leave.

2. Effect on Accrued Balances – The City will subtract the hours (not the dollar value) of donated leave from the accrued balances of the Employee making the donation and credit those hours to the requesting Employee. Once a donation is made, it is irrevocable.

3. Employees may request donated leave by submitting a Request for Donated Leave form to Human Resources for approval by the City Manager.

4. Employees may donate accrued leave to any other Employee by submitting a Donated Leave Authorization form to Human Resources.

5. Donations will be processed in the order received. The City may authorize 20 additional hours above the needed amount. In the event the donation request has been reached, or the period for the donation has lapsed, the donation will be returned to the donating Employee.

Section 5.17 Minnesota Paid Leave

1. The City of Bemidji provides Minnesota Paid Leave (“MPL”) benefits to eligible employees through an approved equivalent plan administered by The City of Bemidji’s designated MPL insurance carrier instead of through DEED. This plan provides time off, payments, and job protections that are equal to or greater than those offered under the Minnesota Paid Leave Law. The MPL plan is funded by premium contributions payable to the City of Bemidji’s designated MPL insurance carrier and split between employers and employees pursuant to Minn. Stat. sec. 268B.14, subd. 3.

2. Employee Application and Eligibility. To apply for MPL benefits, employees must apply with the City of Bemidji’s designated insurance carrier by completely filling out all necessary information in the designated insurance carrier’s application, along with all

other required information and documents.

3. Employee eligibility based on such application is determined solely by the City of Bemidji's designated MPL insurance carrier.

4. Employee Notification Required. Employees must provide the City of Bemidji with at least thirty (30) days' notice before their MPL begins if the need for leave is foreseeable. If the leave is not foreseeable, employees must notify the City of Bemidji as soon as possible.

If the employee does not provide the City of Bemidji with at least thirty (30) days' notice when the need for leave is foreseeable, the employee must explain why it was not possible or practicable upon request from City of Bemidji.

5. Certification and Documentation Requirements. Employees seeking MPL benefits are required to provide copies of any certification of eligibility or other relevant medical documents to the City of Bemidji Human Resources on the same day that they are submitted to the City of Bemidji's designated MPL insurance carrier for MPL benefit consideration.

6. Intermittent Leave. Employees taking intermittent MPL are required to provide the City of Bemidji with a schedule of the workdays the employee needs off as soon as possible. Employees taking intermittent leave must make a reasonable effort to schedule the intermittent leave.

Consistent with other forms of leave provided by the City of Bemidji, employees may take intermittent leave in increments of eight hours for regular full-time employees, or the hours equivalent of a working day for other job classifications not subject to a regular 40 hours per week, 8 hours per day working schedule. If eligible for intermittent leave, the City of Bemidji allows a maximum of 480 hours of intermittent leave in any 12-month period. After reaching the maximum amount of allowed intermittent leave, employees may request continuous MPL provided the continuous leave does not exceed the maximum amount of MPL allowed by law.

7. Concurrent Leaves. Employees taking MPL, whether intermittently or continuously, that are concurrently eligible for Family and Medical Leave Act ("FMLA") and/or pregnancy/parenting leave under Minn. Stat. sec. 181.941 will automatically be placed on such leaves to run concurrently with MPL.

8. Supplemental Benefits. Employees are permitted to use their available paid leave time as a supplemental benefit while on leave under MPL.

9. Health Insurance. Employees taking MPL will continue to be covered under the City of Bemidji's group health insurance plan under the same conditions and at the same level of City of Bemidji contributions as would have been provided had they been continuously employed during the leave period. Employees are responsible for their portion of premiums due on the coverage. Employee premiums must be paid to the City of Bemidji Human Resources. Payment must be received by the City by the first day of the month and made via either:

(a.) Check made payable to "City of Bemidji" by hand delivery at City Hall; or

(b.) Electronic payment to the City of Bemidji, through the City's electronic payment system, by credit card or automated clearing house (ACH) payment.

10. MPL Fraud. An employee may be found to have committed misconduct if they obtain or attempt to obtain benefits to which the individual is not entitled. Reporting false information to the City of Bemidji's designated MPL insurance carrier and/or the City of Bemidji will be cause for discipline, up to and including termination.

Article VI. DISCIPLINE

Section 6.01 General

A. The objective of this policy is to establish a standard disciplinary process for Employees in the City. Supervisors are responsible for maintaining compliance with City standards of Employee conduct. Employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable City policies.

B. Discipline will be administered in a non-discriminatory manner. An Employee believing that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures. The Supervisor and/or City Manager will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

Section 6.02 No Contract Language Established

A. This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Section 6.03 Process

A. The City may elect to use progressive discipline, a system of escalating responses intended to correct behavior rather than to punish the Employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate; however, the City Manager must approve dismissals. Nothing in these personnel policies implies that any City Employee has a contractual right or guarantee to the job being performed.

B. Reprimands will be completed on the applicable template, added to the Employee's personnel file and a copy provided to the Employee.

C. The following are descriptions of the types of disciplinary actions:

1. Verbal reprimand – Formal spoken warning given by a Supervisor to an Employee for violating workplace rules, policies, or expectations. This is annotated on a memorandum, documenting that the reprimand has occurred and is signed by the Supervisor.
2. Written reprimand – Formal written warning given by a Supervisor to an Employee for violating workplace rules, policies, or expectations. This warning is documented through a memorandum to establish a clear record that the

reprimand has occurred. The memorandum is signed by the supervisor and acknowledged by the Employee's signature, indicating receipt and awareness of the warning.

3. Suspension with or without pay – Temporary removal of an Employee from the workplace as a disciplinary measure, pending investigation, or as a consequence of misconduct or policy violations.
4. Demotion – Reduction in an Employee's job rank, position, responsibilities, or pay. It may involve transferring the Employee, with changes in title, duties, salary, or supervisory status.
5. Salary Change – Reduction in an Employee's pay as a consequence of misconduct, policy violations, or ongoing performance issues.
6. Dismissal – Involuntary termination of an Employee's employment due to serious or repeated violations of workplace rules, policies, or performance standards.

Section 6.04 Grievances

A. It is the desire of the City to address grievances in a just and efficient manner. Both Supervisors and Employees are expected to make every effort to resolve problems as they arise. It is also recognized that there may be grievances which will be resolved only after a formal grievance and review process.

B. The following actions are not considered a grievance and are not meant to be all inclusive or exhaustive:

1. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
2. Pay increases or lack thereof.
3. Merit pay awards.

C. Appeal Procedures:

1. Any dispute between an Employee and the City relative to the application, meaning or interpretation of these policies cannot be reached, the following steps shall be taken, in the order listed, until resolution is achieved:

a. Step 1 – The Employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the policy allegedly violated, and the remedy requested to their proper Supervisor within seven calendar days after the alleged violation or dispute occurred. The Supervisor shall make inquiry into the facts and circumstances of the grievance and attempt to resolve the grievance promptly and fairly and will notify the Employee of his/her grievance decision, in writing, within seven calendar days.

b. Step 2 – If the Employee is dissatisfied with the Supervisor's decision and the grievance is not settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested by the Employee to the City Manager within seven calendar days of the Supervisor's decision. The City Manager shall investigate as deemed necessary within 14 calendar days after the receipt of the Employee's request for review and respond to the Employee in writing of the decision. The decision of the City Manager is final for all disputes apart from those specific components in a performance evaluation subject to a challenge through the Minnesota Department of Administration.

c. Step 3 – If a grievance is not presented within the time limits set forth above, it will be considered “waived.” If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled based on the City’s last answer. If the City does not answer a grievance or an appeal within the specified time limits, the Employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. Any of the foregoing time limits may be extended by mutual written consent of the Employee, Supervisor and City Manager.

D. Right of Appeal.

1. All non-union Employees have the right to appeal disciplinary action for a suspension, dismissal, or demotion, through the Merit Hearing Board (Board) as established in the City Code. Verbal and written reprimands cannot be appealed to the Merit Hearing Board.

2. Requests for appeal through the Merit Hearing Board shall be directed to the City Manager and must be received within 21 calendar days of the disciplinary action.

E. Merit Hearing Board Process.

1. Pursuant to City Ordinance 2-328, the Board will meet when requested by a superior officer of the City after a request has been made to the secretary of the Board, with a date and time indicated, or if a request is made by an Employee to the City Manager, at a date and time set by the Board. A 10-day notice shall be given before the date of said hearing. The Board can reschedule any hearing date.

2. The Board has the authority to make its own investigation into the matter once received, and call for a hearing. The Board has the authority to issue subpoenas, administer oaths, compel attendance of witnesses, and by proper subpoena compel the production of books, papers, and other documentary evidence and things. If a hearing is called, the following procedures will take place:

a. The Employee has the right to an attorney; however, it shall be at the Employee’s own expense.

b. The Employee, counsel for the Employee and the Attorney for the City or designee shall have the right to attend the hearing.

c. The Board shall have the power to direct the way the hearing shall be conducted and have the power to permit introduction of evidence in such manner and such form as the Board deems advisable to assist in a proper determination of the cause and to promote fairness and justice in the matter under consideration.

d. Any witnesses that are called to testify will do so under oath. The opposing party or counsel will have the ability to cross examine any witness called.

e. At the end of the evidentiary portion of the hearing, the Board shall deliberate either on the same day, or a date set by the Board within 10 days of the end of the hearing. The deliberation shall be confidential.

f. The Board shall make written findings within 10 days of the date of the end of the hearing and file with the Secretary and the City Clerk. The findings will be sent to all parties involved by the City Clerk.

g. The findings of the Board are final. The Board may make recommendations to the City Manager for a final decision. If a final decision is made, the City does not have the right to appeal. An Employee not satisfied with the Board's decision has the right to consult an attorney to determine appropriate steps.

F. If the Employee is a Veteran, the Board shall provide the Veteran such rights as accorded to under the applicable statutes of the State of Minnesota.

Article VII. EMPLOYEE BENEFITS

Section 7.01 Fringe Benefits

A. The benefits the Council deem appropriate may be offered to Employees and are subject to annual policy and budgetary action. Fringe benefits may be increased, decreased, or eliminated at any time by action of the Council, and such action may apply to all current and future Employees. All benefits commence, or begin to accrue, on the first day of employment unless otherwise stipulated.

B. New Employees will start benefits on the first day of the month following the start of employment. If the new Employee starts on the first of the month, then the benefits start that same day.

C. The Fringe Benefit Contribution (FBC) is paid only with the first and second paychecks in any given month. The first such payment will start with the first paycheck from which health insurance premiums are withheld. The first FBC on the first paycheck of the month is for the first half of that month. The second FBC on the second paycheck of the month is for the second half of that month.

D. Any Employee leaving employment will receive a prorated FBC for the last month of employment based on the number of days worked versus the number of working days in their final month of employment, regardless of whether the Employee continues health insurance through the final month of employment

E. The City may provide a variety of Employee benefits as part of its benefits package, subject to budget approval. All benefits are subject to change, including modification or termination , at any time the City, consistent with applicable laws and collective bargaining agreements. Such changes may apply to current and future employees. Eligibility fir benefits will be determined by the terms of each benefit plan, applicable law, and City policy. Employees should refer to official plan documents and enrollment materials for detailed information regarding benefits, including eligibility, coverage, costs, and enrollment requirements.

Section 7.02 Types of Benefits

A. Insurance Benefit Plan – It is the policy of the City to maintain an insurance benefit plan (Plan) for Employees which may include, but is not limited to, the following group coverage:

1. Health/Medical insurance.
2. Life insurance.
3. Dental insurance.
4. Vision insurance.
5. Disability insurance.
6. Paid leave
7. Accident, hospital, and critical illness insurances
8. Dependent day care flexible spending
9. Retirement and deferred compensation plans
10. Health savings and reimbursement arrangements (HAS, VEBA, FSA)
11. Public Employees Retirement Association (PERA)

B. The availability, and structure of benefits may vary by type of appointment, classification, or collective bargaining agreement and are governed by applicable plan documents.

C. For information about coverage and eligibility requirements, employees should refer to the summary plan description or contact the Human Resources/Payroll Clerk for more information on benefits.

- 1.
- 4.

Enrollment and coverage

A. Benefit enrollment, effective dates, and continuation of coverage are governed by the terms of applicable plans and by state and federal law.

B. Employees are responsible for completing required enrollment materials within established timelines. The City provides administrative notice of benefit renewal information to eligible employees prior to annually established benefits enrollment.

C. Changes to benefits are subject to qualifying life event criteria and are managed by the benefits coordinator. Qualifying events include:

1. Change in employment status to full-time.
2. Birth, adoption, or placement of adoption.
3. Death of a family member.
4. Divorce or annulment.
5. Dependent loss of coverage.
6. Marriage.

D. Continuation of coverage will be administered in accordance with applicable laws and plan documents.

Section 7.04 Retirement and Post-Employment Benefits

A. The City may offer post-employment or retirement-related benefits, including health care savings arrangements or similar programs, as determined by the City.

B. Eligibility, contributions, and use of such benefits are governed by plan documents, applicable law, and collective bargaining agreements where applicable.

Section 7.05 Additional Benefits and Programs

A. Annual Event

1. The City may host an annual event to recognize the service and achievements of Employees and Elected Officials. Attendance is provided at no cost

B. Eye Care Reimbursement

1. Eligible Employees may receive reimbursement for vision-related expenses not covered by insurance, up to \$150 per year. Up to \$20 of this amount may be used for non-prescription eyewear. Reimbursement form and supporting documentation are required.

C. Clothing Allowance

1. The City may provide a clothing allowance for Employees as determined by the City or applicable collective bargaining agreements.

2. Allowance amounts are established by the City annually. Employees may purchase attire up to the established amount. Any thing above the established amount is the Employee's responsibility.

3. All items ordered with clothing allowance will have the City logo.

4. Employees are required to submit request form for processing.

D. Safety Footwear

1. Employees required to wear safety footwear may receive reimbursement as follows. Eligibility and approval are determined by the City:

2. Full-time Employees:

3. Up to the amount established in the applicable labor agreement.

4. Up to \$80 per calendar year.

5. Seasonal, temporary, intern, and part-time Employees: up to \$80 per calendar year.

E. Employee Recognition

1. The City may recognize Employees for service and milestones, including retirement.

2. Departments may provide awards consistent with the following guidelines:

3. 10–14 years of service: up to \$75

4. 15–20 years of service: up to \$125

5. 21+ years of service: up to \$175

6. The City may also sponsor a retirement recognition event with costs up to \$125. Additional expenses beyond established limits are the responsibility of Employees.

Article VI. SALARY AND REIMBURSEMENT ADMINISTRATION

Section 8.01 Payroll

A. The Finance Department handles all payroll, fringe benefit administration and issues surrounding it. Questions regarding these issues should be addressed to the Finance Department.

B. Payroll deductions will only be permitted for City-sponsored and pre-tax benefit options, or as required by law.

Section 8.02 Salary Schedule

- A.** The Finance Director is responsible for implementing the salary schedule approved by the City Council.

Section 8.03 Pay Periods and Paydays

- A.** Employees shall be paid every two weeks. Timesheets cover a two-week period starting on Sunday and ending on Saturday. POC Firefighters are paid monthly. Timesheets must be submitted to the Finance Office by 10:00 a.m. on the Monday prior to payday. Department Heads will establish internal timelines to provide ample time to collect, review, approve and submit timesheets to the Finance Office.
- B.** As provided for in Minnesota law, the City requires direct deposit for all Employees being paid by its payroll and expense reimbursement systems. Employees are responsible for updating their bank account information as necessary.
- C.** Direct deposits are made and pay stubs are available to Employees on the Friday following the end of the payroll period in the applicable payroll system. If payday falls on a holiday, direct deposits and pay stubs will be available after 4:00 p.m. on the prior workday.
- D.** All payroll period hours are compensated at the rate in effect at the end of the pay period.

Section 8.04 Improper Deduction and Overpayment

- A.** Employees should promptly notify their Supervisor if they believe an improper deduction, overpayment, or any other type of error has occurred. If the City determines it has made an improper deduction from a paycheck, it will reimburse the Employee for the improper amount deducted and take good faith measures to prevent improper deductions from being made in the future.
- B.** In cases of improper overpayments, Employees are required to promptly repay the City the amount of the overpayment. The Employee can write a personal check or authorize a deduction from pay to cover the repayment. The City will not reduce an Employee's pay without written authorization by the Employee. Once the overpayment has been recovered in full, the Employee's year to date earnings and taxes will be adjusted to reflect accurately on their Form W-2 and the paying department will receive the corresponding credit. When an overpayment occurs, the repayment must be made within the same tax year.
- C.** In the exceptional situation where the overpayment occurs in one tax year and is not discovered until the next year, the overpayment must be repaid in the year it is discovered, but there will be additional steps and paperwork required. Any overpayments not repaid in full within the calendar year of the overpayment are considered "prior year overpayments" and the Employee must repay not only the net amount of the overpayment, but also the federal and state taxes the City has paid on their behalf. The City can recover the overpaid Social Security and Medicare taxes. Accordingly, the Employee will not be required to repay the taxes without submitting a written statement.

The overpayment amount will remain taxable in the year of the overpayment since the Employee has access to the funds. The Employee is not entitled to file an amended tax return for the year but may be entitled to a deduction or credit with respect to the repayment in the year of repayment. Employees should contact their tax advisors for additional information.

Section 8.05 Reimbursement

- A.** As a recipient of payments from the City, Employees are required to utilize the Payroll Direct Deposit/Expense Reimbursement Electronic Funds Transfer (EFT) Program.
- B.** All EFT payments are automatically and securely deposited into the Employee's designated checking or savings account.

Section 8.06 Final Pay

- A.** Employees who have been terminated for any reason from the City shall receive a final pay settlement at a maximum of two weeks from the date of termination, coinciding with the normal payday, unless otherwise permitted by state or federal law.

Section 8.07 Severance Pay

- A.** Employees leaving employment voluntarily, or otherwise separate from City employment are eligible to receive monthly retirement benefits under the provisions of PERA or the Police/Fire Benefit Association, shall be granted severance pay based on the following conditions and rates:
 - 1.** Conditions.
 - a.** Voluntary termination.
 - b.** Termination of employment due to health reasons, service-connected injury, or illness.
 - c.** In the event of Employee's death, severance pay shall be paid to the beneficiary.
 - d.** Severance pay cannot be used to extend the Employee's date of termination beyond the last scheduled workday, unless approved by the City Manager.
 - 2.** Rates.
 - a.** Employees covered under the PTO Policy – Upon voluntary termination of employment by the Employee, the City will payout accumulated PTO at the Employee's existing hourly wage rate.
 - b.** Grandfathered Sick Leave Severance – All Employees shall be entitled to a payout equal to one-half of their accumulated sick leave hours. This is a maximum of 480 hours pay. Payment of unused sick leave shall be based on the Employee's existing hourly wage. In the event of death, severance pay shall be paid to the beneficiary.

- c. Compensatory Time – All non-exempt Employees shall be entitled to a payout of accumulated compensatory time at the Employee's existing hourly wage rate.
- d. ESST – Not paid out upon termination of employment.

Section 8.08 Minnesota Wage Disclosure Protection Law

A. Under the Minnesota Wage Disclosure Protection Law, which is included in the WESA, Employees have the right to tell any person the amount of their own wages. While the Minnesota Government Data Practices Act (Minn. Stat. §13.43), specifically lists an Employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in personnel policies. In accordance with Minn. Stat. §181.172, the City may not:

1. Stop an Employee from telling anyone about wages or conditions of employment.
2. Require an Employee to sign a waiver that takes away the right to tell others about their wages or working conditions.
3. Treat an Employee differently after disclosing wages or working conditions to another person.

B. The City is prohibited from retaliating against an Employee for disclosing wage information. Under the Wage Disclosure Protection Law, an Employee may pursue legal action against the City and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5075 or (800) 342-5354.

Article IX. ORIENTATION, TRAINING AND DEVELOPMENT

Section 9.01 Employee Orientation

A. Supervisors shall be responsible for providing time for all Employees to attend New Employee Orientation during the first week of employment at a date determined by Payroll and their Supervisor. New Employees are not authorized to begin orientation until the offered start date of employment with the City.

1. Orientation shall include review of City benefits, services, insurance and Workers' Compensation coverage, personnel policies, internal communications, fringe benefits, safety procedures, payroll and employment forms and any other policies, procedures or programs which may affect employment.
2. Orientation will be provided on an ongoing basis as policies and procedures are created or revised.

B. Acknowledgment of Personnel Policies – Each Employee shall be given a copy of the personnel policies; and read, acknowledge receipt, and agree to abide by them.

Section 9.02 Employee Licensing, Education, Training and Development Opportunities

A. The City promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to its residents. The purpose is to ensure that Employees develop and maintain the knowledge and skills necessary for effective job performance. Employees are encouraged and will be given the opportunity to further develop their work-related skills through continuous training. Employees planning to attend training and/or development that is required by job description, must have Supervisor approval, and comply with the City's Travel and Per Diem Policy. The Supervisor and/or City Manager are responsible for determining job-relatedness to approve or deny attendance.

B. City Initiated Training or Required Licensing – When an Employee attends a conference, seminar, training program, or school at the request of their Supervisor, or to obtain or maintain a City or state mandated license or certificate relevant to the assigned position, authorized expenses incident to the training and authorized by the Supervisor shall be paid by the City.

C. Training Requested by the Employee – At the request of the Employee, the actual cost of training or schooling authorized by the Supervisor may be reimbursed after satisfactory completion of training. The actual cost of the training shall be determined by the Supervisor, considering: the individual's salary for the duration of the training, travel and living expenses, tuition, registration costs, textbooks, supplies, authorized incidentals, and other costs as the Supervisor deems appropriate.

Section 9.03 Membership and Dues

A. The City will pay membership costs and/or dues to various professional organizations provided membership is directly related to the Employee's position and/or affects the betterment of City services.

B. Normally one City membership per agency is allowed, as determined by the City Manager and department funds are available. Upon separation of employment, individual memberships remain with the City and are transferred to another Employee by the Supervisor.

C. The Employee is required to provide an invoice for reimbursement indicating pertinent information to receive payment.

Section 9.04 Loss of Driver's License

A. Employees driving or operating any City vehicles and/or equipment, must notify a Supervisor immediately if their Driver's License is revoked, lost, stolen, cancelled, restricted, or suspended and must keep the Supervisor informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

B. Employees must notify a Supervisor immediately if a Federal, State or City mandated license or certificate required for their position has been, or is going to be cancelled, revoked, suspended, or expired. The City will determine appropriate action on a case-by-case basis.

Article X. SAFETY AND HEALTH

Section 10.01 Safety

A. It is the policy of the City to maintain a safe and healthy environment for both its Employees and the customers it serves. To maintain the highest level of safety, Employees shall familiarize themselves with the safety procedures specific to position and, when provided, Employees are required to wear personal protective equipment. To assist with safety needs, a first-aid kit will be in each City building and in each City vehicle.

B. The City shall always provide the safest working conditions possible. Pursuant to Minn. Stat. 182.653 Subd.8, the City will review and provide training on its AWAIR (A Workplace Accident and Injury Reduction) Program annually. In addition, it is the duty of each Department Head to establish safety regulations, instruct Employees in accident prevention and provide safety meetings on a regular basis.

C. The City shall provide the proper tools and equipment necessary to ensure a safe work environment and prevent occupational injuries and illnesses.

1. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department.

2. It shall be the duty and responsibility of each Employee to operate and use all tools and equipment in a safe and careful manner.

3. Where safety equipment is required by Federal, State, or local rules and regulations, it is a condition of employment that such equipment be worn and used by those respective Employees.

4. Each Employee shall be responsible to ensure that all safety equipment, policies, and rules are used and always followed, and it shall be the Employee's responsibility to become familiar with the safe and proper use of any tool or piece of equipment before its use.

5. Any Employee who has a question concerning a safety practice should inquire of their Supervisor.

D. The City will comply with all provisions of the Minnesota OSHA (MNOSHA) Hazard Communication Standard (HAZCOM) and will provide the required technical and health related information regarding hazardous substances in the workplace according to the specified procedures in the act.

E. Employees are required to be familiarized with the quickest path to the nearest emergency exit or designated tornado shelter area in City buildings. Every City building will conduct at least one fire drill and one tornado drill annually. The tornado drill will coincide with the State-wide Tornado Drill during Severe Weather Awareness Week in April and the fire drill will coincide with National Fire Prevention Week in October.

F. All Employees are responsible for complying with all the provisions of the City's safety policy and for reporting any unsafe conditions.

G. All Employees are required to complete mandatory training assigned to them based on job descriptions, facility, and work assignments. Training is delivered in person, as well as digitally depending on the needs and availability of the Department.

Section 10.02 Theft

A. Employee Theft.

1. Employee theft refers to the unauthorized use or misappropriation of the City's property or assets by an Employee. This includes, but is not limited to, stealing cash, merchandise, supplies, equipment, or intellectual property. Employee theft can also involve fraudulent activities, such as falsifying time sheets or expense accounts, or using company resources for personal gain.

2. The City of Bemidji has a zero-tolerance stance on Employee theft. We take all allegations of theft seriously and will investigate them thoroughly. The severity of theft will determine disciplinary action, up to and including termination.

3. If an Employee is suspected of theft, please report it immediately to a Supervisor, or Human Resources. All allegations of Employee theft will be investigated thoroughly and fairly. The investigation process may include:

- a.** Interviews with witnesses and the accused Employee.
- b.** Review of relevant documentation, such as financial records or security footage.
- c.** Collection and preservation of evidence.
- d.** A thorough review of the facts to determine whether there is sufficient evidence to support the allegations.

B. Non-Employee Theft.

1. Instances of theft of City property are to be immediately reported to a Supervisor and Law Enforcement.

Section 10.03 Accidents

A. If an Employee is involved in an accident resulting in personal injury, causes damage to City-owned equipment, or causes damage to public or private property while operating a City vehicle, or a privately owned vehicle (in the performance of official City business), the Employee shall:

- 1.** Get medical attention, if necessary.
- 2.** Contact law enforcement.
- 3.** Notify Supervisor immediately.

4. Complete the State of Minnesota Department of Administration Vehicle Crash/Damage Notice form or any other reports required by State law.

5. Provide information and copies of all reports filed to an immediate Supervisor.

B. The Supervisor shall report the incident to the Finance Director or designee as soon as possible.

Section 10.04 Illness and Center for Disease Control (CDC) Guidance

A. In the interest of public health and workplace safety, all Employees are expected to follow current guidelines from the CDC regarding contagious illnesses.

B. General Expectations.

1. **Stay Home When Sick.** Employees who are feeling unwell or exhibiting signs of a potentially contagious illness, such as respiratory symptoms, gastrointestinal issues, unexplained fatigue, or other general signs of illness, should stay home and avoid coming to work. Employees may use applicable accrued PTO or ESST to cover absences related to illness in accordance with leave policies.

2. **Symptom-Free Requirement.** Employees should not return to work until they are free of symptoms that could indicate a contagious condition for at least 24 hours, without the use of medication to manage those symptoms.

3. **Communicable Conditions.** In the event of a confirmed diagnosis of a communicable disease (such as COVID-19, influenza, or other CDC-monitored illnesses), Employees must follow current CDC guidance related to isolation, testing, return-to-work timing, and workplace safety precautions.

C. Notification and Documentation.

1. Employees must notify their Supervisor as soon as possible if they are unable to work due to illness.

2. A medical release may be required for extended absences or for certain illnesses, especially those that may impact others in the workplace.

3. Documentation will be handled in accordance with applicable privacy and employment laws.

D. Exposure and Workplace Safety.

1. Employees who have been exposed to someone with a communicable illness should monitor themselves for symptoms and follow CDC guidance regarding any testing or precautions.

2. The company may implement temporary workplace measures (e.g., remote work, increased cleaning, mask use) during times of increased public health concern.

Section 10.05 Workers' Compensation

A. Workers' Compensation insurance provides wage replacement benefits to City Employees becoming ill or injured due to a position with the City. All worker compensation claims are processed through the Finance Department.

B. Reporting Requirements –Minnesota Workers' Compensation Laws and State and Federal OSHA require that all occupational injuries or illnesses be reported immediately to the Employee's Supervisor , and the Minnesota Department of Labor and Industry Workers' Compensation Division. First Report of Injury and Supervisor Report forms must be completed by the Employee and Supervisor.

1. If the injury is not an emergency, the City's third-party managed care provider must be contacted to determine proper treatment. If the injury is an emergency, the Employee should report to the hospital emergency room.

2. Forms must be submitted to the Payroll Accountant within 24 hours of the incident.

C. Workers' Compensation Benefits – Injured Employees are entitled to weekly compensation, as defined by Minn. Stat. 176.101.

1. Eligible Employees will be compensated at the rate of 66 2/3% of their average weekly wage at the time of injury, subject to the maximum established by law.

2. No workers compensation benefits are payable for the first three days in which an individual is disabled unless the disability continues for 10 calendar days. However, should the disability last less than 10 days, the City will provide the Employee with regular base pay for these three days, to be treated as an approved workers compensation holiday for timekeeping purposes.

3. All compensated hours must be accounted for appropriately on timesheets.

a. Marked as "Workers' Comp" with a "WC" pay code next to the hours.

b. Appointments are annotated on Employee timecards "time missed due to injury or illness."

c. Attendance at medical appointments should be for actual hours and travel time.

D. Workers' Compensation Calculations.

1. When an Employee misses work due to a Workers' Compensation injury, compensation will be a combination of payments from Work Comp Insurance and Workers' Compensation holiday pay, to ensure net pay (after taxes/take home) is not less than the average for the previous 12 months.

2. The previous 12 months of net pay is calculated and averaged to ensure that regular overtime is accounted for in the calculation. Recent position changes, pay

increases, or significant change in elected deductions will be considered for the average pay calculation.

E. City Salary and Benefits.

1. The City will continue payment of the monthly Employer contribution for an Employee receiving Workers' Compensation benefits for a period not to exceed 18 months, consecutively or intermittently. After 18 months, the Employee has the option to continue coverage by making premium payments to the Finance Office.

2. Paid time off, sick and vacation leave will accrue while an Employee is receiving Workers' Compensation payments as though the Employee is still working.

3. Accrued leave may not be used to supplement net pay.

F. Return to Work – When an Employee has missed work due to an occupational injury or illness, a physician's statement to return to work is required. This release form shall state any conditions which the Employee must abide by concerning the amount or type of work that is allowed.

Section 10.06 Damaged and Lost Personal Property

A. The City may reimburse Employees for damaged or lost personal property while performing normal work-related activities. This reimbursement shall be at the discretion of the City Manager.

CITY COUNCIL AGENDA ITEM



Meeting Date: August 3, 2026
Action Requested: Approve Purchase of Bobcat SP13 Stainless-Steel Salt Spreader
Prepared By: Scott Schroeder, Parks & Trails Director

Background:

The Parks & Trails Department is responsible for maintaining pedestrian areas throughout the winter. The City has recently added approximately three miles of trails to its maintenance responsibilities. When the Highway 197 project is completed, the City is expected to acquire approximately two additional miles, increasing winter trail maintenance by a total of roughly five miles.

This additional mileage is in addition to the downtown sidewalks, plazas, current trail connections throughout the City, and other high-use pedestrian areas already maintained by the Department. Existing methods are increasingly time-consuming and make it difficult to treat all areas promptly during snowfall, freezing rain, and freeze-thaw conditions.

OPERATIONAL BENEFITS

- Provides faster and more consistent application of salt and ice-control materials.
- Allows staff to efficiently cover the additional five miles of trails while continuing downtown service.
- Reduces reliance on manual application and smaller-capacity equipment.
- Improves staff productivity and response time during winter weather events.
- Provides durable, corrosion-resistant construction for repeated exposure to salt and moisture.
- Supports safer and more reliable access for residents and visitors using City sidewalks, plazas, and trails.

Staff has received a Sourcewell contract pricing from Bobcat of Bemidji. Staff has worked with Bobcat of Bemidji for years on our current fleet Bobcat equipment.

Bobcat of Bemidji, Bemidji, MN Sourcewell Contract Price: \$8,600.58

Recommendation:

It is recommended that the City Council pass a motion approving the purchase of the 2026 Bobcat SP13 Spreader through Bobcat of Bemidji for the purchase price of \$8,600.58. Funds will come from the Parks and Trails CIP budget.

CITY COUNCIL AGENDA ITEM



Meeting Date: August 3, 2026
Action Requested: Approve Request from BSU
Prepared By: Rich Spiczka, City Manager

Background:

Bemidji State University has requested approval to convert part of their leased space at the Sanford Center into a Hockey Shooting Room. BSU and its contractors have met with City staff to assure all plans meet required specifications and building code. BSU is looking for approval to get the project going. The project should not interfere with any Sanford Center operations and will be of no cost to the City. The official request letter and plans are attached.

Recommendation:

Approve Hockey Shooting Room Buildout at the Sanford Center.



BEMIDJI STATE UNIVERSITY

Intercollegiate Athletics

July 22, 2026

City of Bemidji Council
317 4th Street NW
Bemidji, MN 56601

Dear Mayor and Members of the Bemidji City Council,

On behalf of Bemidji State University Athletics, we respectfully request the City of Bemidji's approval to proceed with renovations within the Sanford Center to create a dedicated shooting room for the Bemidji State University men's and women's hockey programs.

This project is being made possible entirely through private donor funding designated specifically for the enhancement of the student-athlete experience and the continued success of Beaver Hockey. No City funding is being requested as part of this project.

The proposed renovations involve modifications to existing space within the Sanford Center to establish a dedicated training area that will provide our student-athletes with additional opportunities for skill development, practice, and year-round training. Enclosed are project plans and a description of the proposed improvements to provide the Council with a clear understanding of the scope and nature of the renovations.

We appreciate the City's longstanding partnership and support of Bemidji State University Athletics and respectfully request the Council's approval to move forward with these improvements. We would be happy to answer any questions or provide additional information as needed.

Thank you for your consideration.

Sincerely,

Britt Lauritsen, JD

Director of Athletics, Bemidji State University



SANFORD CENTER SHOOTING ROOM

1111 EVENT CENTER DR NE
BEMIDJI, MN 56601

PROJECT NUMBER: 025000.00

ABBREVIATIONS

ADA	AMERICANS WITH DISABILITIES ACT	MAL	MATERIAL
ADJ	ADJUSTABLE	MAX	MAXIMUM
AF	ABOVE FINISHED FLOOR	MECH	MECHANICAL
AHU	AIR HANDLING UNIT	MIN	MINIMUM
ALT	ALTERNATE	MISC	MISCELLANEOUS
ALUM	ALUMINUM	MO	MASONRY OPENING
APPROX	APPROXIMATE	MTL	METAL
ARCH	ARCHITECT	NA	NOT APPLICABLE
B.O. / BO	BOTTOM OF	NIC	NOT IN CONTRACT
B.SPLASH	BACKSPLASH	NOM	NORMAL
BUILD	BUILDING	NTS	NOT TO SCALE
BLOCK	BLOCKING	OC / D.C.	ON CENTER
BRS	BEARING	OD	OVERFLOW DRAIN
C TOP	COUNTERTOP	OH	OVERHEAD
CS	CORNER GUARD	P.T.	PRESSURE TREATED
CI	CONTROL JOINT	PC	PRECAST
CL	CENTERLINE	PL	PLATE
CLG	CEILING	PLAN / P.LAM.	PLASTIC LAMINATE
CLR	CLEARANCE	P.V. / P.VMD	POLYWOOD
CMU	CONCRETE MASONRY UNIT	PNT	PAINT
COL	COLUMN	PREIN	PREFINISHED
CONC	CONCRETE	PFD	PAPER TOWEL DISPENSER
CONT	CONTINUOUS	QT	QUARRY TILE
CPT	CARPET	QTY	QUANTITY
CT	CERAMIC / PORCELAIN TILE	RCF	REFLECTED CEILING PLAN
D	DEEP	RD	ROOF DRAIN
DF	DRINKING FOUNTAIN	REF	REFRIGERATOR
DIA	DIAMETER	RENF	REINFORCED
DIM	DIMENSION	REGO	REQUIRED
DISP	DISPENSER	RFY STRIP	REQUIRED PERIMETER FASTENING STRIP
DN	DOWN	RTU	ROOF TOP UNIT (RUCK)
DS	DOWNSPUT	RWL	RAIN WATER LEADER
DW	DRAINAGE	S.SPLASH	SIDE SPLASH
DWG	DRAWING	SAC	SUSPENDED ACoustical CEILING TILE
EA	EACH	SCHED	SCHEDULE
EFS	EXTERIOR INSULATION & FINISH SYSTEM	SD	SOAP DISPENSER
EJ	EXPANSION JOINT	SEA	SEALANT (SEALED)
ELEC	ELECTRICAL	SF	SQUARE FOOT (FEET)
EPDM	ETHYLENE PROPYLENE DIENE MONOMER ROOFING	SIM	SHIM
EQ	EQUAL (EQUALLY)	SIP	STRUCTURAL INSULATED (OR INSULATING) PANEL
EQUIP / EQPT	EQUIPMENT	SND	SPECIFICATION
EXIST / EX. / EXIST.	EXISTING	SS	STAINLESS STEEL
EXT	EXTERIOR	SSM	SOLID SURFACE MATERIAL
F.T.	FIRE TREATED	STL	STEEL
F.A.L.	FIELD VERIFY	STD	STANDARD
FD	FLOOR DRAIN	STRUCT	STRUCTURAL CONSULTANT
FDR	FOUNDATION	SV	SHEET VINYL
FE	FIRE EXTINGUISHER	TOP OF	TOP OF
FELC	FIRE EXTINGUISHER CABINET	TBR	TEMPERED
FRB	FIBERGLASS FACED FIBROUS BOARD	TEMP	TEMPERED
FRP	FIBERGLASS REINFORCED PANEL	TFTD	TOILET PAPER DISPENSER
FUR	FURRING	TPO	TREATED
FG	FOOTING	TYP	TYPICAL
FOR	FOUR	UNO	UNLESS NOTED OTHERWISE
GALV	GALVANIZED	VB	VINYL BASE
GB	GRAB BAR	VCT	VINYL COMPOSITION TILE
GLAZ	GLAZING	VF	VERIFY IN FIELD
GYP. BD / G.BD / GBD	GYPSON BOARD	VWC	VINYL WALL COVERING
H	HIGH	W	WIDE
HC	HANDICAPPED	W/	WITH
HM	HOLLOW METAL	W/O	WITHOUT
HT	HEIGHT	WO	WEATHER RESISTIVE BARRIER
ICF	INSULATED (OR INSULATING) CONCRETE FORM	WRS	WEATHER RESISTIVE BARRIER
INSUL	INSULATION	#	NUMBER (OR POUND)
INT	INTERIOR	A	AND
JST	JOIST	@	AT
LAM	LAMINATE		
LVT	LUXURY VINYL TILE		
MANUF	MANUFACTURER		

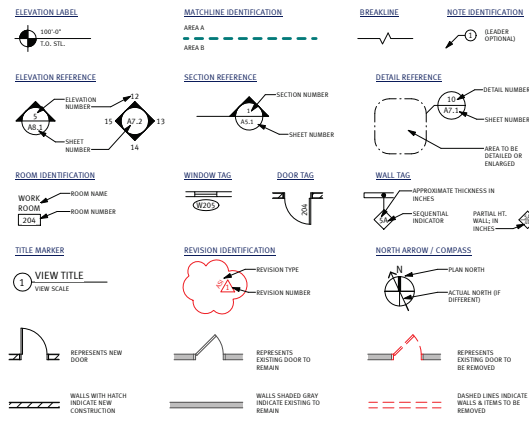
MATERIALS

EARTH	RIGID INSULATION
COMPACT FILL/SAND	BATT INSULATION
POROUS FILL/GRAVEL	GYPSON BOARD
MORTAR/PLASTER	PLYWOOD
SPRAY FOAM INSUL.	OSB SHEATHING
FACE BRICK	CONT. ROUGH WOOD
CMU	WOOD BLOCKING
CONCRETE	FINISHED WOOD
STUD WALL/METAL	BITUMINOUS

ARCHITECTURAL GENERAL NOTES

- GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- REVIEW THE CONSTRUCTION DOCUMENTS PRIOR TO START OF CONSTRUCTION. NOTIFY ARCHITECT UPON ENCOUNTERING ANY UNFORESEEN CONDITIONS, DISCREPANCIES, ERRORS, OR INCONSISTENCIES.
- WORK SHALL BE DONE IN ACCORDANCE WITH ALL RULES AND REGULATIONS OF ALL APPLICABLE SAFETY AND BUILDING CODES. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR SECURING AND PAYING FOR ALL PERMITS REQUIRED AND FOR THE SCHEDULING OF ALL REQUIRED INSPECTIONS DURING THE COURSE OF THE PROJECT.
- THE GENERAL CONTRACTOR SHALL TAKE PRECAUTIONS AND BE RESPONSIBLE FOR THE SAFETY OF ALL BUILDING OCCUPANTS FROM CONSTRUCTION PROCEDURES DURING CONSTRUCTION TO MINIMIZE DISTURBANCES TO ADJACENT SPACES AND /OR STRUCTURES AND THEIR OCCUPANTS, PROPERTY, PUBLIC THOROUGHFARES, ETC. MAINTAIN ALL REQUIRED EGRESS DURING CONSTRUCTION.
- ALL MATERIALS AND SYSTEMS SHALL BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS AND THEIR CONSTRUCTION SHALL BE OF INDUSTRY STANDARD OR BETTER.
- DO NOT SCALE DRAWINGS. VERIFY ALL DIMENSIONS IN THE FIELD FOR ACCURACY PRIOR TO CONSTRUCTION. NO EXTRA CHARGE OR COMPENSATION SHALL BE ALLOWED BECAUSE OF DIFFERENCE BETWEEN ACTUAL DIMENSIONS AND THOSE INDICATED ON THE DRAWINGS, UNLESS THEY CONTRIBUTE TO A CHANGE IN THE SCOPE OF WORK.
- IN THE EVENT OF CONFLICT BETWEEN DATA SHOWN ON DRAWINGS AND DATA SHOWN IN THE SPECIFICATION, THE WORK OF GREATER QUALITY OR QUANTITY SHALL BE PROVIDED, IN ACCORDANCE WITH THE ARCHITECT'S INTERPRETATION, AND NO CHANGE IN THE CONTRACT SUM WILL BE PERMITTED. DETAIL DRAWINGS TAKE PRECEDENCE OVER DRAWINGS OF LARGER SCOPE. NOTIFY ARCHITECT IF AT ANY TIME AN ERROR OR DISCREPANCY IS DISCOVERED.
- IMMEDIATELY NOTIFY ARCHITECT OF ANY LONG LEAD ITEMS THAT WILL AFFECT THE COMPLETION DATE.
- ALL WOOD IN CONTACT WITH CONCRETE OR CONCRETE BLOCK TO BE PRESSURE TREATED - TYPICAL.
- PROVIDE METAL BACKING AND / OR TREATED WOOD BLOCKING FOR ALL WALL MOUNTED EQUIPMENT (GRAB BARS, TOILET ROOM ACCESSORIES, TV MOUNTS, HEADWALLS, EQUIPMENT RAILS, ETC.) VERIFY HEIGHT AND LENGTH WITH ACTUAL EQUIPMENT.
- PATCH ALL DISTURBED FIREPROOFING AS REQUIRED TO MAINTAIN RATING. REPAIR AND INSTALL ALL FIREPROOFING AS REQUIRED BY CODE. FIREPROOF ALL NEW PENETRATIONS REQUIRED BY THE WORK. REFER TO CODE SUMMARY FOR RATINGS.
- ALL EXPOSED METAL TO RECEIVE PAINT UNLESS OTHERWISE NOTED.
- ALL ADJACENT DISSIMILAR MATERIALS TO RECEIVE CAULKING, INCLUDING EQUIPMENT MOUNTED TO WALLS.

GRAPHIC SYMBOLS



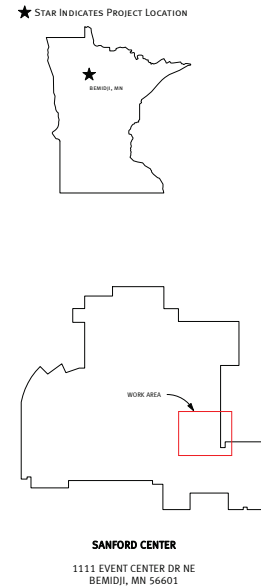
PROJECT TEAM

CONTRACTOR	ARCHITECT
KRAUS ANDERSON CONSTRUCTION COMPANY 206 BELTRAMI AVE NW BEMIDJI, MN 56601	DSGW ARCHITECTS 2 WEST FIRST ST, SUITE 201 DULUTH, MN 55802
PHONE: 218-333-4582	PHONE: 218-727-2626
CONTACT: NAME EMAIL: EMAIL ADDRESS	CONTACT: JOHN ERICKSON JERICKSON@DSGW.COM
	MECH/ELECT. ENGINEER DESIGN / BUILD

SHEET INDEX

0-GENERAL SHEETS
G0.1 24X36 TITLE SHEET
G1.1 LIFE SAFETY PLAN & SUMMARY
4-ARCHITECTURAL
A1.1 SPECS
A2.1 PLANS

LOCATION MAP



SANFORD CENTER SHOOTING ROOM

1111 EVENT CENTER DR NE
BEMIDJI, MN 56601

project #: 025000.00
date: 6/16/2026 9:01:08 AM
drawn by: AUTHOR
checked by: CHECKER

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota.

signature:
printed name: RYAN TURNER, AIA, ACHA, EDAC
reg. #: 44426
sign date: ISSUE DATE

PRELIMINARY NOT FOR CONSTRUCTION
6/16/2026 9:01:08 AM

revision / issue	no.	date
PRICING SET	1	05/15/2026
PRICING SET	2	06/16/2026

24X36 TITLE
SHEET

sheet title:
sheet number:
G0.1

02 41 00 - DEMOLITION

BUILDING DEMOLITION EXC

[illegible]

CONCRETE BLOCK: LOW

CONCRETE BLOCK: LOAD-BEARING AND NON-LOAD BEARING: USTH C 90, NORMAL WEIGHT, 1,500 PSI. MATCH THAT OF EXISTING CONSTRUCTION. INSTALL DETAILS, AS SHOWN IN WORK AS REQUIRED.

HOLLOW BLOCK: AS INDICATED.

B. TYPE I - MOISTURE-CONTROLLED: NORMAL WEIGHT.

GROUT FOR MASONRY: USTH C 40 STANDARD SPECIFICATION FOR GROUT.

COLORED AND TEXTURED: MATCH EXISTING.

NOMINAL SIZE: AS INDICATED ON DRAWINGS.

REINFORCEMENT: MOULDED UNITS AS REQUIRED BY CONDITIONS INDICATED UNLESS STANDARD UNITS CAN BE GAIN TO PRODUCE EQUIVALENT EFFECT.

BOUND: RULING.

CONCRETE: MATCH EXISTING.

MORTAR JOINTS: CONCAVE. USE STANDARD PRACTICES FOR REINFORCEMENT.

REINFORCEMENT: STEEL, CONTROLLED-TENSION JOINTS AND ANCHORAGES AS APPLICABLE.

INSULATION WHERE APPLICABLE OR AS SHOWN ON DRAWINGS.

CAULKING: ONE PART URETHANE

CAULKING: ONE PART URETHANE CAULKING, COLOR AS SELECTED BY ARCHITECT. PROVIDE HORIZONTAL GRADE FOR FLOORS AND WALKS AS REQUIRED AND VERTICAL GRADE FOR WALLS AND CEILINGS. USE URETHANE CAULKING FOR ALL CAULKING CONDITIONS EXCEPT PLUMBING FIXTURES, COUNTER TOPS AND OTHER SANITARY SITUATIONS WHICH SHALL USE SILICONE - SANITARY WHITE. MATCH EXISTING.

WELDED STEEL DOOR FRAMES, 16 GAUGE INTERIOR, P

WELDED STEEL DOOR FRAMES, 16 GAUGE INTERIOR, PREPARED AS PER THE STEEL DOOR INSTITUTE FOR ALL APPLIED HARDWARE. FACTORY PRIME COATED.
SEE DRAWINGS.

1. BASED ON SDI STANDARDS
1. LEVEL 1 - STANDARD

1. BASED ON SDI STANDARDS: ANSI/SOI A250.8 (SDI-100).
 1. LEVEL 1 - STANDARD-DUTY.
 2. PHYSICAL PERFORMANCE LEVEL C, 250,000 CYCLES; IN ACCORDANCE WITH ANSI/SOI A250.6.
 3. MODEL 1 - FULL FLUSH.
 4. DOOR FACE METAL THICKNESS: 18 GAGE, MINIMUM.
 1. CORE MATERIAL: MANUFACTURERS STANDARD CORE MATERIAL/CONSTRUCTION AND IN
 2. DOOR THICKNESS: 1-3/4 INCH, NOMINAL.

A. GENERAL: ALL WORK SHALL

A. GENERAL: All work shall be in accordance with all applicable state and local building codes. WHERE ITEMS OF HARDWARE ARE NOT DEFINITELY OR CORRECTLY SPECIFIED AND IS REQUIRED FOR THE INTENDED SERVICE, SUCH OMISSION, ERROR OR OMISSION SHALL BE DEEMED TO BE THE RESPONSIBILITY OF THE ARCHITECT. OTHERWISE FURNISH SUCH ITEMS IN THE TYPE AND QUANTITY ESTABLISHED BY THIS SPECIFICATION FOR THE APPROPRIATE SERVICE INTENDED. OTHER THAN HARDWARE (HANDLES, LATCHES & LOCKSETS, DET. DEVICES, CLOSERS, ETC.) FROM A SINGLE MANUFACTURER, ALTHOUGH SEVERAL MAY BE INDICATED AS OFFERING PRODUCTS COMPLYING WITH REQUIREMENTS, PROVIDE OPTIONAL STYLES, SPECIAL LENGTHS RODS, MOUNTING BRACKETS, ADAPTER PLATES, ETC. TO ACCOMMODATE COLOR AND FRAME CONDITIONS, AND BY ADJACENT HARDWARE.

2. POWER TRANSFERS: VON DUPPIN.

1. BUTT HINGES: IVES STANLEY, HAGER, MCKINNEY
2. POWER TRANSFERS: VON DUPRIN, ASSA
3. FLUSH BOLTS, COORDINATORS, DUST PROOF STRIKES: IVES, HAGER, TRIMCO
4. LOCKS - GRADE 1 MORTISE: SCHLAGE L SERIES OXAS, NO SUBSTITUTIONS
5. PULLS, PUSH BARS, PUSH/PULL PLATES, KICK PLATES: IVES, BURNS, HAGER, TRIMCO
6. WALL STOPS & HOLDERS: IVES, BURNS, HAGER, TRIMCO
7. CLOSERS - LARGE BORE: LCN 4040XP SERIES, NORTON 7500 SERIES
8. OVERHEAD STOPS: GLYNN-JOHNSON, RIKSSON, SARGENT

FOLLOWS: 5PB1 FOR INTERIOR OPS
5PB1HW FOR INTERIOR OPENINGS

5. DETAILS: SP101 FOR INTERIOR OPENINGS THROUGH 36 INCHES WIDE OUTDOOR DOOR CLOSERS; SB11 FOR INTERIOR OPENING OVER 36 THROUGH 40 INCHES WIDE OUTDOOR DOOR CLOSER AND FOR INTERIOR OPENINGS THROUGH 40 INCHES WIDE DOOR CLOSER; SB11HW FOR INTERIOR OPENINGS OVER 40 INCHES WIDE AND FOR ALL VESTIBULE DOORS; SB11HWFS FOR INTERIOR OPENINGS UNLESS OTHERWISE LISTED IN GROUPS. FURNISH HINGES FOR EXTERIOR DOORS FABRICATED FROM BRASS, BRONZE, OR STAINLESS STEEL. UNLESS OTHERWISE SPECIFIED, HINGES FOR INTERIOR DOORS MAY BE FABRICATED FROM STEEL. FURNISH HINGES WITH FLAT BUTTON TOPS WITH NON-RISE PINS AT INTERIOR DOORS, NON-REMOVABLE LOOSE PINS (NRP) AT EXTERIOR AND OUT-SWINGING INTERIOR DOORS. FURNISH 6-1/2" X 8-1/2" HINGES FOR 1-3/4" DOORS; FURNISH 3-1/2" X 1-1/2" HINGES FOR 1-1/8" DOORS.

PROFILES WILL ACCOMMODATE SPE

F. DOOR STOPS: FURNISH A STOP OR HOLDER FOR ALL DOORS. FURNISH FLOOR STOPS OR HINGE PIN STOPS ONLY WHERE SPECIFIED. WHERE WALL STOPS ARE NOT APPLICABLE, FURNISH OVERHEAD STOPS. DO NOT PROVIDE HOLDER FUNCTION FOR LABELED DOORS. UNLESS

CORR. DOORS THAT OPEN AGAINST

6. KEYS AND BASE METALS: UNLESS OTHERWISE INDICATED IN THE HARDWARE SPECIFICATIONS OR HEREIN, HARDWARE FINISHES SHALL BE APPLIED OVER BASE METALS AS SPECIFIED IN THE FOLLOWING FINISH SCHEDULE:

M. KEYS: PROVIDE ALL CYLINDERS IN KEYWAYS AS REQUIRED TO ACCOMMODATE OWNER'S EXISTING LOCK KEY SYSTEM. PROVIDE INTERCHANGEABLE CORES FOR ALL LOCKS AND CYLINDERS IF REQUIRED BY THE OWNER. ALL LOCKS UNDER THIS SECTION SHALL BE KEVED AS DIRECTED BY THE OWNER TO AN EXISTING MASTER KEY SYSTEM. FURNISH A TOTAL OF 2 KEYS PER CYLINDER. ACTUAL CUT KEYS TO BE DETERMINED BY OWNER. MASTER KEYS, CONTROL KEYS, AND CHANGE KEYS SHALL BE DELIVERED BY REGISTERED MAIL TO THE OWNER. CONSTRUCTION KEYS SHALL BE DELIVERED TO THE CONTRACTOR.

CA. H.

2	EA	HINGE	AS REQUIRED	IVS
2	EA	PUSH PLATE	8200 6" x 16"	IVS
2	EA	SURFACE CLOSER	4050A SMCUSH	LCE
2	EA	KICK PLATE	8400 10" x 2" LDM B-CS	IVS

1 54 8

1	EA	PASSAGE SET	19010	SCH
1	EA	DUMMY CYLINDER	AS REQUIRED	SCH

FUNCTION: PASSAGE LATCH LATCHBOLT RETRACTED BY LEVER FROM EITHER SIDE AT ALL TIMES.

CA 10

	EA	HINGE	AS REQUIRED	I/E
1	EA	AUTO FLUSH BOLT	AUTOMATIC PAIR	I/E
1	EA	DUST PROOF STRIKE	DP2	I/E
1	EA	CLASSROOM LOCK	LP9070	SC
1	EA	COORDINATOR	COR-XL	I/E
2	EA	MOUNTING BRACKET	MB	I/E
2	EA	SURFACE CLOSER	4050A EDA	LCE
2	EA	KICKPLATE	8400 10"X3" LOW B-CS	I/E
2	EA	WALL STOP	WS406/407CC	I/E

Acoustical Units - General: ASTM

ACOUSTICAL UNITS - GENERAL: ASTM E1264, CLASS A, 2' x 2' TO MATCH EXISTING.
ACOUSTICAL PANELS TYPE 1: PAINTED MINERAL FIBER, FLAT WHITE.
STANDARD GRID TO MATCH WITH ASSOCIATED ACCESSORIES.
MATCH EXISTING SYSTEMS.

PROVIDE ALL PRIMERS, SEALERS, CLEANING MATERIALS REQUIRED TO ACHIEVE THE FOLLOWING:

PROVIDE ALL PRIMERS, SEALERS, CLEANING AGENTS, CLEANING CLOTHS, SANDING MATERIALS, AND CLEAN-UP MATERIALS REQUIRED TO ACHIEVE THE FINISHES SPECIFIED WHETHER SPECIFICALLY INDICATED OR NOT; PROVIDE ALL MATERIALS, EQUIPMENT, SUPPLIES, AND TOOLS NECESSARY TO PROTECT ADJACENT AREAS AS REQUIRED. FINISH ALL SURFACES INDICATED TO VIEW TO MATCH THAT OF EXISTING CONDITIONS/SYSTEMS.

INSTALL: MATTERIAL: LATEX FILLER
FASTENER HEAD COVER MATERIAL: LATEX FILLER

COLORS: TO BE SELECTED FROM MANUFACTURER'S FULL RANGE OF AVAILABLE COLORS.
LOW VOC WATER BASED LATEX PAINTS. PAINT TYPE: MATCH.
STEEL FINISHES: FINISH ALL SURFACES EXPOSED TO VIEW: MF-09-21, SEMI GLOSS.
STEEL FABRICATIONS: FINISH ALL SURFACES EXPOSED TO VIEW.
INTERIOR MF-09-21, SEMI GLOSS.
PAINT COLOR: 21 - CONCRETE/MASONRY, ORANGE LATEX, 3 COAT, MATCH.

1. ONE COAT OF BLOCK FILLER, SP-1000 PLUS BLOCK FILLER (22W/25).
2. EPOXY/LOW VOC WATER BASED LATEX PAINTS. PAINT TYPE: MATCH. MATCH SHELL.



project #: 025000.00

6/16/2026 9:01:09 AM

date: 07/10/2020 13:04:07

drawn by: AUTHOR

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota.

signature:

printed RYAN TURNER, AIA, ACMA, EDAC

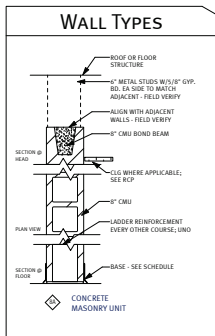
NAME: RYAN TORRESreg. #: 44426

PRELIMINARY NOT FOR
CONSTRUCTION
6/16/2026 9:01:09 AM

Specs

number:

A1.1



REFLECTED CEILING PLAN LEGEND



SACT-1
2'-0" X 2'-0" SUSPENDED
ACOUSTICAL CEILING TILE
AND GRID - MATCH EXISTING

RCP GENERAL NOTES

- CEILING HEIGHTS INDICATED ARE FROM FINISHED FLOOR OF CURRENT LEVEL SHOWN. FIELD VERIFY EXISTING HEIGHTS.
- COORDINATE FINAL LOCATIONS OF CEILING MOUNTED EQUIPMENT WITH OWNER.
- SEE M&E DRAWINGS FOR LIGHTING, GRILLS, AND DIFFUSER LOCATIONS. MEP SCOPE OF WORK (DESIGN/BUILD BY CONTRACTOR).
- SUSPENDED ACOUSTICAL CEILING TILE GRID IS TO BE CENTERED IN RECTANGULAR ROOM OR CENTERED BETWEEN THE LONGEST WALLS OF IRREGULARLY SHAPED ROOMS UNLESS OTHERWISE NOTED.

RCP NOTES

- PATCH EXISTING, OR PROVIDE NEW, CEILING TILE TO MATCH EXISTING. THE INFO EXISTING CEILING TILE AND GRID.

DOOR				DOOR AND FRAME SCHEDULE							FIRE LABEL	HDW. NO.	NOTES
REV.	NO.	WIDTH	HEIGHT	TYPE	TYPE	HEAD	JAMB	SILL	DETAIL				
1311B	3'-0"	7'-0"	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	---	---	---	---	---	COORDINATE NEW CORE/KEYING WITH OWNER
1312A	6'-0"	7'-0"	HM-D2	EXISTING	EXISTING	EXISTING	EXISTING	---	---	---	---	5	INSTALL NEW DOORS AND HARDWARE ON EXISTING FRAME
1312B	6'-0"	7'-0"	EXISTING	EXISTING	EXISTING	EXISTING	---	---	---	---	---	2	INSTALL NEW HARDWARE ON EXISTING DOOR/FRAME
1347	6'-0"	7'-0"	HM-D2	HM-F3	HM-F3	4/A2.1	5/A2.1	---	---	---	---	1	

DEMO GENERAL NOTES

- DEMOLITION NOTES AND PLANS ARE PROVIDED AS A GUIDE ONLY. CONTRACTOR TO VERIFY EXISTING CONDITIONS AND DRAWING DIMENSIONS AND DETAILS TO DETERMINE EXTENT AND LIMITS OF DEMOLITION TO ACCOMMODATE NEW CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF ALL ASPECTS OF DEMOLITION AND RECONSTRUCTION. CONTRACTOR TO COORDINATE NEW WORK PLAN DIMENSIONS AND INSTALLATION OF NEW MATERIALS AND FINISHES, AS REQUIRED, WHETHER INDICATED ON DRAWINGS OR NOT.
- DEMOLITION NOTES WITHOUT LEADERS INDICATE THAT THE NOTE APPLIES TO THE ENTIRE ROOM.
- CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK PHASING AND SEQUENCING WITH OWNER PRIOR TO START OF CONSTRUCTION.
- VERIFY EXISTING WALL TYPE AT WALL INLET OR WALL EXTENSION AREAS. IF EXISTING WALL TYPE DOES NOT MATCH THE CALLED OUT WALL TYPE, INLET OR EXTENSION TO MATCH EXISTING WALL TYPE INSTANT.
- VERIFY EXISTING WALL MATERIALS TO BE REMOVED (GYPSUM BOARD, STUD, CMU, BRICK, ETC.).
- PROVIDE TRANSITION STRIP AT AREAS OF NEW FLOORING MEETING EXISTING FLOORING AND AT NEW DOOR OPENINGS IN EXISTING WALLS. PATCH FLOOR AS REQUIRED.
- PREP FLOORS AS NEEDED FOR NEW FINISHES.
- REMOVE EXISTING WALL MOUNTED ITEMS SUCH AS GRAB BARS, MIRRORS, PAPER TOWEL DISPENSERS, TOILET PAPER DISPENSERS, SOAP DISPENSERS, TOILET PARTITIONS, ETC. IN DEMOLISHED AREAS. PATCH EXISTING WALLS AS REQUIRED.
- PATCH SUBFLOOR, WALLS, & CEILINGS DISTURBED BY DEMOLITION. PATCH TO MATCH EXISTING FINISHES AS REQUIRED.
- REMOVE ALL FINISHES, ADHESIVES, OR OTHER MATERIALS THAT CONTACT WITH NEW FINISHES SCHEDULED IN EXISTING OR NEWLY REMOVED SPACES.
- VERIFY ANY ITEMS TO BE RETAINED FOR OWNERS USE PRIOR TO REMOVAL.
- PROVIDE PROTECTION AND BE RESPONSIBLE FOR OWNER'S EQUIPMENT, FURNITURE AND ANY EXISTING FINISHES TO REMAIN AND REPAIR OR REPLACE ANY DAMAGED AREAS AS A RESULT OF THE WORK. ALL EXISTING FINISHES TO REMAIN SHALL BE CLEANER AT THE COMPLETION OF CONSTRUCTION. DOCUMENT ANY EXISTING CONDITIONS OR DAMAGES PRIOR TO THE START OF CONSTRUCTION.

DEMO PLAN NOTES

- DEMO & REMOVE EXISTING INTERIOR DOOR & HARDWARE, EXISTING FRAME TO REMAIN; PREP OPENING FOR NEW DOORS AND HARDWARE
- DEMO & REMOVE EXISTING INTERIOR DOOR, FRAME & HARDWARE WITHIN DEMO D MASONRY WALL
- PREP DOOR AND FRAME AS REQUIRED FOR NEW DOOR HARDWARE; DOOR AND FRAME TO REMAIN
- DEMO & REMOVE EXISTING INTERIOR DOOR, FRAME & HARDWARE, PREP OPENING FOR NEW DOOR, FRAME & HARDWARE
- DEMO & REMOVE EXISTING CARPET FLOORING & BASE AS APPLICABLE; PREP FLOOR FOR NEW FINISHES
- DEMO & REMOVE EXISTING SUSPENDED ACOUSTICAL CEILING TILE & GRID AS REQUIRED FOR NEW WORK
- DEMO & REMOVE EXISTING INTERIOR MASONRY WALL
- REMOVE EXISTING EXIT SIGNAGE

FLOOR PLAN GENERAL NOTES

- INTERIOR DIMENSIONS ARE TO FINISHED FACE OF STUD WALL, FACE OF MASONRY WALLS, TO CENTERLINE OF COLUMN OR TO OTHER GRID POINTS UNLESS OTHERWISE NOTED. DIMENSIONS LABELED AS CLEAR OR CLS INDICATE MINIMUM DISTANCE TO FINISHED FACE OF WALLS. DIMENSIONS ARE TO FINISHED FACE OF EXISTING WALLS IF APPLICABLE.
- ALL INTERIOR DOOR FRAMES TO BE 4" FROM ADJACENT WALL OR CENTERED BETWEEN WALLS UNLESS OTHERWISE NOTED.
- FURNITURE & EQUIPMENT SHOWN IS FOR REFERENCE ONLY AND IS NOT INCLUDED IN THE CONTRACT.
- COORDINATE SIZE AND LOCATION OF ALL DUCT AND SHUNT OPENINGS IN WALLS AND FLOORS WITH MEP CONSULTANT. MEP SCOPE TO BE PROVIDED AS DESIGN/BUILD BY CONTRACTOR.
- PAINT ALL NEW WALLS TO MATCH ADJACENT; PAINT ALL NEW DOORS AND DOOR FRAMES TO MATCH EXISTING. PATCH/PAINT ANY SURFACES DISTURBED BY WORK TO MATCH ADJACENT SURFACES.
- FLOOR FINISHES, WALL PROTECTION, WALL BASE IN NEW SHOOTING ROOM TO BE COORDINATED/PROVIDED BY OWNER

FLOOR PLAN NOTES

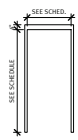
- TOOTH IN NEW CMU BLOCK AT EXISTING
- PROVIDE NEW EXIT SIGN OVER DOOR 1312B; BY ELECTRICAL DESIGN/BUILD CONTRACTOR
- CMU MASONRY CONTROL JOINT

DOOR TYPES

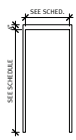


HM-D2
HOLLOW METAL

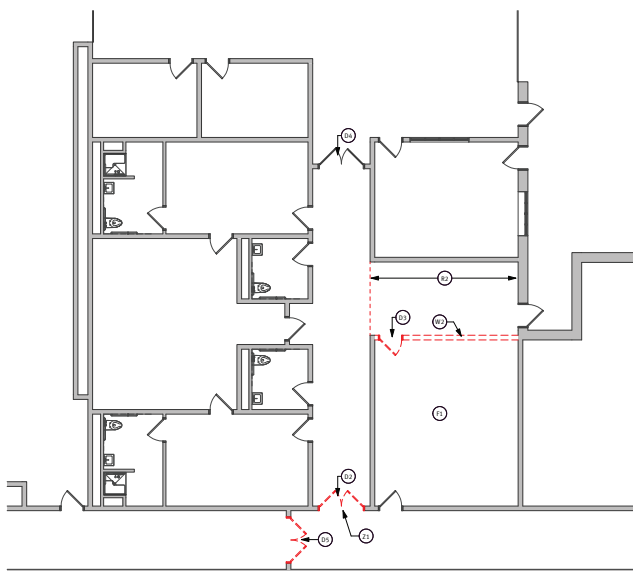
FRAME TYPES



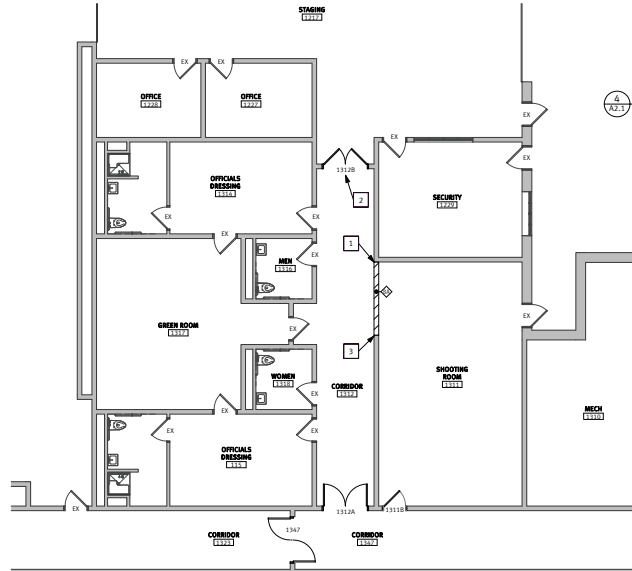
HM-F2
HOLLOW METAL



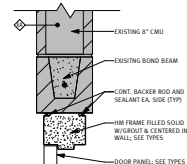
HM-F3
HOLLOW METAL
DOUBLE EGRESS



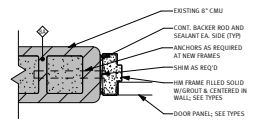
1
1/8" = 1'-0"



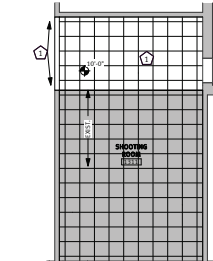
2
1/8" = 1'-0"



4
A2.1
HM DOOR HEAD
1 1/2" = 1'-0"



5
A2.1
HM DOOR JAMB
1 1/2" = 1'-0"



6
A2.1
SHOOTING ROOM RCP
1 1/8" = 1'-0"



SANFORD CENTER SHOOTING ROOM

1111 EVENT CENTER DR NE
BEMIDJI, MN 56601

project #: 025000.00
date: 6/16/2026 9:01:08 AM
drawn by: AUTHOR
checked by: CHECKER

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota.

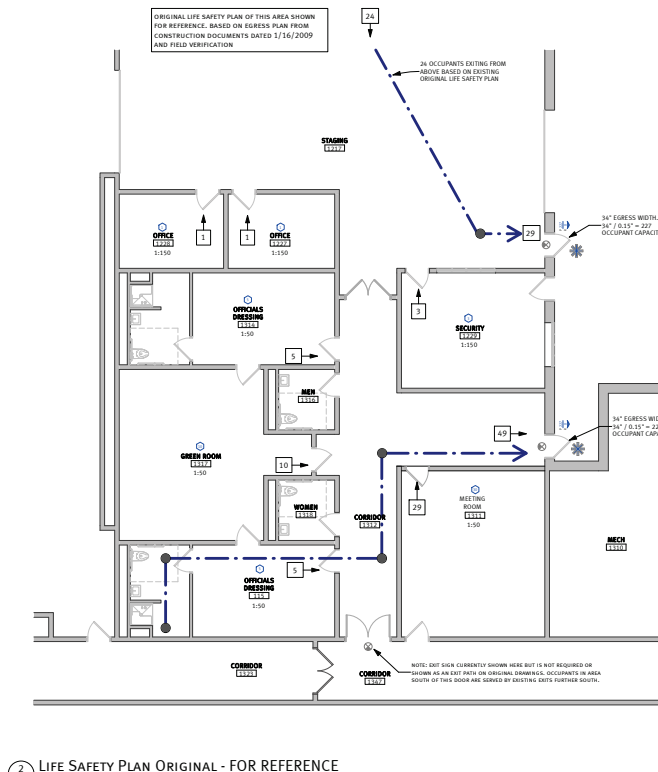
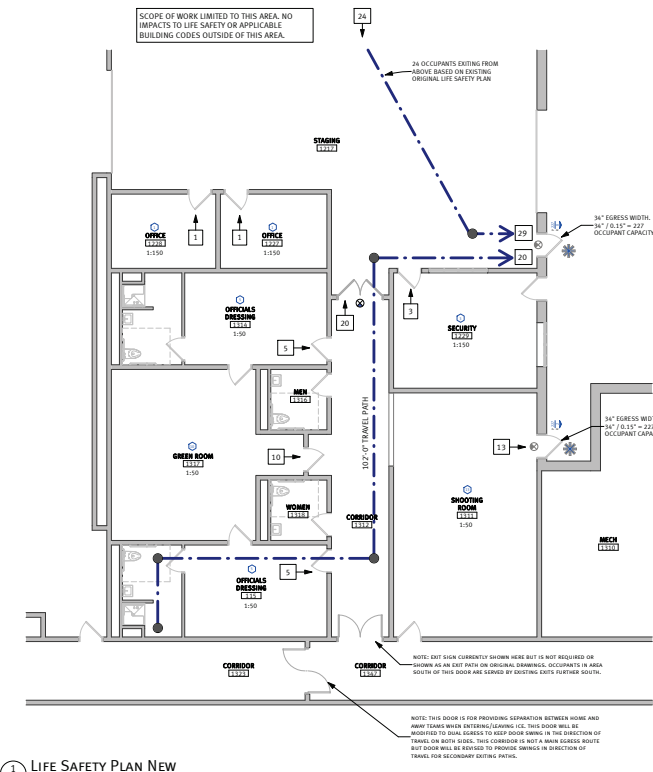
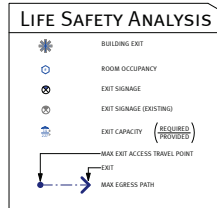
signature: _____
printed name: RYAN TURNER, AIA, ACHA, EDAC
reg. #: 44426
sign date: ISSUE DATE

PRELIMINARY NOT FOR CONSTRUCTION
6/16/2026 9:01:08 AM

revision / issue	no.	date
PRICING SET	1	05/15/2026
PRICING SET	2	06/16/2026

sheet title: PLANS
sheet number: A2.1

LIFE SAFETY ANALYSIS	
CODES USED: 2020 MSBC, WHICH INCLUDES ADOPTION OF, AND AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE 2020 MN CONSERVATION CODE FOR EXISTING BUILDINGS	PROJECT TYPE: LEVEL 2 REMODEL CLASSIFICATION: REMODEL OF EXISTING MEETING ROOM FOR A NEW HOCKEY SHOOTING ROOM. THIS WORK ALSO INVOLVES MODIFICATIONS TO EXISTING DOOR HARDWARE AND EGRESS ROUTES TO MAINTAIN REQUIRED EXITING REQUIREMENTS.
MEANS OF EGRESS (CH. 10) OCCUPANCY GROUP(S): A3 / A4 OCCUPANT LOAD (SEC 1004): TOTAL OCCUPANT LOAD (ORIGINAL): 8,018 OCCUPANTS TOTAL OCCUPANT LOAD (NEW): 8,001 OCCUPANTS EGRESS WIDTH (SEC 1005): EXIT WIDTH (REQ'D) PROVIDED: 100' / 100' NUMBER OF EXITS (SEC 1006): REQ'D / PROVIDED: 1,201' / 1,224' EXIT TRAVEL DISTANCE (SEC 1007): MAX TRAVEL DISTANCE (FT): 250'	CONSTRUCTION TYPE: IB FIRE ALARM SYSTEM(S): YES CHANGE IN OCCUPANCY: NO SPECIAL INSPECTIONS REQUIRED?: NO
MIXED USE AND OCCUPANCY (508.4) SEPARATIONS REQUIRED?: NONE	
PLUMBING SYSTEMS (CH. 29) (TABLE 2902.1) NO CHANGE TO EXISTING PLUMBING FIXTURE COUNTS. SCOPE OF WORK RESULTS IN A REDUCTION IN CALCULATED OCCUPANT LOAD.	
SCOPE OF WORK LIMITED TO AREA SHOWN ON PLANS. NO REDUCTION IN PROVIDED EXITS, EGRESS ROUTES HAVE BEEN MODIFIED FOR OCCUPANTS AS SHOWN ON LIFE SAFETY PLAN. DOOR 1312B WILL BE MODIFIED TO ALLOW FREE EGRESS ALONG EGRESS PATH	
PREPARED BY: MS	



SANFORD CENTER SHOOTING ROOM

1111 EVENT CENTER DR NE
BEMIDJI, MN 56601

project #: 025000.00
date: 6/16/2026 9:01:09 AM
drawn by: AUTHOR
checked by: CHECKER

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota.

signature:
printed name: RYAN TURNER, AIA, ACHA, EDAC
reg. #: 44426
sign date: ISSUE DATE

PRELIMINARY NOT FOR CONSTRUCTION
6/16/2026 9:01:09 AM

revision / issue	no.	date
PRICING SET	1	05/15/2026
PRICING SET	2	06/16/2026

LIFE SAFETY PLAN
& SUMMARY

sheet title:
sheet number:
G1.1

CITY COUNCIL AGENDA ITEM



Meeting Date: August 3, 2026
Action Requested: Accept Tree Donation
Prepared By: Scott Schroeder, Parks & Trails Director

Background:

The City has received an Amenity Donation Program application from Craig and Wendy Boyer for the donation of a maple tree to be planted within Diamond Point Park in memory of the late Joan Boyer. The final planting location within the park will be determined by City staff.

The donation will provide an additional park amenity while honoring the memory of Joan Boyer. Parks & Trails staff will coordinate the final planting location and installation to ensure the tree complements the park's layout and long-term maintenance needs.

Recommendation:

Accept the tree donation in the amount of \$250.00 from Craig and Wendy Boyer in the memory of Joan Boyer to be planted in Diamond Point Park.

RESOLUTION NO.

A RESOLUTION ACCEPTING DONATIONS

WHEREAS, the City Council of the City of Bemidji encourages public donations to help defray the costs to the general public of providing services and improving the quality of life in the City of Bemidji; and

WHEREAS, Craig and Wendy Boyer have donated a maple tree to be planted in Diamond Point Park in memory of Joan Boyer;

WHEREAS, Minnesota Statutes 465.03, requires that all gifts and donations of real or personal property, including money, be accepted by adoption of a resolution approved by two-thirds of the members of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bemidji, Beltrami County, Minnesota, that this donation is hereby accepted for the use it was intended.

BE IT FURTHER RESOLVED that the City sincerely thanks Craig and Wendy Boyer for their gracious and generous donation.

The foregoing resolution was offered by Councilmember _____ who moved its adoption, and on due second by Councilmember _____ was passed by the following vote:

Yeas:

Nays:

Absent:

Passed:

ATTEST:

APPROVED:

Michelle R. Miller, City Clerk

Jorge S. Prince, Mayor

CITY COUNCIL AGENDA ITEM



Meeting Date: August 3, 2026
Action Requested: Approve and Authorize Chief and Captain Resolution
Prepared By: David LaZella, Police Captain

Background:

The Bemidji Police Department will again participate in the Minnesota Department of Public Safety-Office of Traffic Safety's "Toward Zero Deaths" traffic enforcement grant funding program. This cycle begins in September and continues throughout the year with campaigns designed to enhance road safety and focus on activities such as speeding, distracted driving, seat belt use, DWI and other identified violations contributing to traffic and roadway deaths. The Bemidji Police Department has applied to the DPS-OTS for \$16,966.96 in wage funding to conduct such enforcement and participate in the TZD Campaign.

Recommendation:

Authorize Chief Michael Mastin and Captain David LaZella to enter into grant agreements with DPS-OTS involving TZD and enforcement activities for 2026-2027.

RESOLUTION NO.

A RESOLUTION ENTERING INTO A GRANT AGREEMENT WITH MN DEPARTMENT OF PUBLIC SAFETY (OTS) FOR TRAFFIC SAFETY ENFORCEMENT PROJECTS

BE IT RESOLVED that the Bemidji Police Department enters into a grant agreement with the Minnesota Department of Public Safety (OTS), for traffic safety enforcement projects during the period from October 1, 2026 through September 30, 2027.

BE IT FURTHER RESOLVED that the Bemidji Police Chief Michael Mastin is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Bemidji Police Department and to be the fiscal agent and administer the grant.

The foregoing resolution was offered by Councilmember _____, who moved its adoption, and on due second by Councilmember _____, was passed by the following vote:

Yeas:

Nays:

Absent:

Passed:

ATTEST:

APPROVED:

Michelle R. Miller, City Clerk

Jorge S. Prince, Mayor

CERTIFICATION

I certify that the attached Resolution is an accurate copy of the Resolution adopted by the Council of the City of Bemidji at an authorized meeting held on _____, as shown by the minutes of the meeting in my possession.

(Seal)

Michelle R. Miller, Bemidji City Clerk

City Council of the City of Bemidji

Policy and Rules of Decorum for Public Comment and Public Hearings

The Bemidji City Council welcomes and invite comments, suggestions, questions, and input from the public on the operations of the City of Bemidji (the “City”), for the purposes of informing the City Council and City staff about the views of the public. During City Council meetings, comments from the public may only be offered during the City Council’s designated Public Comment session, or during a noticed public hearing. All comments and public participation during City Council meetings shall be in accordance with the procedures and rules provided in this policy.

The City Council finds that establishing this policy to govern the conduct of all persons attending and/or participating in Public Comment sessions and public hearings is in the public interest, helping ensure orderly and respectful meetings are conducted, as well as to provide for the safety and participation rights of all attendees and speakers. To ensure that City Council Public Comment sessions and public hearings are conducted in a professional and courteous manner, all persons in attendance or who participate in an Public Comment sessions or public hearings shall conduct themselves in a manner that complies with the procedures and rules contained in this policy.

Adopted this ____ day of August, 2026.

Procedures for City Council Public Comment Sessions

1. A Public Comment session shall be held during each regular meeting of the City Council for the purpose of gathering input from the public. Regular meetings are generally held on the first and third Mondays of the month at 6:00 pm (except for rescheduled meetings due to holidays), and held at the City Council Chambers at Bemidji City Hall.
2. The Public Comment session shall be open to the public, and shall be included as part of the City Council agenda for all regular meetings of the City Council. The Public Comment session may be broadcasted on air or online through the City's normal broadcast channels, at the discretion of the City.
3. The total length of the Public Comment session shall be limited in time to no more than 30 minutes. This time may only be extended via an approved motion passed by a majority of the City Council.
4. Each speaker during a Public Comment session is limited to offer comments up to a total of ~~two~~three (3) minutes, and each speaker may speak only one time per Public Comment session.
5. Virtual participation may be allowed in accordance with state statutes, but only if members of the City Council are participating remotely via video conferencing technology. The published City Council agenda and meeting information shall include virtual participation information if such is being offered at the meeting.
6. During a Public Comment session, members of the public may provide comments for the City Council's consideration. Public comments must follow these criteria:
 - a. The topic must relate to specific matters of City related business and/or which relate to subject matter under the jurisdiction of the City.
 - b. Speakers may not speak on items/topics that will otherwise be addressed at a public hearing scheduled for the same regular City Council meeting.
 - ~~c. Speakers may not speak on matters that have already had a public hearing at a previous City Council meeting within the prior 6 months.~~
 - ~~d. Speakers should not repeat a comment, question, or concern if they have previously addressed the City Council on the same matter within the prior two months.~~

7. Members of the public wishing to speak are requested to sign up on a form provided by the City Clerk and made available in the City Council chambers before the City Council meeting. Those attending the meeting remotely who wish to speak during public comment shall email the City Clerk in advance of meeting to sign up. Those wishing to speak must provide their name, address, and the topic of their comment.
8. Commenters will be called on to speak in the order that they appear on the sign-up list. When your name is called, please step to the podium and speak into the microphone, or speak into the microphone on your remote device if you are participating virtually.
9. If unable to sign-up before the meeting, an opportunity to speak after the speakers on the sign-up list are exhausted may be given if time permits. The Mayor or presiding officer will alternate between those in person and those participating remotely.
10. Speakers must state their name and address before speaking.
11. Speakers must address their comments to the Mayor or presiding officer and not to other City Council members, staff, or others in attendance.
12. All City Council members shall be referred to by their proper title and surname.
13. Speakers may not reserve or yield time to other speakers during the Public Comment session.
14. Matters discussed at the Public Comment session may be referred to City staff for follow-up at the discretion of the City Council.
15. The Public Comment session is intended only as a listening session by the City Council to receive public comments on matters related to City business, and all comments shall be taken under advisement by the Council. Members of the City Council will not engage directly with speakers unless to clarify questions or comments.
16. The City Council will not consider motions or take any other action during an Public Comment session and will only ask questions if necessary to clarify a question or comment.
17. Written comments may be provided in advance of the meeting to the City Clerk for distribution to the City Council. Such comments shall not be read into the record, but shall be adopted as part of the official meeting minutes.

Rules of Decorum for Public Comment sessions and Public Hearings

Persons who attend and/or participate in Public Comment sessions and Public Hearings must not engage in conduct that interferes with or impedes the orderly conduct of the meeting or the ability of other attendees to observe and participate as appropriate. To that end, persons who attend and/or speak at Public Comment sessions and Public Hearings are subject to the following rules of decorum:

1. Public Comment sessions and Public Hearings shall be conducted in a courteous manner that recognizes the validity of differing points of view and promotes the ideal of democratic discussion free of insults, slander, personal attacks or threats.
2. No person shall engage in conduct that delays or interrupts the proceedings.
3. Audible demonstrations of approval or disapproval should be avoided, including conduct that may be intimidating or threatening to others.
4. Holding, displaying, or placing banners, signs, objects, or other materials or equipment in any way that endangers others, prevents the free flow of individuals within the chamber, or obstructs the viewing of the meeting by others is not allowed.
5. Intimidating behaviors, threats of hostility, or actual violence are strictly prohibited.
6. All speakers shall address the City Council at and from the provided podium and microphone, and shall not access areas of the Council Chambers or City Hall that are reserved for staff and elected officials only.
7. Personal accusations, attacks and/or threats are not allowed.
8. No person shall use profane or obscene words or use language that threatens harm or violence toward another person.
9. Public comments should not be redundant, repetitive, or argumentative.
10. Speakers should avoid irrelevant comments that are not under the jurisdiction of the City and do not relate to matters of City business.
11. Use of the Public Comment session for politics or campaigning is not allowed.
12. No person shall engage in disorderly conduct that interferes with or impedes the effective orderly conduct of any meeting by failing to comply with these rules of decorum or otherwise disrupting or impeding the meeting, where the interference is solely caused by the conduct of the person and not the content of the person's expression, including, but not limited to, the utterance of loud, threatening or abusive language, whistling, clapping, stomping of the feet, repeatedly waving of arms, or other disruptive acts.

Procedures for Non-compliant ~~Speakers/Attendees~~ Speakers/Attendees:

When a person, attendee or participant violates the above rules of procedure and decorum, the Mayor or presiding officer is authorized to take any one or more of the following actions:

1. Interrupt the person speaking and re-direct the speaker to be in compliance with this policy.
2. Not recognize a violating or breaching person's, attendee's or participant's request to speak, or limiting their role in comment, as applicable, until decorum is observed.
3. Declare the person's, attendee's or participant's actions out of order.
4. Temporarily recess the meeting until order is restored or seek a motion to adjourn the Public Comment session or close the Public Hearing.
5. Issue the person, attendee or participant a verbal warning and/or directive or order that the person, attendee or participant is out of order and shall follow these rules of procedure and decorum, be silent unless recognized to speak, and/or immediately cease such conduct.
6. If after issuance of a verbal warning, directive or order as provided above, the person, attendee or participant continues to engage in prohibited conduct or otherwise fails to comply with the Mayor's or presiding officer's warning, directive or order, the Mayor or presiding officer may further direct or order the person, attendee or participant to immediately leave the meeting.
7. If the person, attendee or participant so ordered, as provided above in paragraph 6 of this section, does not immediately abide by the Mayor's or presiding officer's order or directive by leaving the meeting, and/or the person, attendee or participant continues such prohibited conduct, the Mayor or presiding officer may direct any law enforcement officer to remove the person from the meeting.
8. If for any reason the Mayor or presiding officer fails to take such action(s) as provided in this section, a majority vote of the City Council may be substituted for action by the Mayor or presiding officer to maintain order and decorum over the Public Comment session or Public Hearing.

These rules shall be posted in the City Council Chambers, be available to the public at every Public Comment session and Public Hearing, and be posted on the City's website.

RESOLUTION NO.

A RESOLUTION OF THE BEMIDJI CITY COUNCIL APPROVING POLICY AND RULES OF DECORUM FOR PUBLIC COMMENT AND PUBLIC HEARINGS

WHEREAS, it has been the historic tradition of the Bemidji City to include the opportunity for public comment at all regular meetings of the City Council, and the City Council welcomes and invites comments from the City residents regarding matters of City business; and

WHEREAS, the City Council also routinely holds public hearings when required by State law and City Charter to receive public input before certain decisions are made; and

WHEREAS, the City Council respects the rights of all residents to make their voices heard as part of the City governance process, but desires to ensure these public comment periods and public hearings occur in a respectful and efficient manner; and

WHEREAS, the City Council has determined it is appropriate to adopt formal rules of decorum, procedures, and policies governing these public comment periods and public hearings, that includes mechanisms to deal with disruptions and disrespectful behavior, and further establish reasonable time limits and clear expectations for all residents wishing to make their voice heard; and

WHEREAS, the City Council believes the proposed Policy and Rules of Decorum for Public Comment and Public Hearings, attached hereto as Exhibit A, respects the free-speech rights of its residents, while ensuring that meetings can take place in an efficient and respectful manner.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEMIDJI, MINNESOTA, that The City Council hereby adopts and approves the Policy and Rules of Decorum for Public Comment and Public Hearings, attached to this Resolution as Exhibit A.

The foregoing resolution was offered by Councilmember _____, and upon due second by Councilmember _____, was passed by the following vote:

Yeas:

Nays:

Absent:

Passed:

ATTEST:

APPROVED:

Michelle R. Miller, City Clerk

Jorge S. Prince, Mayor

EXHIBIT A

(Policy and Rules of Decorum for Public Comment and Public Hearings attached hereto)

City Council of the City of Bemidji

Policy and Rules of Decorum for Public Comment and Public Hearings

The Bemidji City Council welcomes and invite comments, suggestions, questions, and input from the public on the operations of the City of Bemidji (the “City”), for the purposes of informing the City Council and City staff about the views of the public. During City Council meetings, comments from the public may only be offered during the City Council’s designated Public Comment session, or during a noticed public hearing. All comments and public participation during City Council meetings shall be in accordance with the procedures and rules provided in this policy.

The City Council finds that establishing this policy to govern the conduct of all persons attending and/or participating in Public Comment sessions and public hearings is in the public interest, helping ensure orderly and respectful meetings are conducted, as well as to provide for the safety and participation rights of all attendees and speakers. To ensure that City Council Public Comment sessions and public hearings are conducted in a professional and courteous manner, all persons in attendance or who participate in an Public Comment sessions or public hearings shall conduct themselves in a manner that complies with the procedures and rules contained in this policy.

Adopted this ____ day of August, 2026.

Procedures for City Council Public Comment Sessions

1. A Public Comment session shall be held during each regular meeting of the City Council for the purpose of gathering input from the public. Regular meetings are generally held on the first and third Mondays of the month at 6:00 pm (except for rescheduled meetings due to holidays), and held at the City Council Chambers at Bemidji City Hall.
2. The Public Comment session shall be open to the public, and shall be included as part of the City Council agenda for all regular meetings of the City Council. The Public Comment session may be broadcasted on air or online through the City's normal broadcast channels, at the discretion of the City.
3. The total length of the Public Comment session shall be limited in time to no more than 30 minutes. This time may only be extended via an approved motion passed by a majority of the City Council.
4. Each speaker during a Public Comment session is limited to offer comments up to a total of three (3) minutes, and each speaker may speak only one time per Public Comment session.
5. Virtual participation may be allowed in accordance with state statutes, but only if members of the City Council are participating remotely via video conferencing technology. The published City Council agenda and meeting information shall include virtual participation information if such is being offered at the meeting.
6. During a Public Comment session, members of the public may provide comments for the City Council's consideration. Public comments must follow these criteria:
 - a. The topic must relate to specific matters of City related business and/or which relate to subject matter under the jurisdiction of the City.
 - b. Speakers may not speak on items/topics that will otherwise be addressed at a public hearing scheduled for the same regular City Council meeting.
7. Members of the public wishing to speak are requested to sign up on a form provided by the City Clerk and made available in the City Council chambers before the City Council meeting. Those attending the meeting remotely who wish to speak during public comment shall email the City Clerk in advance of meeting to sign up.
8. Commenters will be called on to speak in the order that they appear on the sign-up list. When your name is called, please step to the podium and speak into the microphone, or speak into the microphone on your remote device if you are participating virtually.
9. If unable to sign-up before the meeting, an opportunity to speak after the speakers on the sign-up list are exhausted may be given if time permits. The Mayor or

presiding officer will alternate between those in person and those participating remotely.

10. Speakers must state their name and address before speaking.
11. Speakers must address their comments to the Mayor or presiding officer and not to other City Council members, staff, or others in attendance.
12. All City Council members shall be referred to by their proper title and surname.
13. Speakers may not reserve or yield time to other speakers during the Public Comment session.
14. Matters discussed at the Public Comment session may be referred to City staff for follow-up at the discretion of the City Council.
15. The Public Comment session is intended only as a listening session by the City Council to receive public comments on matters related to City business, and all comments shall be taken under advisement by the Council. Members of the City Council will not engage directly with speakers unless to clarify questions or comments.
16. The City Council will not consider motions or take any other action during an Public Comment session and will only ask questions if necessary to clarify a question or comment.
17. Written comments may be provided in advance of the meeting to the City Clerk for distribution to the City Council. Such comments shall not be read into the record, but shall be adopted as part of the official meeting minutes.

Rules of Decorum for Public Comment sessions and Public Hearings

Persons who attend and/or participate in Public Comment sessions and Public Hearings must not engage in conduct that interferes with or impedes the orderly conduct of the meeting or the ability of other attendees to observe and participate as appropriate. To that end, persons who attend and/or speak at Public Comment sessions and Public Hearings are subject to the following rules of decorum:

1. Public Comment sessions and Public Hearings shall be conducted in a courteous manner that recognizes the validity of differing points of view and promotes the ideal of democratic discussion free of insults, slander, personal attacks or threats.
2. No person shall engage in conduct that delays or interrupts the proceedings.
3. Audible demonstrations of approval or disapproval should be avoided, including conduct that may be intimidating or threatening to others.
4. Holding, displaying, or placing banners, signs, objects, or other materials or equipment in any way that endangers others, prevents the free flow of individuals within the chamber, or obstructs the viewing of the meeting by others is not allowed.
5. Intimidating behaviors, threats of hostility, or actual violence are strictly prohibited.
6. All speakers shall address the City Council at and from the provided podium and microphone, and shall not access areas of the Council Chambers or City Hall that are reserved for staff and elected officials only.
7. Personal accusations, attacks and/or threats are not allowed.
8. No person shall use profane or obscene words or use language that threatens harm or violence toward another person.
9. Public comments should not be redundant, repetitive, or argumentative.
10. Speakers should avoid irrelevant comments that are not under the jurisdiction of the City and do not relate to matters of City business.
11. Use of the Public Comment session for politics or campaigning is not allowed.
12. No person shall engage in disorderly conduct that interferes with or impedes the effective orderly conduct of any meeting by failing to comply with these rules of decorum or otherwise disrupting or impeding the meeting, where the interference is solely caused by the conduct of the person and not the content of the person's expression, including, but not limited to, the utterance of loud, threatening or abusive language, whistling, clapping, stomping of the feet, repeatedly waving of arms, or other disruptive acts.

Procedures for Non-compliant Speakers/Attendees:

When a person, attendee or participant violates the above rules of procedure and decorum, the Mayor or presiding officer is authorized to take any one or more of the following actions:

1. Interrupt the person speaking and re-direct the speaker to be in compliance with this policy.
2. Not recognize a violating or breaching person's, attendee's or participant's request to speak, or limiting their role in comment, as applicable, until decorum is observed.
3. Declare the person's, attendee's or participant's actions out of order.
4. Temporarily recess the meeting until order is restored or seek a motion to adjourn the Public Comment session or close the Public Hearing.
5. Issue the person, attendee or participant a verbal warning and/or directive or order that the person, attendee or participant is out of order and shall follow these rules of procedure and decorum, be silent unless recognized to speak, and/or immediately cease such conduct.
6. If after issuance of a verbal warning, directive or order as provided above, the person, attendee or participant continues to engage in prohibited conduct or otherwise fails to comply with the Mayor's or presiding officer's warning, directive or order, the Mayor or presiding officer may further direct or order the person, attendee or participant to immediately leave the meeting.
7. If the person, attendee or participant so ordered, as provided above in paragraph 6 of this section, does not immediately abide by the Mayor's or presiding officer's order or directive by leaving the meeting, and/or the person, attendee or participant continues such prohibited conduct, the Mayor or presiding officer may direct any law enforcement officer to remove the person from the meeting.
8. If for any reason the Mayor or presiding officer fails to take such action(s) as provided in this section, a majority vote of the City Council may be substituted for action by the Mayor or presiding officer to maintain order and decorum over the Public Comment session or Public Hearing.

These rules shall be posted in the City Council Chambers, be available to the public at every Public Comment session and Public Hearing, and be posted on the City's website.

RESOLUTION NO.
A RESOLUTION APPROVING TEMPORARY
OFF-PREMISES ALCOHOL PERMIT TO
BUFFALO WILD WINGS
FOR CORNHOLE TOURNAMENT

WHEREAS, Buffalo Wild Wings, hereinafter the “Event Organizers”, are holding a Cornhole Tournament in the parking lot of their licensed premises in the City of Bemidji on August 22, 2026; and

WHEREAS, the area to be fenced off for use during this event will be a portion of the Buffalo Wild Wings’ parking lot at 225 Paul Bunyan Drive NW; and

WHEREAS, the Event Organizers agree to observe all state and local laws relating to the sale of alcoholic beverages; and

WHEREAS, the Event Organizers will provide the City with a certificate of insurance naming the city as an additional insured for the duration of the event; and

NOW, THEREFORE, be it resolved by the Bemidji City Council to authorize the Temporary Off-Premises Liquor Permit to Buffalo Wild Wings from Noon to 10:00 p.m. within the designated event area on August 22, 2026.

The foregoing resolution was offered by Councilmember _____, who moved its adoption, and on due second by Councilmember _____, was passed by the following vote:

Yeas:

Nays:

Absent:

Approved:

ATTEST:

APPROVED:

Michelle R. Miller, City Clerk

Jorge S. Prince, Mayor

Accounts Payable

Blanket Voucher Approval Document

User: denisea
Printed: 07/28/2026 - 12:54PM
Warrant Request Date: 8/4/2026
DAC Fund:

Batch: 00403.08.2026

COUNCIL BILL LIST

Line	Claimant	Voucher No.	Amount
1	VisitBemidji	000000000	64,000.88
Page Total:			\$64,000.88
Grand Total:			\$64,000.88





Bemidji City Hall • 317 4th Street NW
Bemidji, Minnesota 56601-3116
Phone 218-759-3560 • Fax 218-759-3590
www.ci.bemidji.mn.us

July 7, 2026

VIA U.S. MAIL

Kanvadi Jirayoorathchai
Siam Massage and Wellness Spa
423 Beltrami Ave, NW
Bemidji, MN 56601

RE: **NOTICE OF HEARING AND ORDER TO CORRECT CITY CODE VIOLATIONS**

Dear License Holder,

I am writing you in my capacity as City Clerk for the City of Bemidji (the "City"). You are listed as the license holder for Siam Massage and Wellness Spa, located at 423 Beltrami Ave, NW, Bemidji, MN 56601.

You are hereby notified that a business license suspension/revocation hearing has been scheduled for Siam Massage and Wellness Spa on August 3rd, 2026, at 6pm, in front of the Bemidji City Council, located at the Bemidji City Hall, 317 4th Street NW, Bemidji, MN 56601.

Upon routine investigation recently completed by the Bemidji Police Department, it has come to my attention that your business is not operating in compliance with City Code. Your business is actively licensed as a Massage Establishment pursuant to City Code Article XIII, Division 2, section 12-721, which requires you to obtain both a business license, and massage therapist permit for all employees giving massages at your business.

The City has no records showing any of your employees have obtained the required massage therapist permit, and the City has evidence of your employees' conducting massages without the required permits. My office has made numerous attempts over the last 2 years to ensure your employees got their permits in order, but to this date this has not occurred.

Specifically, you are currently in violation of the following regulations:

Sec. 12-721. - Required.

(b) Massage therapist permit required. It is unlawful for any person to practice massage as a massage therapist, masseur or masseuse, employee or otherwise, unless the person has a valid and subsisting massage permit issued by the city pursuant to the provisions of this article.

In order to remedy these violations, the following actions must be taken: all employees at Siam Massage and Wellness Spa who conduct massages must be permitted under City Code, all employees conducting massages without a massage therapist permit must immediately stop until such permits are applied for and approved, pursuant to City Code section 12-724, 12-725, and 12-726. All employees performing massages must first submit a massage therapist permit application to my office at City Hall.

Please understand, failure to remedy these above violations may result in the revocation or suspension of your business license by the City Council, pursuant to the following City Code provisions:

Sec. 12-730. - Revocation or suspension of license.

Any license issued for a massage facility may be revoked or suspended by the city after notice and a hearing, for good cause, or in any case where any of the provisions of this section are violated or where any employee of the licensee, including a massage therapist is engaged in any conduct which violates any of the state or local laws or this Code provisions at licensee's place of business and the licensee has actual or constructive knowledge by due diligence. Such permit may also be revoked or suspended by the city after notice and hearing, upon the recommendations of the building inspector that such business is being managed, conducted or maintained without regard to proper sanitation and hygiene. Such hearing shall be held upon ten days' notice before the council. Any applicant or licensee aggrieved by a decision to deny, suspend or revoke a license for a massage facility under this section may appeal the decision to the district court.

Unless these violations are corrected, the City Council will be considering the revocation or suspension of your business license. If your business license is revoked or suspended, your business will be shut down and not able to operate until these violation are corrected. At the August 3rd hearing, you will have the opportunity to address the City Council and state your case related to the alleged violations.

If you require translation services in order to participate in the hearing, please notify me as soon as possible, and let me know what specific language translation you require.

Please note, repeated and unaddressed City Code violations may require the City to pursue other enforcement mechanisms to ensure your business is operating lawfully, including the possibility of criminal sanctions.

If you have any questions regarding this matter, please contact me at 218-759-3570 or michelle.miller@ci.bemidji.mn.us.

Thank you,



Michelle Miller
City Clerk
City of Bemidji

RESOLUTION NO.

FINDINGS, CONCLUSIONS, AND ORDER OF THE CITY COUNCIL OF BEMIDJI, MINNESOTA, REGARDING THE REVOCATION OF MASSAGE FACILITY LICENSE ISSUED TO SIAM MASSAGE & WELLNESS SPA

WHEREAS, the City of Bemidji ("City") issued a massage facility business license to Siam Massage & Wellness Spa, located at 423 Beltrami Ave NW, Bemidji, MN 56601, owned by Kanvadi Jirayoorathchai (the "Licensee"), pursuant to City Code Section 12-725; and

WHEREAS, pursuant to City Code Section 12-721(b), it is unlawful for any person to practice massage as a massage therapist, masseur or masseuse, employee or otherwise, unless the person has a valid and subsisting massage permit issued by the city pursuant to the provisions of this article; and

WHEREAS, pursuant to City Code Section 12-728, every massage therapist shall post the permit required by this section in their work area, and every massage facility licensed under this section shall display such license in a prominent place; and

WHEREAS, pursuant to City Code Section 12-729, the licensee or person designated by the licensee of a massage facility shall maintain a register of all persons employed at any time as massage therapists and their permit numbers. Such register shall be available at the massage facility to representatives of the city during business hours; and

WHEREAS, pursuant to City Code Section 12-736(a), a massage facility licensee shall maintain, at the licensed massage facility, a current record of all employees at the licensed massage facility, including: (1) each employee's full legal name, date of birth, home address and telephone number, employment position, the date when service first began and when service terminated, and (2) each massage therapist's license number and date of expiration of license.

WHEREAS, pursuant to City Code Section 12-736(b), the employee records of a licensed massage facility shall be subject to inspection upon request during normal business hours; and

WHEREAS, in the course of routine compliance inspections of licensed business in the City conducted by officers of the Bemidji Police Department and City of Bemidji Building Department, multiple violations of City Code governing licensed massage facilities were uncovered at Siam Massage & Wellness Spa, located at 423 Beltrami Ave NW, Bemidji, MN 56601, including employing individuals without therapist permits to conduct massages (by the license holder's own admission), failure to post licenses and permit information, and failure to maintain employee register and records, as further explained below; and

WHEREAS, after the initial inspection on June 11, 2026, Bemidji Police Department has now concluded its follow up investigation of the suspected City Code violations, and determined that Siam Massage & Wellness Spa is not in compliance with the following City Code provisions:

- 1) City Code Section 12-721(b) regarding the practice of massage therapists without a therapist license.
- 2) City Code Section 12-728, regarding the posting of facility and therapist licenses at the facility.

- 3) City Section 12-729, regarding maintaining an active register of all employees and licensed therapists, including license and permit numbers.
- 4) City Code Section 12-736(a), regarding maintaining a current record of all employees.
- 5) City Code Section 12-736(b), regarding making the employees' records available for inspection during normal business hours; and

WHEREAS, Officer Tabitha Carrigan of the Bemidji Police Department has provided a summary of the investigation into Siam Massage and Wellness Spa for the review of the City Council, which is attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the Bemidji Police Department has determined that it is more likely than not that the alleged code violations are true, and is therefore recommending the revocation of the massage facility license until such point where the license holder can demonstrate compliance with these identified City Code sections, such recommendation is further supported by City Staff; and

WHEREAS, the City Council has reviewed the investigation findings and has determined them to be credible, and finds that the continued operation of Siam Massage and Wellness Spa under its current license poses an ongoing threat to the public health, safety, and welfare of the residents of Bemidji by failing to ensure its employees are properly licensed therapists under City Code; and

WHEREAS, pursuant to City Code Section 12-730, after notice provided to the license holder and hearing is held in front of the City Council, the City Council may revoke or suspend a massage facility license when any provisions of the City Code related to massage facility licenses and massage therapist licenses are violated, and the licensee has knowledge of the violations; and

WHEREAS, since the compliance inspection and investigation into Siam Massage and Wellness Spa commenced on June 11, 2026, the Bemidji Police Department and City Staff have made numerous attempts to work with the license holder to bring them into compliance with the above references City Code Provisions, but they still remain out of compliance as of the date of this hearing, while continuing to operate their massage facility business; and

WHEREAS, City Staff provided written notice to the license holder on July 7, 2026, of a license revocation hearing scheduled in front of the City Council on August 3, 2026, based on the previously identified violations of City Code of which the license holder was on notice and aware of; and

WHEREAS, based on the evidence presented and the findings of the City Council, it has been determined that the City Code violations are credible and substantiated and warrant the immediate revocation of the massage facility license.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEMIDJI, MINNESOTA, based on upon the record, testimony, and evidence presented at said hearing of the City Council, makes the following:

FINDINGS:

1. The above recitals and exhibits attached hereto are hereby adopted and incorporated herein by reference as Findings.
2. The issue before the Bemidji City Council at the August 3, 2026, public hearing was the following: Should the massage facility business license issued to Licensee for the

operation of New Siam Massage & Wellness Spa by the City of Bemidji be revoked or suspended for those above referenced City Code violations?

3. At the public hearing, the Licensee and their representatives/agents were given notice and an opportunity to be heard on the above-referenced issue.
4. At the public hearing, the Bemidji City Council further gave other interested persons an opportunity to be heard on the above-referenced issue.
5. That cause exists pursuant to Bemidji City Code Section 12-730, based upon these findings, for the suspension or revocation of the massage facility license.

BE IT FURTHER RESOLVED THAT, based upon the record, testimony, evidence presented and received at said hearing and the above findings, concludes and orders as follows:

1. The massage facility license heretofore issued to Siam Massage & Wellness Spa is hereby **REVOKED**, effective immediately upon the adoption of this Resolution.
2. Siam Massage & Wellness Spa shall cease all massage business operations within the City of Bemidji immediately upon the effective date of this Resolution.
3. The City Clerk is hereby directed to provide a copy of this Resolution to the license holder of Siam Massage & Wellness Spa.

The foregoing resolution was offered by Councilmember _____, and upon due second by Councilmember _____, was passed by the following vote:

Yeas:

Nays:

Absent:

Passed:

ATTEST:

APPROVED:

Michelle R. Miller, City Clerk

Jorge S. Prince, Mayor



BEMIDJI POLICE DEPARTMENT
Chief Mike Mastin
613 Minnesota Ave NW ♦ Bemidji MN 56601
Phone: 218-333-9111 Fax: 218-333-8133
policechief@ci.bemidji.mn.us

July 8, 2026

Officer Tabitha Carrigan
Bemidji Police Department
613 Minnesota Ave. NW
Bemidji, MN 56601

Re: Bemidji Police Department Case #26010260
Violations of City Code Article XIII.-Massage Establishments-
Siam Massage, 423 Beltrami Ave. NW, Bemidji, MN 56601

Dear City Council,

On April 2, 2026, a letter was sent via email/mail to all Massage Establishments advising that as part of the business establishment license, the establishment must pass a compliance inspection by a representation of the City of Bemidji Building Department and a Bemidji Police Officer. There was a link/QR code that directed them to the Signup genius website to sign up for a date/time in June (9th-11th). This allowed each establishment plenty of time as it is believed most are scheduled out months in advance with appointments.

On June 11, 2026, the Bemidji Police Department and City of Bemidji Building Department conducted a compliance inspection of Siam Massage in accordance with city code. Since Siam massage had not responded to letters/emails requesting to set up an appointment for the compliance check, an unannounced visit was conducted. The business was open. Upon entering it was determined that a massage session was being conducted. Currently Siam Massage has no licensed massage therapists with the City of Bemidji and hasn't since 2023. Siam has a Google profile which allows online scheduling. Currently there are three "professionals" (Latte, Annie and Vivi) that you are allowed to book an appointment with, however, none have proper city massage therapist licenses.

A second visit was scheduled with the owner, Kanvadi Jirayoorathchai, on June 15, 2026, and again upon arrival there was a therapy session taking place with a client and an employee (identified by Jirayoorathchai as Krongthong Clapping) had to go next door to get the owner for our scheduled meeting. The owner was able to produce an establishment license for 2026 but showed a therapist license for only one therapist

(Krongthong Clapping) from the City of Bemidji that had an expiration date of December 31, 2023. Jirayoorathchai advised that she does have second therapist (Jirunthanin Jantagul) but did not have a license for that therapist either and stated that she herself doesn't massage, even though she has an online booking profile. The online booking profiles are as follows: LATTE: Krongthong Clapping, ANNIE: Jirunthanin Jantagul, and VIVI: Kanvadi Jirayoorathchai. This is a violation of 12-721.

Massage establishment licenses and therapist's licenses were not posted in the work area and were instead behind the counter area. The one therapist license provided was expired and kept behind the counter area. This is a violation of 12-728.

Upon questioning Jirayoorathchai, the owner, about employee records, she was only able to show the expired city license, verbally stated where each employee lived and was unable to provide any other employee information. This is a violation of 12-729 and 12-736.

This investigation has revealed that Siam Massage is in violation of their Massage Establishment license, specifically:

- Sec. 12-721 (b) -Massage therapist permit required. It is unlawful for any person to practice massage as a massage therapist, masseur or masseuse, employee or otherwise, unless the person has a valid and subsisting massage permit issued by the city pursuant to the provisions of this article.
- Sec. 12-728 (a) -Every massage therapist shall post the permit required by this section in their work area
(b)- Every massage facility licensed under this section shall display such license in a prominent place.
- Sec. 12-729 – Register of Employees
The licensee or person designated by the licensee of a massage facility shall maintain a register of all persons employed at any time as massage therapists and their permit numbers. Such register shall be available at the massage facility to representatives of the city during business hours.
- Sec. 12-736- Required Records
(a) Massage facility. Except as provided below, a massage facility licensee shall maintain, at the licensed massage facility, a current record of all employees at the licensed massage facility, including:

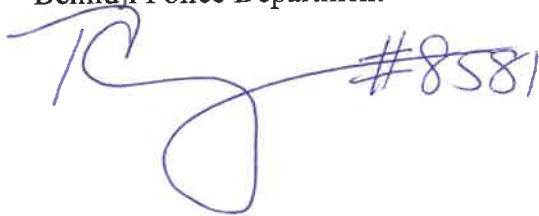
- (1) Each employee's full legal name, date of birth, home address and telephone number, employment position, the date when service first began and when service terminated; and
- (2) Each massage therapist's license number and date of expiration of license.
- (b) Records subject to inspection. The employee records shall be subject to inspection upon request during normal business hours.

Please let me know if you have any questions or need any additional information.

Sincerely,

Officer Tabitha Carrigan #8581

Bemidji Police Department

A handwritten signature in blue ink, followed by the number #8581, also in blue ink.

