



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers

Monday, August 7, 2023 @ 7:30 PM

The public is invited to attend these meetings in person

Attend by phone: 1-844-992-4726

City Council - Meeting Access Code: 2495 911 8416

Safety and Public Works Committee at 6:30 PM - Meeting Access Code: 2481 117 4644

Personnel and Finance Committee at 7:00 PM - Meeting Access Code: 2489 550 7850

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and Amazon FireTV

1. **Call To Order**

2. **Roll Call**

___J. Czezczok ___M. O'Day ___K. Stunek ___K. Terry
___T. Stenglein ___G. Johnson ___K. Bevans ___Mayor Badeaux

3. **Pledge of Allegiance**

4. **Approval Of Agenda - Voice Vote**

5. **Consent Calendar**

NOTICE TO PUBLIC - all matters listed are considered routine by the Council and will all be enacted by one (1) motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to be ADOPTED BY ROLL CALL

A. **Approval of Bills**

B. **Approval of Minutes**

C. **Department Activity Reports**

D. **Contractor Licenses**

E. **Ratify the Hiring of Officer Cameron Walkowiak Effective July 31, 2023 at Step 1 of Police Officer Rate (\$31.35 per hour).**

F. **Approval of Electric Distribution Supervisor Job Description**

G. **Approval of Journeyman Electrician Job Description**

6. **Presentations**

7. **Council Committee Reports**

A. **Safety & Public Works Committee**

1. Direction On Active Code Enforcement Cases
2. Approve Event Application - BHS Homecoming 5K
3. Adopt Name-A-Truck Selection
4. Approve Transit Lease Agreement
5. Approve Change Orders #3, #4, and #5 - Harrison SRTS
6. Approve Letter of Support and Adopt Resolution - TH 210 MPDG Grant
7. Approve MnDOT Agreement - Engineering Services on TH 371B/Willow St Roundabout Project
8. Approve LHB Proposal - Engineering Services for Historic Water Tower
9. Discussion on Proposed Ordinance on E-Bike Regulations
10. Review Draft Ordinance for Amendment to Section 320.19 - Contesting Administrative Citations

B. **Personnel & Finance Committee**

1. Approve 2023 Relief Association Annual Report
2. Approve MOU Extension to Allow IBEW Employees to Work at Hydro Facility
3. Approve Updated City of Brainerd Organizational Chart
4. Discussion of Proposed 2024 Debt Levy
5. Discussion on Annual Budget Timeline and Set Workshop
6. 2022 Tax Increment Financing (TIF) Report Summary - Informational

8. **Unfinished Business**

A. **Call for Applicants**

Mayor Recommended: (terms to expire on 12/31 of said year)
Charter Commission – 2 terms (Expire 2026) 2 terms (Expire 2025)
Library Board- 1 term (Expire 2025)
Rental Dwelling License Board of Appeals – 5 terms (Expire 2024)
TAC-- 1 term (Expire 2023)
Mayor Recommended: (terms to expire 09/07 of said year)
Economic Development Authority (EDA) – 1 term (Expire 2028)

Council President Recommended: (terms expire on 12/31 of said year)
Parking Commission-- 1 term (Expire 2026)

- B. Final Reading- Proposed Ordinance 1553- Establishing Country Manor Planned Unit Development District**

9. New Business

- A. Consider Interim Use Permit For One Short Term Rental - 515 S 9th St.**
- B. First Reading - Proposed Ordinance 1554 - Creating Chapter 16 - Sale and Use of Cannabis, and Section 1600 of the City Code - Use of Cannabis in Public Places**
- C. Consider Requesting MnDOT to Install No Parking Signs on South 6th Street**
- D. Consider Revised Rules of Decorum/Council Procedures**

10. Public Forum

Time allocated for citizens to bring matters not on the agenda to the attention of the Council -
Time limits may be imposed

11. Staff Reports

(Verbal: Any Updates since Packet)

12. Mayor's Report

13. Council Member Reports

14. Adjourn

Visit the City's Website at www.ci.brainerd.mn.us

MISSION

"Provide high quality, cost effective public services and leadership in creating a sustainable city"

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 0011 - ACE HARDWARE:							
316612/1 78365	ACE HARDWARE KEY - NEW SHOP DOOR 230-5200-42220	07/14/2023 pziemer	08/09/2023	20.93	20.93	Open	N 08/09/2023
	REPAIR & MAINT			20.93			
316679/1 78366	ACE HARDWARE FLY PAPER - SHOP 230-5200-42220	07/17/2023 pziemer	08/09/2023	6.29	6.29	Open	N 08/09/2023
	REPAIR & MAINT			6.29			
316670/1 78378	ACE HARDWARE HANDICAP BLUE STRIPING PAINT 235-3170-42210	07/17/2023 pziemer	08/09/2023	40.44	40.44	Open	N 08/09/2023
	OPERATING SUPPLIES			40.44			
316689/1 78601	ACE HARDWARE KEYS/TAGS LPW BREAKER BOX 230-5200-42220	07/18/2023 pziemer	08/09/2023	74.92	74.92	Open	N 08/09/2023
	REPAIR & MAINT			74.92			
317134/1 78710	ACE HARDWARE DESK KEY 225-2120-42200	08/01/2023 pziemer	08/09/2023	2.99	2.99	Open	N 08/09/2023
	OFFICE SUPPLIES			2.99			
317151/1 78714	ACE HARDWARE HUDSON SPRAYER & WORK GLOVES 235-3100-42220	08/02/2023 pziemer	08/09/2023	48.47	48.47	Open	N 08/09/2023
	REPAIR & MAINT			48.47			
31661/1 78739	ACE HARDWARE STANDINGS BOARD REPAIRS 230-5200-42220	07/24/2023 pziemer	08/09/2023	6.29	6.29	Open	N 08/09/2023
	REPAIR & MAINT			6.29			
	Total for vendor 0011 - ACE HARDWARE:			200.33	200.33		
Vendor MISC - AGRE, SCOTT:							
07/24/2023 78454	AGRE, SCOTT OVERPAID ASSESSMENT: IMP 305-20-06 305-0000-20300	07/24/2023 pziemer	08/09/2023	179.80	179.80	Open	N 08/09/2023
	DUE TO TAX PAYER (ASSMENTTS)			179.80			
	Total for vendor MISC - AGRE, SCOTT:			179.80	179.80		
Vendor 2670 - AMERICAN STEEL SUPPLY INC:							
116504 78713	AMERICAN STEEL SUPPLY INC NARROW CROSSWALK FORMS	07/27/2023 pziemer	08/09/2023	468.48	468.48	Open	N 08/09/2023

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

Page: 2/42

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	235-3170-42210	OPERATING SUPPLIES		468.48			
	Total for vendor 2670 - AMERICAN STEEL SUPPLY INC:			468.48	468.48		
Vendor 2846 - AMERICAN WELDING-GAS INC:							
09493353							
78715	AMERICAN WELDING-GAS INC	07/31/2023	08/09/2023	82.80	82.80	Open	N
	WELDING CYLINDER RENTAL	pziemer					08/09/2023
	235-3100-43410	RENTAL EXPENSE		82.80			
	Total for vendor 2846 - AMERICAN WELDING-GAS INC:			82.80	82.80		
Vendor 0041 - ANDERSON BROTHERS CONSTRU:							
32626							
78397	ANDERSON BROTHERS CONSTRU	07/10/2023	08/09/2023	158.25	158.25	Open	N
	2.110 HOT MIX	pziemer					08/09/2023
	235-3100-42220	REPAIR & MAINT		158.25			
32625							
78398	ANDERSON BROTHERS CONSTRU	07/10/2023	08/09/2023	164.25	164.25	Open	N
	2.190 HOT MIX	pziemer					08/09/2023
	235-3100-42220	REPAIR & MAINT		164.25			
32624							
78399	ANDERSON BROTHERS CONSTRU	07/10/2023	08/09/2023	172.50	172.50	Open	N
	2.3 HOT MIX	pziemer					08/09/2023
	235-3100-42220	REPAIR & MAINT		172.50			
32690							
78422	ANDERSON BROTHERS CONSTRU	07/14/2023	08/09/2023	152.25	152.25	Open	N
	2.03 HOT MIX	pziemer					08/09/2023
	235-3100-42220	REPAIR & MAINT		152.25			
32691							
78423	ANDERSON BROTHERS CONSTRU	07/14/2023	08/09/2023	149.25	149.25	Open	N
	1.99 HOT MIX - ROOT PIT	pziemer					08/09/2023
	235-3100-42220	REPAIR & MAINT		149.25			
32692							
78424	ANDERSON BROTHERS CONSTRU	07/14/2023	08/09/2023	179.25	179.25	Open	N
	2.39 HOT MIX - ROOT PIT	pziemer					08/09/2023
	235-3100-42220	REPAIR & MAINT		179.25			
32726							
78456	ANDERSON BROTHERS CONSTRU	07/17/2023	08/09/2023	138.00	138.00	Open	N
	QTY 1.84 HOT MIX	pziemer					08/09/2023
	235-3100-42220	REPAIR & MAINT		138.00			
32725							
78457	ANDERSON BROTHERS CONSTRU	07/17/2023	08/09/2023	169.50	169.50	Open	N
	QTY 2.26 HOT MIX	pziemer					08/09/2023

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	235-3100-42220	REPAIR & MAINT		169.50			
32793 78605	ANDERSON BROTHERS CONSTRU 1.310 HOT MIX 235-3100-42220	07/20/2023 pziemer	08/09/2023	98.25	98.25	Open	N 08/09/2023
	235-3100-42220	REPAIR & MAINT		98.25			
32794 78606	ANDERSON BROTHERS CONSTRU 2.230 HOT MIX 235-3100-42220	07/20/2023 pziemer	08/09/2023	167.25	167.25	Open	N 08/09/2023
	235-3100-42220	REPAIR & MAINT		167.25			
32801 78682	ANDERSON BROTHERS CONSTRU 2.85 HOT MIX 235-3100-42220	07/24/2023 pziemer	08/09/2023	213.75	213.75	Open	N 08/09/2023
	235-3100-42220	REPAIR & MAINT		213.75			
32820 78688	ANDERSON BROTHERS CONSTRU 1.120 HOT MIX 235-3100-42220	07/25/2023 pziemer	08/09/2023	84.00	84.00	Open	N 08/09/2023
	235-3100-42220	REPAIR & MAINT		84.00			
32821 78689	ANDERSON BROTHERS CONSTRU 2.19 HOT MIX 235-3100-42220	07/25/2023 pziemer	08/09/2023	164.25	164.25	Open	N 08/09/2023
	235-3100-42220	REPAIR & MAINT		164.25			
Total for vendor 0041 - ANDERSON BROTHERS CONSTRU:				2,010.75	2,010.75		

Vendor 0039 - ARAMARK UNIFORM SERVICES:

2530161765 78370	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	07/13/2023 pziemer	08/09/2023	38.86	38.86	Open	N 08/09/2023
	235-3100-43430	MISCELLANEOUS		38.86			
2530164155 78431	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	07/20/2023 pziemer	08/09/2023	79.08	79.08	Open	N 08/09/2023
	235-3100-43430	MISCELLANEOUS		79.08			
2530166725 78668	ARAMARK UNIFORM SERVICES RUGS AND OVERALLS 235-3100-43430	07/27/2023 pziemer	08/09/2023	45.79	45.79	Open	N 08/09/2023
	235-3100-43430	MISCELLANEOUS		45.79			
Total for vendor 0039 - ARAMARK UNIFORM SERVICES:				163.73	163.73		

Vendor 3343 - ARROW MANAGEMENT:

32016 78410	ARROW MANAGEMENT QTY 5 PROPERTIES - NUISANCE ABATEMENT	07/14/2023 pziemer	08/09/2023	625.00	625.00	Open	N 08/09/2023
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EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

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BOTH OPEN AND PAID

Page: 4/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	101-2400-43405	NUISANCES		625.00			
32029 78604	ARROW MANAGEMENT 1812 OAK STREET - NUISANCE ABATEMENT pziemer 101-2400-43405	07/26/2023	08/09/2023	1,200.00	1,200.00	Open	N 08/09/2023
		NUISANCES		1,200.00			
32052 78661	ARROW MANAGEMENT 624 8TH AVE NE - NUISANCE ABATEMENT pziemer 101-2400-43405	07/31/2023	08/09/2023	500.00	500.00	Open	N 08/09/2023
		NUISANCES		500.00			
32097 78662	ARROW MANAGEMENT 1306 OAK/1708 LAUREL NUISANCE ABATEMENT pziemer 101-2400-43405	07/31/2023	08/09/2023	150.00	150.00	Open	N 08/09/2023
		NUISANCES		150.00			
Total for vendor 3343 - ARROW MANAGEMENT:				2,475.00	2,475.00		

Vendor MISC - ASG EXTERIORS DBA NEUMANN CONSTRUCT:

00043519 78380	ASG EXTERIORS DBA NEUMANN CONSTRUCT	07/19/2023	08/09/2023	71.00	71.00	Open	N 08/09/2023
	BD Payment Refund pziemer						
	101-2400-32210	Residential Re-Roof Only		70.00			
	101-0000-21800	Residential State Surcharge - Flat		0.96			
	101-0000-36300	Residential State Surcharge - Flat		0.04			
Total for vendor MISC - ASG EXTERIORS DBA NEUMANN CONSTRUCT:				71.00	71.00		

Vendor 2740 - AT&T MOBILITY:

X08032023/FD 78673	AT&T MOBILITY	07/25/2023	08/09/2023	344.07	344.07	Open	N 08/09/2023
	ACCT 287312856222 FIRE DEPT PHONES pziemer						
	225-2220-43321	TELEPHONE		344.07			
X08032023/ADMIN 78702	AT&T MOBILITY	07/25/2023	08/09/2023	99.32	99.32	Open	N 08/09/2023
	ACCT 287292136423 ADMIN PHONES pziemer						
	101-1400-43321	TELEPHONE		99.32			
X08032023/CDD 78703	AT&T MOBILITY	07/25/2023	08/09/2023	148.98	148.98	Open	N 08/09/2023
	ACCT 287292136423 COM DEV PHONES pziemer						
	101-2400-43321	TELEPHONE		148.98			
X08032023/ENG 78704	AT&T MOBILITY	07/25/2023	08/09/2023	275.10	275.10	Open	N 08/09/2023
	ACCT 287292136423 ENG PHONES pziemer						
	101-1700-43321	TELEPHONE		275.10			

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

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BOTH OPEN AND PAID

Page: 5/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
X08032023/HR 78705	AT&T MOBILITY ACCT 287292136423 HR PHONE 101-1400-43321	07/25/2023 pziemer	08/09/2023	49.66 49.66	49.66	Open	N 08/09/2023
X08032023/IT 78706	AT&T MOBILITY IT PHONES ACCT 287292136423 6/26-7/ 101-1800-43321	07/26/2023 pziemer	08/09/2023	175.78 175.78	175.78	Open	N 08/09/2023
X08032023/PARKS 78707	AT&T MOBILITY ACCT 287292136423 PARKS PHONES 230-5200-43321	07/25/2023 pziemer	08/09/2023	272.34 272.34	272.34	Open	N 08/09/2023
X08032023/STRTS 78708	AT&T MOBILITY ACCT 287292136423 STREETS PHONE 235-3100-43321 237-3190-43321	07/25/2023 pziemer	08/09/2023	175.78 137.55 38.23	175.78	Open	N 08/09/2023
X08092023/TRANSIT 78709	AT&T MOBILITY ACCT 287292136423 TRANSIT PHONE 203-9000-43321	07/25/2023 pziemer	08/09/2023	49.66 49.66	49.66	Open	N 08/09/2023
X08032023/PD 78711	AT&T MOBILITY ACCT 287287520356 PD PHONES/SUPPORT 225-2120-43309 225-2120-43321	07/25/2023 pziemer	08/09/2023	2,104.50 831.34 1,273.16	2,104.50	Open	N 08/09/2023
Total for vendor 2740 - AT&T MOBILITY:				3,695.19	3,695.19		
Vendor 0745 - BATTERIES PLUS:							
P64314587 78496	BATTERIES PLUS BATTERIES 225-2120-42210	07/24/2023 pziemer	08/09/2023	28.67 28.67	28.67	Open	N 08/09/2023
Total for vendor 0745 - BATTERIES PLUS:				28.67	28.67		
Vendor 3722 - BEN WESTLUND:							
36 78745	BEN WESTLUND REMOVE LIGHTNING STRUCK TREE OFF BLE/ 230-5200-42220	07/01/2023 pziemer	08/09/2023	4,000.00 4,000.00	4,000.00	Open	N 08/09/2023

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

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Page: 6/42

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37 78746	BEN WESTLUND PRUNE/CANOPY RAISE TREES OVER DUGOUT 230-5200-42220	07/31/2023 pziemer	08/09/2023	4,200.00 4,200.00	4,200.00	Open	N 08/09/2023
Total for vendor 3722 - BEN WESTLUND:				8,200.00	8,200.00		
Vendor 2948 - BILL'S GUN SHOP & RANGE:							
S4-541638 78674	BILL'S GUN SHOP & RANGE 703 & 728CW - RANGE TIME 225-2120-43330	08/01/2023 pziemer	08/09/2023	50.00 50.00	50.00	Open	N 08/09/2023
Total for vendor 2948 - BILL'S GUN SHOP & RANGE:				50.00	50.00		
Vendor 3966 - BLUE SKY TRANSIT:							
62023 78434	BLUE SKY TRANSIT JUNE 2023 THIRD PARTY SERVICES 203-9000-42212 203-9000-43401 203-9000-43440	07/01/2023 pziemer	08/09/2023	98,819.22 4,491.64 2,525.51 91,802.07	98,819.22	Open	N 08/09/2023
Total for vendor 3966 - BLUE SKY TRANSIT:				98,819.22	98,819.22		
Vendor 0078 - BRAINERD LAKES AREA DEV C:							
JULY 2023 78468	BRAINERD LAKES AREA DEV C JUL 23 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	07/24/2023 pziemer	08/09/2023	2,916.67 2,916.67	2,916.67	Open	N 08/09/2023
Total for vendor 0078 - BRAINERD LAKES AREA DEV C:				2,916.67	2,916.67		
Vendor 0749 - BRAINERD LAKES SEWER, LLC:							
8194 78720	BRAINERD LAKES SEWER, LLC SATELLITE RENTALS - PARKS 230-5200-43410 230-5215-42210 230-5200-43410	07/31/2023 pziemer	08/09/2023	515.00 245.00 135.00 135.00	515.00	Open	N 08/09/2023
Total for vendor 0749 - BRAINERD LAKES SEWER, LLC:				515.00	515.00		
Vendor 0081 - BRAINERD MEDICAL SUPPLY:							
70,224 78735	BRAINERD MEDICAL SUPPLY FIRST AID & SAFETY SUPPLIES	08/02/2023 pziemer	08/09/2023	4.60	4.60	Open	N 08/09/2023

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

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BOTH JOURNALIZED AND UNJOURNALIZED

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Page: 7/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	225-2120-42209	SAFETY EQUIPMENT SUPPLIES		4.60			
	Total for vendor 0081 - BRAINERD MEDICAL SUPPLY:			4.60	4.60		
Vendor 0296 - BRAINERD PUBLIC UTILITIES:							
JUNE 2023/FD							
78417	BRAINERD PUBLIC UTILITIES	07/01/2023	08/09/2023	2,446.53	2,446.53	Open	N
	5/24/23-6/24/23 FIRE DEPT UTILITIES pziemer						08/09/2023
	225-2220-43381 BPU UTILITIES			2,446.53			
JUNE 2023/LIB							
78418	BRAINERD PUBLIC UTILITIES	07/01/2023	08/09/2023	2,216.58	2,216.58	Open	N
	5/24/23-6/24/23 LIBRARY UTILITIES pziemer						08/09/2023
	211-5500-43381 BPU UTILITIES			2,216.58			
JUNE 2023/PD							
78419	BRAINERD PUBLIC UTILITIES	07/01/2023	08/09/2023	4,592.78	4,592.78	Open	N
	5/24/23-6/24/23 POLICE DEPT UTILITIES pziemer						08/09/2023
	225-2120-43381 BPU UTILITIES			4,592.78			
JUNE 2023/CH							
78420	BRAINERD PUBLIC UTILITIES	07/01/2023	08/09/2023	2,847.25	2,847.25	Open	N
	5/24/23-6/24/23 CITY UTILITIES pziemer						08/09/2023
	101-1940-43381 BPU UTILITIES			2,588.77			
	101-9200-43381 BPU UTILITIES			125.99			
	236-3180-43381 BPU UTILITIES			36.00			
	401-1003-43380 UTILITIES			96.49			
JUNE 2023/STREETS							
78421	BRAINERD PUBLIC UTILITIES	07/01/2023	08/09/2023	24,492.75	24,492.75	Open	N
	5/24/23-6/24/23 STREET DEPT UTILITIES pziemer						08/09/2023
	235-3100-43381 BPU UTILITIES			24,492.75			
JUNE 2023/PARKS							
78425	BRAINERD PUBLIC UTILITIES	07/01/2023	08/09/2023	19,241.01	19,241.01	Open	N
	5/24/23-6/24/23 PARKS UTILITIES pziemer						08/09/2023
	230-5200-43381 BPU UTILITIES			18,375.45			
	230-5280-43380 UTILITIES			622.05			
	230-5280-43380 UTILITIES			56.59			
	230-5280-43380 UTILITIES			186.92			
JUL 23 SPECIALS							
78459	BRAINERD PUBLIC UTILITIES	07/24/2023	08/09/2023	7,437.25	7,437.25	Open	N
	REMIT JUL 2023 SPECIAL ASSMNTS pziemer						08/09/2023
	101-0000-20850 DUE TO COMPONENT UNIT			7,437.25			
JUL 23 COBRA							
78495	BRAINERD PUBLIC UTILITIES	07/25/2023	08/09/2023	75.55	75.55	Open	N
	REMIT JULY 2023 COBRA pziemer						08/09/2023
	101-0000-14100 DUE FROM COMPONENT UNIT			75.55			
	Total for vendor 0296 - BRAINERD PUBLIC UTILITIES:			63,349.70	63,349.70		

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 3541 - BRAINERD ROTARY:							
12150 78442	BRAINERD ROTARY 3RD QTR 2023 DUES - J. BERGMAN 101-1400-43433	07/01/2023 pziemer	08/09/2023	198.00	198.00	Open	N 08/09/2023
	DUES & SUBSCRIPTIONS			198.00			
	Total for vendor 3541 - BRAINERD ROTARY:			198.00	198.00		
Vendor 3598 - BS&A SOFTWARE:							
148265 78408	BS&A SOFTWARE BS&A ONLINE PERMIT FEE 4/6/23-6/29/23 101-1800-43309	07/21/2023 pziemer	08/09/2023	246.00	246.00	Open	N 08/09/2023
	COMPUTER SUPPORT			246.00			
	Total for vendor 3598 - BS&A SOFTWARE:			246.00	246.00		
Vendor 0102 - CANON FINANCIAL SERVICE:							
30945573 78499	CANON FINANCIAL SERVICE 8/1/23-8/31/23 FD COPIER LEASE 225-2220-43331	07/24/2023 pziemer	08/09/2023	80.69	80.69	Open	N 08/09/2023
	LEASED PAYMENTS			80.69			
	Total for vendor 0102 - CANON FINANCIAL SERVICE:			80.69	80.69		
Vendor 0447 - CDW GOVERNMENT, INC:							
KQ77099 78492	CDW GOVERNMENT, INC TONER - BLACK/CYAN 101-1800-42210	07/12/2023 pziemer	08/09/2023	293.35	293.35	Open	N 08/09/2023
	OPERATING SUPPLIES			293.35			
	Total for vendor 0447 - CDW GOVERNMENT, INC:			293.35	293.35		
Vendor 0307 - CENTERPOINT ENERGY:							
92166-0/JUL23/ENG 78696	CENTERPOINT ENERGY 6/16/23-7/18/23 ENG UTILITIES 101-1940-43380	07/26/2023 pziemer	08/09/2023	166.78	166.78	Open	N 08/09/2023
	UTILITIES			140.78			
	UTILITIES			26.00			
92166-0/JUL23/STRTS 78697	CENTERPOINT ENERGY 6/16/23-7/18/23 STREET DEPT UTILITIES 235-3100-43380	07/26/2023 pziemer	08/09/2023	32.50	32.50	Open	N 08/09/2023
	UTILITIES			32.50			
92166-0/JUL23/PARKS 78698	CENTERPOINT ENERGY 6/16/23-7/18/23 PARKS UTILITIES 230-5200-43380	07/26/2023 pziemer	08/09/2023	66.96	66.96	Open	N 08/09/2023
	UTILITIES			34.46			

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 9/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	230-5200-43380 UTILITIES			32.50			
92166-0/JUL23/FD							
78699	CENTERPOINT ENERGY	07/26/2023	08/09/2023	58.14	58.14	Open	N 08/09/2023
	6/16/23-7/18/23 FIRE DEPT UTILITIES pziemer						
	225-2220-43380 UTILITIES			29.07			
	225-2220-43380 UTILITIES			29.07			
92166-0/JUL23/PD							
78700	CENTERPOINT ENERGY	07/26/2023	08/09/2023	26.00	26.00	Open	N 08/09/2023
	6/16/23-7/18/23 POLICE DEPT UTILITIES pziemer						
	225-2120-43380 UTILITIES			26.00			
92166-0/JUL23/LIB							
78701	CENTERPOINT ENERGY	07/26/2023	08/09/2023	69.19	69.19	Open	N 08/09/2023
	6/16/23-7/18/23 LIBRARY UTILITIES pziemer						
	211-5500-43380 UTILITIES			69.19			
	Total for vendor 0307 - CENTERPOINT ENERGY:			419.57	419.57		
Vendor 1333 - CHAMBERLAIN OIL COMPANY:							
442145-00							
78432	CHAMBERLAIN OIL COMPANY	07/19/2023	08/09/2023	336.60	336.60	Open	N 08/09/2023
	DIESEL EXHAUST FLUID pziemer						
	235-3100-42220 REPAIR & MAINT			336.60			
	Total for vendor 1333 - CHAMBERLAIN OIL COMPANY:			336.60	336.60		
Vendor 0119 - CLAREY'S SAFETY EQUIPMENT:							
206443							
78484	CLAREY'S SAFETY EQUIPMENT	07/18/2023	08/09/2023	334.73	334.73	Open	N 08/09/2023
	CALIBRATION GAS pziemer						
	225-2220-42210 OPERATING SUPPLIES			334.73			
	Total for vendor 0119 - CLAREY'S SAFETY EQUIPMENT:			334.73	334.73		
Vendor 0229 - CLIFTONLARSONALLEN LLP:							
3809937							
78602*	CLIFTONLARSONALLEN LLP	07/25/2023	08/09/2023	1,836.80	1,836.80	Open	N 08/09/2023
	FINAL PROGRESS BILLING 2022 AUDIT pziemer						
	101-9200-43300 PROFESSIONAL SERVICES			(20,798.41)			
	260-9020-43300 PROFESSIONAL SERVICES			22,635.21			
	Total for vendor 0229 - CLIFTONLARSONALLEN LLP:			1,836.80	1,836.80		
Vendor MISC - CONNIE SYLVESTER:							
58682358							
78685	CONNIE SYLVESTER	07/31/2023	08/09/2023	110.00	110.00	Open	N 08/09/2023
	SITE 16: AUG 18-20 REFUND CAMPING pziemer						

Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	GL Distribution						
	230-5280-34710	CAMPGROUND REVENUE		99.21			
	101-0000-20810	STATE TAX PAYABLE		6.82			
	101-0000-20811	COUNTY SALES TAX		0.50			
	101-0000-20812	CITY TAX PAYABLE		0.50			
	101-0000-31410	LODGING TAX		2.97			
58682312 78686	CONNIE SYLVESTER	07/31/2023	08/09/2023	105.00	105.00	Open	N 08/09/2023
	SITE 16: 8/20-8/22 CAMPING REFUND pziemer						
	230-5280-34710	CAMPGROUND REVENUE		90.19			
	230-5280-34710	CAMPGROUND REVENUE		4.64			
	101-0000-20810	STATE TAX PAYABLE		6.52			
	101-0000-20812	CITY TAX PAYABLE		0.47			
	101-0000-20811	COUNTY SALES TAX		0.47			
	101-0000-31410	LODGING TAX		2.71			
58682412 78687	CONNIE SYLVESTER	07/31/2023	08/09/2023	100.00	100.00	Open	N 08/09/2023
	SITE 16: AUG 16-18 REFUND CAMPING pziemer						
	230-5280-34710	CAMPGROUND REVENUE		90.19			
	101-0000-20810	STATE TAX PAYABLE		6.20			
	101-0000-20812	CITY TAX PAYABLE		0.45			
	101-0000-20811	COUNTY SALES TAX		0.45			
	101-0000-31410	LODGING TAX		2.71			
	Total for vendor MISC - CONNIE SYLVESTER:			315.00	315.00		
Vendor 0900 - CUB FOODS - BRAINERD:							
TRX: 369 - PARKS							
78362	CUB FOODS - BRAINERD	07/13/2023	08/09/2023	21.98	21.98	Open	N 08/09/2023
	CONCESSIONS - CHEESE pziemer						
	230-5204-42210	OPERATING SUPPLIES		21.98			
	Total for vendor 0900 - CUB FOODS - BRAINERD:			21.98	21.98		
Vendor 1688 - CUSTOM FIRE APPARATUS INC:							
0022569-IN							
78485	CUSTOM FIRE APPARATUS INC	07/13/2023	08/09/2023	34.55	34.55	Open	N 08/09/2023
	REVOLVING HANDLE pziemer						
	225-2220-42210	OPERATING SUPPLIES		34.55			
	Total for vendor 1688 - CUSTOM FIRE APPARATUS INC:			34.55	34.55		
Vendor 3438 - DAHLHEIMER BEVERAGE:							
1954000							
78363	DAHLHEIMER BEVERAGE	07/11/2023	08/09/2023	189.50	189.50	Open	N 08/09/2023
	JANITORIAL SUPPLIES pziemer						
	230-5200-42220	REPAIR & MAINT		189.50			

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
1956682 78364	DAHLHEIMER BEVERAGE CONCESSIONS - POPCORN 230-5204-42210	07/13/2023 pziemer	08/09/2023	77.50 77.50	77.50	Open	N 08/09/2023
1960421 78430	DAHLHEIMER BEVERAGE GARBAGE LINERS 211-5500-42220	07/21/2023 pziemer	08/09/2023	44.20 44.20	44.20	Open	N 08/09/2023
1959223 78486	DAHLHEIMER BEVERAGE LIME X 225-2220-42210	07/18/2023 pziemer	08/09/2023	29.00 29.00	29.00	Open	N 08/09/2023
1964188 78500	DAHLHEIMER BEVERAGE CROSSWALK FORM LUBRICANT 235-3170-42210	07/24/2023 pziemer	08/09/2023	27.00 27.00	27.00	Open	N 08/09/2023
1965853 78660	DAHLHEIMER BEVERAGE PAD 14' BLACK STRIPPING 225-2220-42210	07/26/2023 pziemer	08/09/2023	29.60 29.60	29.60	Open	N 08/09/2023
1961998 78742	DAHLHEIMER BEVERAGE CONCESSIONS - GLOVES/POPCORN 230-5204-42210	07/20/2023 pziemer	08/09/2023	179.70 179.70	179.70	Open	N 08/09/2023
1965076 78743	DAHLHEIMER BEVERAGE JANITORIAL - TP - PARKS 230-5200-42220	07/25/2023 pziemer	08/09/2023	189.50 189.50	189.50	Open	N 08/09/2023
Total for vendor 3438 - DAHLHEIMER BEVERAGE:				766.00	766.00		

Vendor 1381 - DECHANTAL EXCAVATING LLC:

PAY REQ 4 - 21:12

78717	DECHANTAL EXCAVATING LLC IMP 21:12 NORTH BRAINERD PAY REQ 4 401-9030-45530-21:12	08/01/2023 pziemer	08/09/2023	679,170.51 679,170.51	679,170.51	Open	N 08/09/2023
Total for vendor 1381 - DECHANTAL EXCAVATING LLC:				679,170.51	679,170.51		

Vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:

JULY 2023

78467	DESTINATION DOWNTOWN BRAINERD COALI JUL 23 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	07/24/2023 pziemer	08/09/2023	909.09 909.09	909.09	Open	N 08/09/2023
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08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 12/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Total for vendor 0440 - DESTINATION DOWNTOWN BRAINERD COALI:				909.09	909.09		
Vendor 1286 - EAST SIDE OIL COMPANY:							
R106029 78368	EAST SIDE OIL COMPANY FILTERS/ANTIFREEZE 227-3230-43428	07/12/2023 pziemer	08/09/2023	100.00	100.00	Open	N 08/09/2023
	USED OIL RECYCLING EXPENSE			100.00			
Total for vendor 1286 - EAST SIDE OIL COMPANY:				100.00	100.00		
Vendor 3800 - ENVIROTECH:							
69241/CH-ADJ 78435	ENVIROTECH JULY 2023 CITY HALL JANITORIAL 101-1940-43300	07/01/2023 pziemer	08/09/2023	1,349.97	1,349.97	Open	N 08/09/2023
	PROFESSIONAL SERVICES			1,349.97			
69241/FD-ADJ 78436	ENVIROTECH JULY 2023 FIRE DEPT JANITORIAL 225-2220-43300	07/01/2023 pziemer	08/09/2023	182.03	182.03	Open	N 08/09/2023
	PROFESSIONAL SERVICES			182.03			
69241/PD-ADJ 78437	ENVIROTECH JULY 23 POLICE DEPT JANITORIAL 225-2120-43300	07/01/2023 pziemer	08/09/2023	959.89	959.89	Open	N 08/09/2023
	PROFESSIONAL SERVICES			959.89			
69241/STRT-ADJ 78438	ENVIROTECH JULY 2023 STREET DEPT JANITORIAL 235-3100-43380	07/01/2023 pziemer	08/09/2023	182.03	182.03	Open	N 08/09/2023
	UTILITIES			182.03			
69241/PARKS-ADJ 78458	ENVIROTECH JUL 2023 PARKS JANITORIAL - SHOP 230-5200-43380	07/24/2023 pziemer	08/09/2023	91.01	91.01	Open	N 08/09/2023
	UTILITIES			91.01			
Total for vendor 3800 - ENVIROTECH:				2,764.93	2,764.93		
Vendor 0925 - ERICKSON'S GREENHOUSE:							
1130 78406	ERICKSON'S GREENHOUSE CITY HALL GARDENS/LABOR 101-9200-43430	07/13/2023 pziemer	08/09/2023	500.00	500.00	Open	N 08/09/2023
	MISCELLANEOUS			500.00			
Total for vendor 0925 - ERICKSON'S GREENHOUSE:				500.00	500.00		
Vendor 3544 - ERKENS WATER:							

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
810631 78487	ERKENS WATER SOFTENER SALT 225-2220-42210	07/11/2023 pziemer	08/09/2023	49.50	49.50	Open	N 08/09/2023
	OPERATING SUPPLIES			49.50			
	Total for vendor 3544 - ERKENS WATER:			49.50	49.50		

Vendor 0170 - FASTENAL COMPANY:

MNBAX262607

78683	FASTENAL COMPANY WDG ANCHOR 230-5200-42220	07/20/2023 pziemer	08/09/2023	49.20	49.20	Open	N 08/09/2023
	REPAIR & MAINT			49.20			
	Total for vendor 0170 - FASTENAL COMPANY:			49.20	49.20		

Vendor 4154 - FLAHERTY & HOOD, P.A.:

19599

78371	FLAHERTY & HOOD, P.A. JOB CLASSIFICATION AND COMPENSATION 101-9200-43300	07/01/2023 pziemer	08/09/2023	12,371.25	12,371.25	Open	N 08/09/2023
	PROFESSIONAL SERVICES			12,371.25			
	Total for vendor 4154 - FLAHERTY & HOOD, P.A.:			12,371.25	12,371.25		

Vendor 3402 - FLEETPRIDE:

BND013321

78426	FLEETPRIDE TRUCK 103 DOT INSPECTION & REPAIR 235-3100-42220	07/01/2023 pziemer	08/09/2023	1,975.24	1,975.24	Open	N 08/09/2023
	REPAIR & MAINT			1,975.24			

BND013350

78427	FLEETPRIDE TRUCK 104 DOT INSPECTION 235-3100-42220	07/01/2023 pziemer	08/09/2023	223.85	223.85	Open	N 08/09/2023
	REPAIR & MAINT			223.85			

BND013342

78428	FLEETPRIDE TRUCK 119 DOT INSPECTION 235-3100-42220	07/01/2023 pziemer	08/09/2023	221.44	221.44	Open	N 08/09/2023
	REPAIR & MAINT			221.44			

BND013361

78429	FLEETPRIDE VAC TRUCK DOT INSPECTION 237-3190-42220	07/01/2023 pziemer	08/09/2023	223.85	223.85	Open	N 08/09/2023
	REPAIR & MAINT			223.85			
	Total for vendor 3402 - FLEETPRIDE:			2,644.38	2,644.38		

Vendor 0071 - FORUM COMMUNICATIONS COMPANY:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
238694-1 78729	FORUM COMMUNICATIONS COMPANY NOTICE: TRANSIT FARE INCREASE CWC 203-9000-43350	07/01/2023 pziemer	08/09/2023	56.55 56.55	56.55	Open	N 08/09/2023
236856-1 78730	FORUM COMMUNICATIONS COMPANY NOTICE: TRANSIT FARE INCREASE - BAXT 203-9000-43350	07/01/2023 pziemer	08/09/2023	44.77 44.77	44.77	Open	N 08/09/2023
238595-1 78731	FORUM COMMUNICATIONS COMPANY 2022 SUMMARY FINANCIAL REPORT 101-9200-43350	07/01/2023 pziemer	08/09/2023	145.44 145.44	145.44	Open	N 08/09/2023
239516-1 78732	FORUM COMMUNICATIONS COMPANY NOH: INTERIM USE SHORT TERM RENTAL - 101-2400-43350	07/05/2023 pziemer	08/09/2023	45.96 45.96	45.96	Open	N 08/09/2023
239519-1 78733	FORUM COMMUNICATIONS COMPANY NOH: VARIANCE REQUEST W. SIMON 101-2400-43350	07/05/2023 pziemer	08/09/2023	64.81 64.81	64.81	Open	N 08/09/2023
238700-1 78734	FORUM COMMUNICATIONS COMPANY NOTICE: PLANNING COM. SP. MTG-TIF DIS 101-9200-43350	07/01/2023 pziemer	08/09/2023	17.67 17.67	17.67	Open	N 08/09/2023
240931-1 78737	FORUM COMMUNICATIONS COMPANY NOH: TAC MTG 7-20-23 203-9000-43350	07/11/2023 pziemer	08/09/2023	17.67 17.67	17.67	Open	N 08/09/2023
	Total for vendor 0071 - FORUM COMMUNICATIONS COMPANY:			392.87	392.87		

Vendor 1967 - FRONTIER PRECISION INC:

279436 78599	FRONTIER PRECISION INC TIMBLE TRIPOD 101-1700-42220	07/26/2023 pziemer	08/09/2023	555.00 555.00	555.00	Open	N 08/09/2023
	Total for vendor 1967 - FRONTIER PRECISION INC:			555.00	555.00		

Vendor 3685 - GLEASON, TRAVIS:

7/27/23 78675	GLEASON, TRAVIS TASER RECERTIFICATION TRAINING REIMB 225-2120-43330	07/27/2023 pziemer	08/09/2023	56.53 56.53	56.53	Open	N 08/09/2023
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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
Total for vendor 3685 - GLEASON, TRAVIS:				56.53	56.53		
Vendor 0193 - GOODIN COMPANY:							
06640265-00 78400	GOODIN COMPANY LUM RESTROOM 230-5200-42220	07/11/2023 pziemer	08/09/2023	91.45	91.45	Open	N 08/09/2023
	REPAIR & MAINT			91.45			
Total for vendor 0193 - GOODIN COMPANY:				91.45	91.45		
Vendor 2377 - GRANITE ELECTRONICS:							
154014660-1 78473	GRANITE ELECTRONICS SQD 436 - RADIO ISSUE 225-2120-42221	07/13/2023 pziemer	08/09/2023	280.10	280.10	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			280.10			
Total for vendor 2377 - GRANITE ELECTRONICS:				280.10	280.10		
Vendor 0209 - HEARTLAND TIRE INC.:							
3041921 78497	HEARTLAND TIRE INC. SQD 411 - TIRE 225-2120-42221	07/25/2023 pziemer	08/09/2023	190.99	190.99	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			190.99			
3042113 78718	HEARTLAND TIRE INC. SQD 436 - TIRE REPAIR 225-2120-42221	08/02/2023 pziemer	08/09/2023	37.55	37.55	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			37.55			
Total for vendor 0209 - HEARTLAND TIRE INC.:				228.54	228.54		
Vendor 0203 - HOLDEN ELECTRIC:							
72255 78598	HOLDEN ELECTRIC FIELD 3 LIGHT REPAIRS 230-5200-42220	07/25/2023 pziemer	08/09/2023	271.69	271.69	Open	N 08/09/2023
	REPAIR & MAINT			271.69			
Total for vendor 0203 - HOLDEN ELECTRIC:				271.69	271.69		
Vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:							
IN4265207 78488	INNOVATIVE OFFICE SOLUTIONS LLC LABELS, MARKERS, DIVIDERS 225-2220-42200	07/20/2023 pziemer	08/09/2023	48.21	48.21	Open	N 08/09/2023
	OFFICE SUPPLIES			48.21			
Total for vendor 3202 - INNOVATIVE OFFICE SOLUTIONS LLC:				48.21	48.21		
Vendor 3712 - JAREDS LAWN CARE:							

08/03/2023 01:47 PM

User: pziemer

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

Page: 16/42

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
10344 78474	JAREDS LAWN CARE LAWN CARE - PD 225-2120-43300	07/01/2023 pziemer	08/09/2023	184.72 184.72	184.72	Open	N 08/09/2023
	PROFESSIONAL SERVICES			184.72			
10494 78475	JAREDS LAWN CARE LAWN CARE - PD 225-2120-43300	07/08/2023 pziemer	08/09/2023	269.72 269.72	269.72	Open	N 08/09/2023
	PROFESSIONAL SERVICES			269.72			
Total for vendor 3712 - JAREDS LAWN CARE:				454.44	454.44		

Vendor 3488 - JEFFERSON FIRE & SAFETY:

IN303496 78489	JEFFERSON FIRE & SAFETY FIRE BOOTS 225-2220-42250	07/01/2023 pziemer	08/09/2023	340.50 340.50	340.50	Open	N 08/09/2023
	PERSONAL PROTECTIVE GEAR			340.50			
IN304527 78490	JEFFERSON FIRE & SAFETY CREDIT FOR BOOT RETURN 225-2220-42250	07/07/2023 pziemer	08/09/2023	(308.00) (308.00)	(308.00)	Open	N 08/09/2023
	PERSONAL PROTECTIVE GEAR			(308.00)			
Total for vendor 3488 - JEFFERSON FIRE & SAFETY:				32.50	32.50		

Vendor MISC - JENNIFER BANKS:

57911281 -REFUND 78461	JENNIFER BANKS REFUND LUM PARK CAMPGROUND 8/4-8/6 230-5280-34710 101-0000-20810 101-0000-20811 101-0000-20812 101-0000-31410	07/21/2023 pziemer	08/09/2023	110.00 99.21 6.82 0.50 0.49 2.98	110.00	Open	N 08/09/2023
	CAMPGROUND REVENUE			99.21			
	STATE TAX PAYABLE			6.82			
	COUNTY SALES TAX			0.50			
	CITY TAX PAYABLE			0.49			
	LODGING TAX			2.98			
Total for vendor MISC - JENNIFER BANKS:				110.00	110.00		

Vendor MISC - JON WARD:

57584831-REFUND 78465	JON WARD REFUND LUM PARK CAMPGROUND 230-5280-34710 101-0000-20810 101-0000-31410 101-0000-20811 101-0000-20812	07/17/2023 pziemer	08/09/2023	45.00 40.59 2.79 1.21 0.21 0.20	45.00	Open	N 08/09/2023
	CAMPGROUND REVENUE			40.59			
	STATE TAX PAYABLE			2.79			
	LODGING TAX			1.21			
	COUNTY SALES TAX			0.21			
	CITY TAX PAYABLE			0.20			

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 17/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
57584827 - REFUND							
78466	JON WARD	07/17/2023	08/09/2023	50.01	50.01	Open	N 08/09/2023
	REFUND LUM PARK CAMPGROUND	pziemer					
	230-5280-34710	CAMPGROUND REVENUE		45.10			
	101-0000-20810	STATE TAX PAYABLE		3.10			
	101-0000-31410	LODGING TAX		1.35			
	101-0000-20811	COUNTY SALES TAX		0.23			
	101-0000-20812	CITY TAX PAYABLE		0.23			
	Total for vendor MISC - JON WARD:			95.01	95.01		
Vendor 0220 - KENNEDY & GRAVEN:							
BR345-00135							
78472	KENNEDY & GRAVEN	07/14/2023	08/09/2023	110.00	110.00	Open	N 08/09/2023
	SALE OF INDUSTRIAL LOTS 2021 (P&D)	pziemer					
	295-6510-43430	MISCELLANEOUS		44.00			
	295-0000-20600	DEPOSITS PAYABLE		66.00			
	Total for vendor 0220 - KENNEDY & GRAVEN:			110.00	110.00		
Vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:							
6/27/23							
78412	KITCHIGAMI REGIONAL LIBRARY - CC	07/01/2023	08/09/2023	100.00	100.00	Open	N 08/09/2023
	REMIT LIBRARY CC CHARGES THRU 6/27/23	pziemer					
	211-0000-20800	DUE TO OTHER GOVT UNITS		100.00			
	Total for vendor 3545 - KITCHIGAMI REGIONAL LIBRARY - CC:			100.00	100.00		
Vendor 3647 - KNIFE LAKE CONCRETE INC:							
992305.1							
78379	KNIFE LAKE CONCRETE INC	07/13/2023	08/09/2023	32,267.31	32,267.31	Open	N 08/09/2023
	KIWANIS & GREGORY ADA IMPROVEMENTS	pziemer					
	400-9050-45530	CAPITAL - OTHER		32,267.31			
	Total for vendor 3647 - KNIFE LAKE CONCRETE INC:			32,267.31	32,267.31		
Vendor 2396 - KNIFE RIVER:							
1016610							
78666	KNIFE RIVER	07/26/2023	08/09/2023	1,276.80	1,276.80	Open	N 08/09/2023
	TRACTION SAND	pziemer					
	235-3125-42220	REPAIR & MAINT		1,276.80			
1016611							
78667	KNIFE RIVER	07/27/2023	08/09/2023	1,436.40	1,436.40	Open	N 08/09/2023
	TRACTION SAND	pziemer					
	235-3125-42220	REPAIR & MAINT		1,436.40			

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
1017386 78716	KNIFE RIVER TRACTION SAND 235-3125-42220	07/28/2023 pziemer	08/09/2023	1,026.00	1,026.00	Open	N 08/09/2023
	REPAIR & MAINT			1,026.00			
	Total for vendor 2396 - KNIFE RIVER:			3,739.20	3,739.20		

Vendor 3418 - LAKES AREA LOCK & DOOR HARDWARE, IN:

13828 78684	LAKES AREA LOCK & DOOR HARDWARE, IN JAYCEES PARK - REPAIR RESTROOM DOOR 230-5200-42220	07/20/2023 pziemer	08/09/2023	185.00	185.00	Open	N 08/09/2023
	REPAIR & MAINT			185.00			
	Total for vendor 3418 - LAKES AREA LOCK & DOOR HARDWARE, IN:			185.00	185.00		

Vendor 3469 - LAKES AREA MAT SERVICE INC:

20230704 #520 78413	LAKES AREA MAT SERVICE INC PD FLOOR MATS 225-2120-43300	07/04/2023 pziemer	08/09/2023	42.92	42.92	Open	N 08/09/2023
	PROFESSIONAL SERVICES			42.92			
20230718 #520 78414	LAKES AREA MAT SERVICE INC PD FLOOR MATS 225-2120-43300	07/18/2023 pziemer	08/09/2023	42.92	42.92	Open	N 08/09/2023
	PROFESSIONAL SERVICES			42.92			
20230704 #522 78415	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	07/04/2023 pziemer	08/09/2023	44.08	44.08	Open	N 08/09/2023
	RENTAL EXPENSE			44.08			
20230718 #522 78416	LAKES AREA MAT SERVICE INC CITY HALL FLOOR MATS 101-1940-43410	07/18/2023 pziemer	08/09/2023	44.08	44.08	Open	N 08/09/2023
	RENTAL EXPENSE			44.08			
	Total for vendor 3469 - LAKES AREA MAT SERVICE INC:			174.00	174.00		

Vendor 3627 - LAKES AREA WILDLIFE CONTROL:

JULY 2023 78501	LAKES AREA WILDLIFE CONTROL JUL 23 ANIMAL CONTROL CONTRACT 225-2700-43300	07/25/2023 pziemer	08/09/2023	3,076.00	3,076.00	Open	N 08/09/2023
	PROFESSIONAL SERVICES			3,076.00			
	Total for vendor 3627 - LAKES AREA WILDLIFE CONTROL:			3,076.00	3,076.00		

Vendor 0227 - LAKES PRINTING:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
00216665 78493	LAKES PRINTING BUSINESS CARDS - J.STOCKINGER 101-2400-43350	07/10/2023 pziemer	08/09/2023	93.35	93.35	Open	N 08/09/2023
	PRINTING/LEGAL PUBLICATION			93.35			
	Total for vendor 0227 - LAKES PRINTING:			93.35	93.35		
Vendor 1956 - LANDSBURG LANDSCAPE NURSERY INC:							
3127 78404	LANDSBURG LANDSCAPE NURSERY INC DOWNTOWN FLOWERS 401-1003-43430	07/01/2023 pziemer	08/09/2023	5,235.00	5,235.00	Open	N 08/09/2023
	MISCELLANEOUS			5,235.00			
3128 78405	LANDSBURG LANDSCAPE NURSERY INC DOWNTOWN FLOWERS 401-1003-43430	07/01/2023 pziemer	08/09/2023	2,362.43	2,362.43	Open	N 08/09/2023
	MISCELLANEOUS			2,362.43			
23052 - DEPOSIT 78443	LANDSBURG LANDSCAPE NURSERY INC TO SHOW CREDIT FOR DEPOSIT PAID WITH 401-1003-43430	07/01/2023 pziemer	08/09/2023	(2,126.68)	(2,126.68)	Open	N 08/09/2023
	MISCELLANEOUS			(2,126.68)			
	Total for vendor 1956 - LANDSBURG LANDSCAPE NURSERY INC:			5,470.75	5,470.75		
Vendor 2308 - LHB INC.:							
190190.02-2 78659	LHB INC. BRD WATER TOWER EXTERIOR REPAIR SURVEY 400-1481-43300	07/26/2023 pziemer	08/09/2023	24,850.00	24,850.00	Open	N 08/09/2023
	PROFESSIONAL SERVICES			24,850.00			
	Total for vendor 2308 - LHB INC.:			24,850.00	24,850.00		
Vendor 1753 - MARCO:							
INV11361320 78098	MARCO PUBLIC WORKS AVIGILON CAMERAS - LICE 400-9050-45530	06/28/2023 pziemer	08/09/2023	1,175.60	1,175.60	Open	N 08/09/2023
	CAPITAL - OTHER			1,175.60			
INV11430056 78491	MARCO UNIFY IT 7/19/23-8/18/23 101-1800-43309	07/19/2023 pziemer	08/09/2023	1,128.12	1,128.12	Open	N 08/09/2023
	COMPUTER SUPPORT			1,128.12			
INV11458148 78670	MARCO PUBLIC WORKS AVIGILON CAMERAS - PROF 400-9050-45530	07/27/2023 pziemer	08/09/2023	2,067.30	2,067.30	Open	N 08/09/2023
	CAPITAL - OTHER			2,067.30			

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
INV11454810 78671	MARCO CISCO WEBEX CALLING 8/15/23-8/14/24 101-1800-43309 101-0000-15510	07/26/2023 pziemer	08/09/2023	7,073.21 2,652.45 4,420.76	7,073.21	Open	N 08/09/2023
INV11466979 78672	MARCO MICROSOFT 365 6/16/23-7/15/23 101-1800-43309 260-9020-43309	07/30/2023 pziemer	08/09/2023	2,568.00 2,344.00 224.00	2,568.00	Open	N 08/09/2023
INV11454391 78693	MARCO PUBLIC WORKS AVIGILON CAMERAS 400-9050-45530	07/26/2023 pziemer	08/09/2023	10,843.44 10,843.44	10,843.44	Open	N 08/09/2023
Total for vendor 1753 - MARCO:				24,855.67	24,855.67		
Vendor 0243 - MARCO FINANCING:							
505894196 78471	MARCO FINANCING COPIER - CITY HALL 3RD FLOOR 8/1/23- 101-1800-43331	07/08/2023 pziemer	08/09/2023	1,306.95 1,306.95	1,306.95	Open	N 08/09/2023
Total for vendor 0243 - MARCO FINANCING:				1,306.95	1,306.95		
Vendor MISC - MELISSA DRIGGERS:							
57907213 - PARKS 78460	MELISSA DRIGGERS REFUND LUM PARK CAMPGROUND 10/7-10/9 230-5280-34710 101-0000-20810 101-0000-31410 101-0000-20811 101-0000-20812	07/24/2023 pziemer	08/09/2023	50.00 45.10 3.10 1.35 0.22 0.23	50.00	Open	N 08/09/2023
57907765 - REFUND 78462	MELISSA DRIGGERS REFUND LUM PARK CAMPGROUND 230-5280-34710 101-0000-20810 101-0000-31410 101-0000-20811 101-0000-20812	07/24/2023 pziemer	08/09/2023	55.01 49.61 3.41 1.49 0.25 0.25	55.01	Open	N 08/09/2023
57907842 - REFUND 78463	MELISSA DRIGGERS REFUND LUM PARK CAMPGROUND 230-5280-34710	07/21/2023 pziemer	08/09/2023	49.98 45.09	49.98	Open	N 08/09/2023

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	101-0000-20810	STATE TAX PAYABLE		3.10			
	101-0000-20812	CITY TAX PAYABLE		0.22			
	101-0000-20811	COUNTY SALES TAX		0.22			
	101-0000-31410	LODGING TAX		1.35			
	Total for vendor MISC - MELISSA DRIGGERS:			154.99	154.99		

Vendor 2392 - MENARDS:

01246							
78433	MENARDS	07/20/2023	08/09/2023	169.99	169.99	Open	N
	2 WHEELED DOLLEY	pziemer					08/09/2023
	235-3100-42240	SMALL TOOLS		169.99			
	Total for vendor 2392 - MENARDS:			169.99	169.99		

Vendor 3175 - MIDWEST SECURITY AND FIRE INC:

24476							
78360	MIDWEST SECURITY AND FIRE INC	07/18/2023	08/09/2023	330.00	330.00	Open	N
	DOOR FOBS	pziemer					08/09/2023
	101-1800-42210	OPERATING SUPPLIES		330.00			
	Total for vendor 3175 - MIDWEST SECURITY AND FIRE INC:			330.00	330.00		

Vendor 3540 - MINNESOTA BORE REPAIR:

1666							
78692	MINNESOTA BORE REPAIR	07/25/2023	08/09/2023	900.00	900.00	Open	N
	CAT 247B REPAIRS	pziemer					08/09/2023
	235-3100-42220	SKID STEER QUICK ATTACHMENT REPAIR		900.00			
	Total for vendor 3540 - MINNESOTA BORE REPAIR:			900.00	900.00		

Vendor 3197 - MORTON SALT INC:

5402852489							
78361	MORTON SALT INC	07/18/2023	08/09/2023	6,138.19	6,138.19	Open	N
	ROAD SALT	pziemer					08/09/2023
	235-3125-42220	REPAIR & MAINT		6,138.19			
5402850205							
78369	MORTON SALT INC	07/13/2023	08/09/2023	12,304.75	12,304.75	Open	N
	ROAD SALT	pziemer					08/09/2023
	235-3125-42220	REPAIR & MAINT		12,304.75			
5402850869							
78375	MORTON SALT INC	07/14/2023	08/09/2023	18,122.34	18,122.34	Open	N
	ROAD SALT	pziemer					08/09/2023
	235-3125-42220	REPAIR & MAINT		18,122.34			

08/03/2023 01:47 PM

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DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

Page: 22/42

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
5402853235 78411	MORTON SALT INC ROAD SALT 235-3125-42220	07/19/2023 pziemer	08/09/2023	2,129.83	2,129.83	Open	N 08/09/2023
	REPAIR & MAINT			2,129.83			
	Total for vendor 3197 - MORTON SALT INC:			38,695.11	38,695.11		

Vendor 1021 - MOTOROLA:

8281670855 78476	MOTOROLA RADIO EQUIPMENT 225-2120-42210	07/17/2023 pziemer	08/09/2023	478.80	478.80	Open	N 08/09/2023
	OPERATING SUPPLIES			478.80			
	Total for vendor 1021 - MOTOROLA:			478.80	478.80		

Vendor 3168 - MOTORS-N-MORE:

29983 78477	MOTORS-N-MORE SQD 430 - REAR BRAKE PADS AND ROTOR 225-2120-42221	07/18/2023 pziemer	08/09/2023	366.94	366.94	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			366.94			
29985 78478	MOTORS-N-MORE SQD 437 - OIL CHANGE 225-2120-42221	07/19/2023 pziemer	08/09/2023	23.00	23.00	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
29990 78479	MOTORS-N-MORE SQD 401 - OIL CHANGE 225-2120-42221	07/20/2023 pziemer	08/09/2023	23.00	23.00	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
29991 78480	MOTORS-N-MORE SQD 434 - OIL CHANGE 225-2120-42221	07/20/2023 pziemer	08/09/2023	23.00	23.00	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
29998 78608	MOTORS-N-MORE SQD 442 - OIL CHANGE 225-2120-42221	07/25/2023 pziemer	08/09/2023	23.00	23.00	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
30018 78719	MOTORS-N-MORE SQD 436 - OIL CHANGE 225-2120-42221	08/02/2023 pziemer	08/09/2023	23.00	23.00	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			23.00			
	Total for vendor 3168 - MOTORS-N-MORE:			481.94	481.94		

Vendor 1449 - M-R SIGN CO., INC.:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
220046 78690	M-R SIGN CO., INC. QTY 3 CONSPICUITY SIGNS 235-3125-42220	07/01/2023 pziemer	08/09/2023	424.65	424.65	Open	N 08/09/2023
	PLOW TRUCK REFLECTIVE TAPE			424.65			
	Total for vendor 1449 - M-R SIGN CO., INC.:			424.65	424.65		
Vendor 3509 - MUTT MITT:							
559688 78367	MUTT MITT 24 CASES MUTT MITTS 230-5200-42220	07/17/2023 pziemer	08/09/2023	3,098.33	3,098.33	Open	N 08/09/2023
	REPAIR & MAINT			3,098.33			
	Total for vendor 3509 - MUTT MITT:			3,098.33	3,098.33		
Vendor 0273 - NAPA AUTO PARTS:							
621389 78372	NAPA AUTO PARTS WRENCH RACK 235-3100-42220	07/10/2023 pziemer	08/09/2023	17.99	17.99	Open	N 08/09/2023
	REPAIR & MAINT			17.99			
	Total for vendor 0273 - NAPA AUTO PARTS:			17.99	17.99		
Vendor 0736 - NORTHLAND FIRE PROTECTION:							
54426 78407	NORTHLAND FIRE PROTECTION RECHARGE FIRE EXTINGUISHERS 225-2120-42209	07/07/2023 pziemer	08/09/2023	148.90	148.90	Open	N 08/09/2023
	SAFETY EQUIPMENT SUPPLIES			148.90			
	Total for vendor 0736 - NORTHLAND FIRE PROTECTION:			148.90	148.90		
Vendor 0284 - OFFICE SHOP:							
1129706-0 78401	OFFICE SHOP BAGS FOR CAMPGROUND TICKETS 230-5280-42210	07/17/2023 pziemer	08/09/2023	14.04	14.04	Open	N 08/09/2023
	OPERATING SUPPLIES			14.04			
1129700-2 78402	OFFICE SHOP CLEANING SUPPLIES 101-1940-42220	07/14/2023 pziemer	08/09/2023	4.04	4.04	Open	N 08/09/2023
	REPAIR & MAINT			4.04			
1129700-1 78403	OFFICE SHOP CLEANING SUPPLIES 101-1940-42220	07/14/2023 pziemer	08/09/2023	53.31	53.31	Open	N 08/09/2023
	REPAIR & MAINT			53.31			

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
1130055-0 78464	OFFICE SHOP BULLETIN BOARD/PINS - CDD 101-2400-42210	07/21/2023 pziemer	08/09/2023	193.85 193.85	193.85	Open	N 08/09/2023
1130356-0 78600	OFFICE SHOP LAMINATE JET HEAD REBUILD INSTRUCTION 237-3190-42220	07/27/2023 pziemer	08/09/2023	2.00 2.00	2.00	Open	N 08/09/2023
1130315-0 78603	OFFICE SHOP MAS DOORSTOP - BIG FOOT 235-3100-42200	07/27/2023 pziemer	08/09/2023	11.99 11.99	11.99	Open	N 08/09/2023
327704-0 78607	OFFICE SHOP LIBRARY COPIER CONTRACT 211-5505-43430	07/20/2023 pziemer	08/09/2023	112.36 112.36	112.36	Open	N 08/09/2023
	MISC - COPY MACHINE PYMTS			112.36			
	Total for vendor 0284 - OFFICE SHOP:			391.59	391.59		

Vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:

1647-208797 78481	O'REILLY AUTOMOTIVE STORES INC. MULTIMETER 225-2120-42240	07/13/2023 pziemer	08/09/2023	23.99 23.99	23.99	Open	N 08/09/2023
1647-213259 78676	O'REILLY AUTOMOTIVE STORES INC. SQD 436 - OIL 225-2120-42221	08/01/2023 pziemer	08/09/2023	7.29 7.29	7.29	Open	N 08/09/2023
1647-212352 78738	O'REILLY AUTOMOTIVE STORES INC. LAWNMOWER MAINTENANCE 230-5200-42220	07/28/2023 pziemer	08/09/2023	63.44 63.44	63.44	Open	N 08/09/2023
	Total for vendor 2137 - O'REILLY AUTOMOTIVE STORES INC.:			94.72	94.72		

Vendor MISC - PALAMINO SEWER SERVICE:

1707 LINDEN LANE 78663	PALAMINO SEWER SERVICE SEWER BACKUP CAUSED BY VAC TRUCK 237-3190-42220	07/20/2023 pziemer	08/09/2023	330.00 330.00	330.00	Open	N 08/09/2023
	Total for vendor MISC - PALAMINO SEWER SERVICE:			330.00	330.00		

Vendor 0004 - PALLANSCH, DEREK:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
7/27/23 78677	PALLANSCH, DEREK TASER RECERTIFICATION TRNG - REIMBURSEMENT 225-2120-43330	07/27/2023 pziemer	08/09/2023	55.21 55.21	55.21	Open	N 08/09/2023
Total for vendor 0004 - PALLANSCH, DEREK:				55.21	55.21		

Vendor 3413 - RATWIK, ROSZAK AND MALONEY:

JUNE 2023 78736	RATWIK, ROSZAK AND MALONEY JUN 23 RETAINER/SPECIAL SERVICES 101-1610-43301 101-0000-14100 101-0000-14100 101-1610-43301 101-0000-14100	07/01/2023 pziemer	08/09/2023	7,566.04 4,092.04 313.50 396.00 2,335.50 429.00	7,566.04	Open	N 08/09/2023
Total for vendor 3413 - RATWIK, ROSZAK AND MALONEY:				7,566.04	7,566.04		

Vendor 3612 - SEVERSON PORTER LAW:

JULY 2023 78502	SEVERSON PORTER LAW JUL 23 PROSECUTION AGREEMENT 225-2127-43310	07/25/2023 pziemer	08/09/2023	18,333.33 18,333.33	18,333.33	Open	N 08/09/2023
Total for vendor 3612 - SEVERSON PORTER LAW:				18,333.33	18,333.33		

Vendor 0317 - SHORT ELLIOTT HENDRICKSON:

448895 78439	SHORT ELLIOTT HENDRICKSON IMP 19-02 WEST SEGMENT 401-1902-43300	07/01/2023 pziemer	08/09/2023	684.77 684.77	684.77	Open	N 08/09/2023
Total for vendor 0317 - SHORT ELLIOTT HENDRICKSON:				684.77	684.77		

Vendor 3138 - ST. LOUIS MRO INC.:

58676 78494	ST. LOUIS MRO INC. QTY 3 PRE-EMPLOYMENT CHECKS 101-1700-43300 225-2220-43300	07/01/2023 pziemer	08/09/2023	73.50 24.50 49.00	73.50	Open	N 08/09/2023
Total for vendor 3138 - ST. LOUIS MRO INC.:				73.50	73.50		

Vendor 0322 - STREICHERS PROF EQUIP:

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
I1644590 78482	STREICHERS PROF EQUIP 728CW - INITIAL ISSUE 225-2120-41113	07/14/2023 pziemer	08/09/2023	1,509.77	1,509.77	Open	N 08/09/2023
	UNIFORM ALLOWANCE			1,509.77			
I1644770 78483	STREICHERS PROF EQUIP 702TR - UNIFORM SHIRT 225-2120-41113	07/17/2023 pziemer	08/09/2023	90.98	90.98	Open	N 08/09/2023
	UNIFORM ALLOWANCE			90.98			
CM296084 78498	STREICHERS PROF EQUIP CREDIT - 702TR UNIFORM PANTS 225-2120-41113	07/01/2023 pziemer	08/09/2023	(179.98)	(179.98)	Open	N 08/09/2023
	UNIFORM ALLOWANCE			(179.98)			
I1646133 78678	STREICHERS PROF EQUIP 727 - UNIFORM BOOTS 225-2120-41113	07/25/2023 pziemer	08/09/2023	167.99	167.99	Open	N 08/09/2023
	UNIFORM ALLOWANCE			167.99			
I1646582 78679	STREICHERS PROF EQUIP 705 - UNIFORM BOOTS 225-2120-41113	07/27/2023 pziemer	08/09/2023	207.99	207.99	Open	N 08/09/2023
	UNIFORM ALLOWANCE			207.99			
I1646634 78680	STREICHERS PROF EQUIP 728CW - INITIAL ISSUE 225-2120-41113	07/27/2023 pziemer	08/09/2023	342.97	342.97	Open	N 08/09/2023
	UNIFORM ALLOWANCE			342.97			
Total for vendor 0322 - STREICHERS PROF EQUIP:				2,139.72	2,139.72		

Vendor 3838 - SWANSON HASKAMP CONSULTING:

JULY 2023 78470	SWANSON HASKAMP CONSULTING JUL 23 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	07/24/2023 pziemer	08/09/2023	2,916.67	2,916.67	Open	N 08/09/2023
	PROFESSIONAL SERVICES			2,916.67			
Total for vendor 3838 - SWANSON HASKAMP CONSULTING:				2,916.67	2,916.67		

Vendor MISC - THOMAS ALLEN HOMES LLC:

BFG22-0023 78381	THOMAS ALLEN HOMES LLC BD Bond Refund 101-0000-20600	07/19/2023 pziemer	08/09/2023	12,000.00	12,000.00	Open	N 08/09/2023
	BFG22-0023			12,000.00			
Total for vendor MISC - THOMAS ALLEN HOMES LLC:				12,000.00	12,000.00		

Vendor MISC - TRACY, JEFFREY RAMOND &:

08/03/2023 01:47 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

Page: 27/42

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
00044313 78694	TRACY, JEFFREY RAMOND & 1123 15TH AVE: BD PAYMENT REFUND 101-2400-32210 101-2400-32210 101-0000-21800 101-0000-36300	08/01/2023 pziemer	08/09/2023	148.53 88.50 57.53 2.40 0.10	148.53	Open	N 08/09/2023
	Total for vendor MISC - TRACY, JEFFREY RAMOND &:			148.53	148.53		

Vendor 2956 - ULINE:

166513049 78664	ULINE GREEN SEWER MARKING PAINT/LOCATES 237-3190-42220	07/27/2023 pziemer	08/09/2023	551.99 551.99	551.99	Open	N 08/09/2023
	REPAIR & MAINT			551.99			
	Total for vendor 2956 - ULINE:			551.99	551.99		

Vendor 2939 - VIKING COCA COLA BOTTLING CO:

3187845 78740	VIKING COCA COLA BOTTLING CO CONCESSIONS - BANE BEVERAGES 230-5204-42210	07/05/2023 pziemer	08/09/2023	487.75 487.75	487.75	Open	N 08/09/2023
	OPERATING SUPPLIES			487.75			
3169635 78744	VIKING COCA COLA BOTTLING CO CONCESSIONS - JAYCEES BEVERAGES 230-5204-42210	07/01/2023 pziemer	08/09/2023	43.00 43.00	43.00	Open	N 08/09/2023
	OPERATING SUPPLIES			43.00			
	Total for vendor 2939 - VIKING COCA COLA BOTTLING CO:			530.75	530.75		

Vendor 0087 - VISIT BRAINERD:

MAY 23 LODGING 78373	VISIT BRAINERD REMIT MAY 2023 LODGING TAX 101-9200-43340	07/14/2023 pziemer	08/09/2023	2,863.30 2,863.30	2,863.30	Open	N 08/09/2023
	LODGING TAX REMIT/PR			2,863.30			
JULY 2023 78469	VISIT BRAINERD JUL 23 ECONOMIC DEVELOPMENT CONSULTING 295-6510-43300	07/24/2023 pziemer	08/09/2023	3,333.34 3,333.34	3,333.34	Open	N 08/09/2023
	PROFESSIONAL SERVICES			3,333.34			
	Total for vendor 0087 - VISIT BRAINERD:			6,196.64	6,196.64		

Vendor 0344 - WASTE PARTNERS INC:

37X02876/STRTS 78721	WASTE PARTNERS INC JUN 23 STREET DEPT WASTE REMOVAL	07/31/2023 pziemer	08/09/2023	55.58	55.58	Open	N 08/09/2023
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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	235-3100-43380 UTILITIES			55.58			
37X02876/PARKS 78722	WASTE PARTNERS INC JUN 23 PARKS SHOP WASTE REMOVAL 230-5200-43380 UTILITIES	07/31/2023 pziemer	08/09/2023	55.57 55.57	55.57	Open	N 08/09/2023
37X02875 78723	WASTE PARTNERS INC JUN 23 PARKS WASTE REMOVAL 230-5200-43380 UTILITIES	07/31/2023 pziemer	08/09/2023	971.10 971.10	971.10	Open	N 08/09/2023
37X02877 78724	WASTE PARTNERS INC JUN 23 FIRE DEPT WASTE REMOVAL 225-2220-43380 UTILITIES	07/31/2023 pziemer	08/09/2023	111.15 111.15	111.15	Open	N 08/09/2023
37X02878 78725	WASTE PARTNERS INC JUN 23 CITY HALL WASTE REMOVAL 101-1940-43380 UTILITIES	07/31/2023 pziemer	08/09/2023	144.35 144.35	144.35	Open	N 08/09/2023
37X02879 78726	WASTE PARTNERS INC JUN 23 DOWNTOWN WASTE REMOVAL 401-1003-43300 PROFESSIONAL SERVICES	07/31/2023 pziemer	08/09/2023	243.36 243.36	243.36	Open	N 08/09/2023
37X02880 78727	WASTE PARTNERS INC JUN 23 POLICE DEPT WASTE REMOVAL 225-2120-43380 UTILITIES	07/31/2023 pziemer	08/09/2023	136.15 136.15	136.15	Open	N 08/09/2023
37X02881 78728	WASTE PARTNERS INC JUN 23 WASTE OIL REMOVAL 227-3230-43428 USED OIL RECYCLING EXPENSE	07/31/2023 pziemer	08/09/2023	64.35 64.35	64.35	Open	N 08/09/2023
Total for vendor 0344 - WASTE PARTNERS INC:				1,781.61	1,781.61		

Vendor 3914 - WATSON COMPANY:

135706 78741	WATSON COMPANY MMP CONCESSIONS - CANDY/PRETZELS 230-5204-42210 OPERATING SUPPLIES	07/25/2023 pziemer	08/09/2023	329.85 329.85	329.85	Open	N 08/09/2023
Total for vendor 3914 - WATSON COMPANY:				329.85	329.85		

Vendor 0888 - WEST BRAINERD AUTO SERVICE:

046067 78681	WEST BRAINERD AUTO SERVICE SQD 436 - TOW	08/01/2023 pziemer	08/09/2023	20.00	20.00	Open	N 08/09/2023
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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		20.00			
	Total for vendor 0888 - WEST BRAINERD AUTO SERVICE:			20.00	20.00		
Vendor 0346 - WIDSETH SMITH NOLTING:							
224517 78691	WIDSETH SMITH NOLTING	07/24/2023	08/09/2023	4,686.24	4,686.24	Open	N 08/09/2023
	IMP 21-17 LUM PARK ROAD/BOAT LAUNCH pziemer						
	401-9030-43300-21:17	PROFESSIONAL SERVICES		4,686.24			
	Total for vendor 0346 - WIDSETH SMITH NOLTING:			4,686.24	4,686.24		
Vendor 1159 - WINNERS TROPHY:							
12809 78409	WINNERS TROPHY	07/15/2023	08/09/2023	50.00	50.00	Open	N 08/09/2023
	PLANNING COMMISSION - NAME PLATES pziemer						
	101-2400-43430	MISCELLANEOUS		50.00			
12827 78455	WINNERS TROPHY	07/21/2023	08/09/2023	165.00	165.00	Open	N 08/09/2023
	FIREFIGHTER AWARDS-RECOGNITIONS pziemer						
	225-2220-43430	MISCELLANEOUS		165.00			
	Total for vendor 1159 - WINNERS TROPHY:			215.00	215.00		
Vendor 1712 - WSB & ASSOCIATES:							
R-020548-000-11 78376	WSB & ASSOCIATES	07/13/2023	08/09/2023	2,787.50	2,787.50	Open	N 08/09/2023
	HARRISON SRTS MAY 2023 pziemer						
	401-9030-43300-22:06	PROFESSIONAL SERVICES		2,787.50			
	Total for vendor 1712 - WSB & ASSOCIATES:			2,787.50	2,787.50		
Vendor 0354 - ZIEGLER, INC:							
CM000155561 78374	ZIEGLER, INC	07/14/2023	08/09/2023	(25.00)	(25.00)	Open	N 08/09/2023
	PCC REBATE pziemer						
	235-3100-42220	REPAIR & MAINT		(25.00)			
IN001080866 78377	ZIEGLER, INC	07/15/2023	08/09/2023	43.83	43.83	Open	N 08/09/2023
	GRADER 112 COMPARTMENT LATCH pziemer						
	235-3100-42220	REPAIR & MAINT		43.83			
IN001085273 78440	ZIEGLER, INC	07/19/2023	08/09/2023	434.88	434.88	Open	N 08/09/2023
	SKID STEER BEARINGS AND PIN ADAPTERS pziemer						
	235-3100-42220	REPAIR & MAINT		434.88			

08/03/2023 01:47 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 30/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
IN001085166 78441	ZIEGLER, INC SKID STEER CUTTING EDGE 235-3100-42220	07/19/2023 pziemer	08/09/2023	316.35	316.35	Open	N 08/09/2023
	REPAIR & MAINT			316.35			
	Total for vendor 0354 - ZIEGLER, INC:			770.06	770.06		

PCard: 2257 U.S. BANK Card Holder: CITY HALL

Vendor 3766 - A SMART SIGN STORE:

6/30/23 78665	A SMART SIGN STORE ASSET TAGS 101-1800-42210	07/01/2023 pziemer	08/09/2023	206.43	206.43	Open	N 08/09/2023
	OPERATING SUPPLIES			206.43			
	Total for vendor 3766 - A SMART SIGN STORE:			206.43	206.43		

Vendor 3698 - AMAZON:

7/6/23 78536	AMAZON UTILITY CART - GREGORY PARK 230-5200-42220	07/06/2023 pziemer	08/09/2023	94.98	94.98	Open	N 08/09/2023
	REPAIR & MAINT			94.98			
7/6/23 - 2 78537	AMAZON HAND TRUCK DOLLY - PARKS 230-5200-42220	07/06/2023 pziemer	08/09/2023	148.19	148.19	Open	N 08/09/2023
	REPAIR & MAINT			148.19			
7/2/23 78539	AMAZON AWS JUNE 2023 101-1800-43309	07/02/2023 pziemer	08/09/2023	228.50	228.50	Open	N 08/09/2023
	COMPUTER SUPPORT			228.50			
7/19/23 78547	AMAZON WHITEBOARD - B.BOSER 101-1940-42200	07/19/2023 pziemer	08/09/2023	42.89	42.89	Open	N 08/09/2023
	OFFICE SUPPLIES			42.89			
	Total for vendor 3698 - AMAZON:			514.56	514.56		

Vendor 0900 - CUB FOODS - BRAINERD:

7/20/23 78541	CUB FOODS - BRAINERD JULY 2023 LNL SUPPLIES 278-6515-43430	07/20/2023 pziemer	08/09/2023	68.08	68.08	Open	N 08/09/2023
	MISCELLANEOUS			68.08			
	Total for vendor 0900 - CUB FOODS - BRAINERD:			68.08	68.08		

Vendor MISC - EVENTBRITE:

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 31/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
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PCard: 2257 U.S. BANK Card Holder: CITY HALL

7/20/23 78535	EVENTBRITE LAMP BREAKFAST - J.BERGMAN 101-1400-43330	07/09/2023 pziemer	08/09/2023	50.00	50.00	Open	N 08/09/2023
	PROFESSIONAL DEVELOPMENT			50.00			
	Total for vendor MISC - EVENTBRITE:			50.00	50.00		

Vendor 3719 - FLEET FARM:

6/30/23 78534	FLEET FARM NAILS - ENG 401-9030-43430	07/01/2023 pziemer	08/09/2023	23.39	23.39	Open	N 08/09/2023
	MISCELLANEOUS			23.39			
	Total for vendor 3719 - FLEET FARM:			23.39	23.39		

Vendor 0619 - LEAGUE OF MN CITIES:

7/20/23 78540	LEAGUE OF MN CITIES 2023 CLERKS ACADEMY - J.BERGMAN 101-1400-43330	07/20/2023 pziemer	08/09/2023	250.00	250.00	Open	N 08/09/2023
	PROFESSIONAL DEVELOPMENT			250.00			
	Total for vendor 0619 - LEAGUE OF MN CITIES:			250.00	250.00		

Vendor 0517 - MCFOA:

6/29/23 78544	MCFOA ANNUAL MEMBERSHIP - C.HILLMAN 101-1400-43433	07/01/2023 pziemer	08/09/2023	50.00	50.00	Open	N 08/09/2023
	DUES & SUBSCRIPTIONS			50.00			
	Total for vendor 0517 - MCFOA:			50.00	50.00		

Vendor 0519 - MN GFOA:

6/30/23 78545	MN GFOA MEMBERSHIP RENEWAL FEE - C.HILLMAN 101-1400-43433	07/01/2023 pziemer	08/09/2023	190.00	190.00	Open	N 08/09/2023
	DUES & SUBSCRIPTIONS			190.00			
	Total for vendor 0519 - MN GFOA:			190.00	190.00		

Vendor 4224 - PSHRA:

7/7/23 78538	PSHRA ANNUAL MEMBERSHIP - K.SCHUBERT 101-1400-43433	07/07/2023 pziemer	08/09/2023	175.00	175.00	Open	N 08/09/2023
	DUES & SUBSCRIPTIONS			175.00			
	Total for vendor 4224 - PSHRA:			175.00	175.00		

08/03/2023 01:47 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 32/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
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PCard: 2257 U.S. BANK Card Holder: CITY HALL

Vendor 4225 - R & J HOLDINGS:

7/20/23 78542	R & J HOLDINGS JULY 2023 LNL - FOOD 278-6515-43430	07/20/2023 pziemer	08/09/2023	1,435.55	1,435.55	Open	N 08/09/2023
	MISCELLANEOUS			1,435.55			
	Total for vendor 4225 - R & J HOLDINGS:			1,435.55	1,435.55		

Vendor MISC - WORDPRESS:

7/17/23 78553	WORDPRESS BRD RIVERFRONT WEBSITE 7/19/23-7/18/2023 101-1800-43309	07/17/2023 pziemer	08/09/2023	99.00	99.00	Open	N 08/09/2023
	COMPUTER SUPPORT			99.00			
7/19/23 78554	WORDPRESS BRD RIVERFRONT DOMAIN REG 7/19/23-7/18/2023 101-1800-43309	07/19/2023 pziemer	08/09/2023	19.00	19.00	Open	N 08/09/2023
	COMPUTER SUPPORT			19.00			
	Total for vendor MISC - WORDPRESS:			118.00	118.00		

Vendor 3858 - ZOOM VIDEO COMMUNICATIONS:

7/18/23 78546	ZOOM VIDEO COMMUNICATIONS ZOOM 7/18/23-8/17/23 101-1800-43309	07/18/2023 pziemer	08/09/2023	31.98	31.98	Open	N 08/09/2023
	COMPUTER SUPPORT			31.98			
	Total for vendor 3858 - ZOOM VIDEO COMMUNICATIONS:			31.98	31.98		

Total PCard: 2257 U.S. BANK Card Holder: CITY HALL

3,112.99	3,112.99
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08/03/2023 01:47 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

Page: 33/42

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
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PCard: 2257 U.S. BANK Card Holder: PARKS

Vendor 3711 - COSTCO:

6/26/23 78550	COSTCO CONCESSIONS - CHIPS, POP, BUNS 230-5204-42210	07/01/2023 pziemer OPERATING SUPPLIES	08/09/2023	214.55 214.55	214.55	Open	N 08/09/2023
6/29/23 78551	COSTCO CONCESSIONS/ICE 230-5200-42210 230-5204-42210	07/01/2023 pziemer OPERATING SUPPLIES OPERATING SUPPLIES	08/09/2023	54.85 3.29 51.56	54.85	Open	N 08/09/2023
7/18/23 78555	COSTCO CONCESSIONS - HOT DOGS 230-5204-42210	07/18/2023 pziemer OPERATING SUPPLIES	08/09/2023	47.97 47.97	47.97	Open	N 08/09/2023
7/18/23 - 2 78556	COSTCO CONCESSIONS - CHIPS 230-5204-42210	07/18/2023 pziemer OPERATING SUPPLIES	08/09/2023	59.46 59.46	59.46	Open	N 08/09/2023
7/11/23 78557	COSTCO CONCESSIONS - POP/HOTDOGS/BUNS 230-5204-42210	07/11/2023 pziemer OPERATING SUPPLIES	08/09/2023	136.17 136.17	136.17	Open	N 08/09/2023
7/20/23 78559	COSTCO CONCESSIONS - POP/HOTDOGS 230-5204-42210	07/20/2023 pziemer OPERATING SUPPLIES	08/09/2023	101.04 101.04	101.04	Open	N 08/09/2023
7/24/23 78560	COSTCO CONCESSIONS - HOTDOGS 230-5204-42210	07/24/2023 pziemer OPERATING SUPPLIES	08/09/2023	26.94 26.94	26.94	Open	N 08/09/2023
7/21/23 78561	COSTCO CONCESSIONS - HOTDOGS 230-5204-42210	07/21/2023 pziemer OPERATING SUPPLIES	08/09/2023	47.97 47.97	47.97	Open	N 08/09/2023
Total for vendor 3711 - COSTCO:				688.95	688.95		

Vendor 2193 - GOVERNMENT FINANCE OFFICERS ASSN:

6/28/23 78543	GOVERNMENT FINANCE OFFICERS ASSN COA REVIEW FEE	07/01/2023 pziemer	08/09/2023	460.00	460.00	Open	N 08/09/2023
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08/03/2023 01:47 PM

User: pziemer

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 34/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
PCard: 2257 U.S. BANK Card Holder: PARKS							
	101-9200-43430	MISCELLANEOUS		460.00			
	Total for vendor 2193 - GOVERNMENT FINANCE OFFICERS ASSN:			460.00	460.00		
Vendor 0006 - WALMART COMMUNITY/GECRB:							
6/27/23							
78548	WALMART COMMUNITY/GECRB	07/01/2023	08/09/2023	91.88	91.88	Open	N
	CONCESSIONS	pziemer					08/09/2023
	230-5204-42210	OPERATING SUPPLIES		91.88			
6/29/23							
78549	WALMART COMMUNITY/GECRB	07/01/2023	08/09/2023	86.90	86.90	Open	N
	CONCESSIONS	pziemer					08/09/2023
	230-5204-42210	OPERATING SUPPLIES		86.90			
7/17/23							
78558	WALMART COMMUNITY/GECRB	07/17/2023	08/09/2023	108.00	108.00	Open	N
	CONCESSIONS - SNACKS/CANDY	pziemer					08/09/2023
	230-5204-42210	OPERATING SUPPLIES		108.00			
	Total for vendor 0006 - WALMART COMMUNITY/GECRB:			286.78	286.78		
Total PCard: 2257 U.S. BANK Card Holder: PARKS				1,435.73	1,435.73		

08/03/2023 01:47 PM

User: pziemer

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 35/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
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PCard: 2257 U.S. BANK Card Holder: POLICE

Vendor 0011 - ACE HARDWARE:

7/3/23 78518	ACE HARDWARE	07/03/2023 pziemer	08/09/2023	33.45	33.45	Open	N 08/09/2023
	SAFETY SUPPLIES - PARADE ASSIST						
	225-2120-42209	SAFETY EQUIPMENT SUPPLIES		33.45			
	Total for vendor 0011 - ACE HARDWARE:			33.45	33.45		

Vendor 3698 - AMAZON:

7/10/23 78523	AMAZON	07/10/2023 pziemer	08/09/2023	44.00	44.00	Open	N 08/09/2023
	EVIDENCE DESTRUCTION SUPPLIES						
	225-2120-42210	OPERATING SUPPLIES		44.00			
7/21/23 78529	AMAZON	07/21/2023 pziemer	08/09/2023	116.72	116.72	Open	N 08/09/2023
	LAMINATING POUCHES, EVIDENCE SUPPLIES						
	225-2120-42200	OFFICE SUPPLIES		48.83			
	225-2120-42210	OPERATING SUPPLIES		67.89			
7/5/23 78532	AMAZON	07/05/2023 pziemer	08/09/2023	41.49	41.49	Open	N 08/09/2023
	FLASHDRIVES & FLASHDRIVE ENVELOPES						
	225-2120-42210	OPERATING SUPPLIES		41.49			
	Total for vendor 3698 - AMAZON:			202.21	202.21		

Vendor MISC - LITTLE CAESARS:

7/4/23 78519	LITTLE CAESARS	07/04/2023 pziemer	08/09/2023	120.67	120.67	Open	N 08/09/2023
	PARADE ASSIST						
	225-2120-43430	MISCELLANEOUS		120.67			
	Total for vendor MISC - LITTLE CAESARS:			120.67	120.67		

Vendor 0260 - MN BUREAU OF CRIM APPREHENSION:

6/30/23 78515	MN BUREAU OF CRIM APPREHENSION	07/01/2023 pziemer	08/09/2023	50.00	50.00	Open	N 08/09/2023
	A.KORTE - NIBRS TRAINING						
	225-2120-43330	PROFESSIONAL DEVELOPMENT		50.00			
6/30/23 - 2 78516	MN BUREAU OF CRIM APPREHENSION	07/01/2023 pziemer	08/09/2023	50.00	50.00	Open	N 08/09/2023
	K. MARQUART - NIBRS TRAINING						
	225-2120-43330	PROFESSIONAL DEVELOPMENT		50.00			

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

Page: 36/42

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
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PCard: 2257 U.S. BANK Card Holder: POLICE

6/30/23 - 3

78517	MN BUREAU OF CRIM APPREHENSION M. HALVERSON - NIBRS TRAINING 225-2120-43330	07/01/2023 pziemer	08/09/2023	50.00	50.00	Open	N 08/09/2023
	PROFESSIONAL DEVELOPMENT			50.00			

7/24/23

78530	MN BUREAU OF CRIM APPREHENSION 707 - DMT RECERTIFICATION TRNG 225-2120-43330	07/24/2023 pziemer	08/09/2023	75.00	75.00	Open	N 08/09/2023
	PROFESSIONAL DEVELOPMENT			75.00			
	Total for vendor 0260 - MN BUREAU OF CRIM APPREHENSION:			225.00	225.00		

Vendor 0418 - MN CHIEF'S OF POLICE ASSO:

7/11/23

78524	MN CHIEF'S OF POLICE ASSO 200 PERMIT TO ACQUIRE CARDS 225-2120-42210	07/11/2023 pziemer	08/09/2023	137.00	137.00	Open	N 08/09/2023
	OPERATING SUPPLIES			137.00			
	Total for vendor 0418 - MN CHIEF'S OF POLICE ASSO:			137.00	137.00		

Vendor 0273 - NAPA AUTO PARTS:

7/13/23

78526	NAPA AUTO PARTS SQUAD WASH 225-2120-42221	07/13/2023 pziemer	08/09/2023	26.99	26.99	Open	N 08/09/2023
	SQUAD CAR REPAIR SUPPLIES			26.99			
	Total for vendor 0273 - NAPA AUTO PARTS:			26.99	26.99		

Vendor 4152 - SKD TACTICAL:

7/6/23

78521	SKD TACTICAL TRT PISTOL GRIP 225-2131-42210	07/06/2023 pziemer	08/09/2023	24.00	24.00	Open	N 08/09/2023
	OPERATING SUPPLIES			24.00			
	Total for vendor 4152 - SKD TACTICAL:			24.00	24.00		

Vendor 3703 - TRANSUNION RISK:

7/1/23

78520	TRANSUNION RISK INVESTIGATIONS & PARKING TKT COLLECT 225-2120-42210	07/01/2023 pziemer	08/09/2023	75.00	75.00	Open	N 08/09/2023
	OPERATING SUPPLIES			75.00			
	Total for vendor 3703 - TRANSUNION RISK:			75.00	75.00		

Vendor 3697 - USPS:

08/03/2023 01:47 PM

User: pziemer

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 37/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
PCard: 2257 U.S. BANK Card Holder: POLICE							
6/26/23 78512	USPS POSTAGE 225-2120-43322	07/01/2023 pziemer	08/09/2023	11.75	11.75	Open	N 08/09/2023
	POSTAGE			11.75			
6/27/23 78513	USPS POSTAGE 225-2120-43322	07/01/2023 pziemer	08/09/2023	3.18	3.18	Open	N 08/09/2023
	POSTAGE			3.18			
6/29/23 78514	USPS POSTAGE 225-2120-43322	07/01/2023 pziemer	08/09/2023	4.85	4.85	Open	N 08/09/2023
	POSTAGE			4.85			
7/7/23 78522	USPS POSTAGE 225-2120-43322	07/07/2023 pziemer	08/09/2023	5.50	5.50	Open	N 08/09/2023
	POSTAGE			5.50			
7/11/23 78525	USPS POSTAGE 225-2120-43322	07/11/2023 pziemer	08/09/2023	6.25	6.25	Open	N 08/09/2023
	POSTAGE			6.25			
7/14/23 78527	USPS POSTAGE 225-2120-43322	07/14/2023 pziemer	08/09/2023	4.85	4.85	Open	N 08/09/2023
	POSTAGE			4.85			
7/18/23 78528	USPS POSTAGE 225-2120-43322	07/18/2023 pziemer	08/09/2023	1.35	1.35	Open	N 08/09/2023
	POSTAGE			1.35			
7/24/23 78531	USPS POSTAGE 225-2120-43322	07/24/2023 pziemer	08/09/2023	28.30	28.30	Open	N 08/09/2023
	POSTAGE			28.30			
	Total for vendor 3697 - USPS:			66.03	66.03		
Total PCard: 2257 U.S. BANK Card Holder: POLICE				910.35	910.35		

08/03/2023 01:47 PM

User: pziemer

DB: Brainerd

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

Page: 38/42

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
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PCard: 2257 U.S. BANK Card Holder: STREETS

Vendor 2588 - PARTYTIME RENTAL:

7/19/23

78533

PARTYTIME RENTAL

07/19/2023

08/09/2023

1,114.20

1,114.20

Open

N

TENT/TABLES/CHAIRS - EMPLOYEE PICNIC pziemer

08/09/2023

278-6515-43430

MISCELLANEOUS

1,114.20

Total for vendor 2588 - PARTYTIME RENTAL:

1,114.20

1,114.20

Total PCard: 2257 U.S. BANK Card Holder: STREETS

1,114.20

1,114.20

of Invoices: 260 # Due: 260

Totals:

1,102,234.99

1,102,234.99

of Credit Memos: 4 # Due: 4

Totals:

(2,639.66)

(2,639.66)

Net of Invoices and Credit Memos:

1,099,595.33

1,099,595.33

* 1 Net Invoices have Credits Totalling:

(20,798.41)

--- TOTALS BY GL DISTRIBUTION ---

101-0000-14100	DUE FROM COMPONENT UNIT	1,214.05
101-0000-15510	PREPAID OTHER	4,420.76
101-0000-20600	BFG22-0023	12,000.00
101-0000-20810	STATE TAX PAYABLE	41.86
101-0000-20811	COUNTY SALES TAX	3.05
101-0000-20812	CITY TAX PAYABLE	3.04
101-0000-20850	DUE TO COMPONENT UNIT	7,437.25
101-0000-21800	Residential State Surcharge - Flat	3.36
101-0000-31410	LODGING TAX	18.12
101-0000-36300	Residential State Surcharge - Flat	0.14
101-1400-43321	TELEPHONE	148.98
101-1400-43330	PROFESSIONAL DEVELOPMENT	300.00
101-1400-43433	DUES & SUBSCRIPTIONS	613.00
101-1610-43301	CITY ATTORNEY	6,427.54
101-1700-42220	REPAIR & MAINT	555.00
101-1700-43300	PROFESSIONAL SERVICES	24.50
101-1700-43321	TELEPHONE	275.10
101-1800-42210	OPERATING SUPPLIES	829.78
101-1800-43309	COMPUTER SUPPORT	6,749.05
101-1800-43321	TELEPHONE	175.78
101-1800-43331	LEASE PAYMENTS	1,306.95
101-1940-42200	OFFICE SUPPLIES	42.89
101-1940-42220	REPAIR & MAINT	57.35
101-1940-43300	PROFESSIONAL SERVICES	1,349.97
101-1940-43380	UTILITIES	311.13
101-1940-43381	BPU UTILITIES	2,588.77
101-1940-43410	RENTAL EXPENSE	88.16
101-2400-32210	Residential Re-Roof Only	216.03
101-2400-42210	OPERATING SUPPLIES	193.85
101-2400-43321	TELEPHONE	148.98
101-2400-43350	PRINTING/LEGAL PUBLICATION	204.12
101-2400-43405	NUISANCES	2,475.00

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	101-2400-43430	MISCELLANEOUS		50.00			
	101-9200-43300	PROFESSIONAL SERVICES		(8,427.16)			
	101-9200-43340	LODGING TAX REMIT/PR		2,863.30			
	101-9200-43350	LEGAL PUBLICATIONS		163.11			
	101-9200-43381	BPU UTILITIES		125.99			
	101-9200-43430	MISCELLANEOUS		960.00			
	203-9000-42212	MOTOR FUELS		4,491.64			
	203-9000-43321	TELEPHONE		49.66			
	203-9000-43350	PRINTING/LEGAL PUBLICATION		118.99			
	203-9000-43401	VEHICLE REPAIRS		2,525.51			
	203-9000-43440	TRANSIT SERVICE CONTRACT PY		91,802.07			
	211-0000-20800	DUE TO OTHER GOVT UNITS		100.00			
	211-5500-42220	REPAIR & MAINT		44.20			
	211-5500-43380	UTILITIES		69.19			
	211-5500-43381	BPU UTILITIES		2,216.58			
	211-5505-43430	MISC - COPY MACHINE PYMTS		112.36			
	225-2120-41113	UNIFORM ALLOWANCE		2,139.72			
	225-2120-42200	OFFICE SUPPLIES		51.82			
	225-2120-42209	SAFETY EQUIPMENT SUPPLIES		186.95			
	225-2120-42210	OPERATING SUPPLIES		872.85			
	225-2120-42221	SQUAD CAR REPAIR SUPPLIES		1,044.86			
	225-2120-42240	SMALL TOOLS		23.99			
	225-2120-43300	PROFESSIONAL SERVICES		1,500.17			
	225-2120-43309	COMPUTER TECHNICAL SUPPORT		831.34			
	225-2120-43321	TELEPHONE		1,273.16			
	225-2120-43322	POSTAGE		66.03			
	225-2120-43330	PROFESSIONAL DEVELOPMENT		386.74			
	225-2120-43380	UTILITIES		162.15			
	225-2120-43381	BPU UTILITIES		4,592.78			
	225-2120-43430	MISCELLANEOUS		120.67			
	225-2127-43310	MISDEMEANOR PROSECUTOR		18,333.33			
	225-2131-42210	OPERATING SUPPLIES		24.00			
	225-2220-42200	OFFICE SUPPLIES		48.21			
	225-2220-42210	OPERATING SUPPLIES		477.38			
	225-2220-42250	PERSONAL PROTECTIVE GEAR		32.50			
	225-2220-43300	PROFESSIONAL SERVICES		231.03			
	225-2220-43321	TELEPHONE		344.07			
	225-2220-43331	LEASED PAYMENTS		80.69			
	225-2220-43380	UTILITIES		169.29			
	225-2220-43381	BPU UTILITIES		2,446.53			
	225-2220-43430	MISCELLANEOUS		165.00			
	225-2700-43300	PROFESSIONAL SERVICES		3,076.00			
	227-3230-43428	USED OIL RECYCLING EXPENSE		164.35			
	230-5200-42210	OPERATING SUPPLIES		3.29			
	230-5200-42220	REPAIR & MAINT		12,689.71			
	230-5200-43321	TELEPHONE		272.34			
	230-5200-43380	UTILITIES		1,184.64			
	230-5200-43381	BPU UTILITIES		18,375.45			
	230-5200-43410	RENTAL EXPENSE		380.00			
	230-5204-42210	OPERATING SUPPLIES		2,112.22			
	230-5215-42210	OPERATING SUPPLIES		135.00			
	230-5280-34710	CAMPGROUND REVENUE		608.93			
	230-5280-42210	OPERATING SUPPLIES		14.04			
	230-5280-43380	UTILITIES		865.56			
	235-3100-42200	OFFICE SUPPLIES		11.99			
	235-3100-42220	REPAIR & MAINT		6,504.40			
	235-3100-42240	SMALL TOOLS		169.99			

INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	235-3100-43321	TELEPHONE		137.55			
	235-3100-43380	UTILITIES		270.11			
	235-3100-43381	BPU UTILITIES		24,492.75			
	235-3100-43410	RENTAL EXPENSE		82.80			
	235-3100-43430	MISCELLANEOUS		163.73			
	235-3125-42220	REPAIR & MAINT		42,858.96			
	235-3170-42210	OPERATING SUPPLIES		535.92			
	236-3180-43381	BPU UTILITIES		36.00			
	237-3190-42220	REPAIR & MAINT		1,107.84			
	237-3190-43321	TELEPHONE		38.23			
	260-9020-43300	PROFESSIONAL SERVICES		22,635.21			
	260-9020-43309	COMPUTER SUPPORT		224.00			
	278-6515-43430	MISCELLANEOUS		2,617.83			
	295-0000-20600	DEPOSITS PAYABLE		66.00			
	295-6510-43300	PROFESSIONAL SERVICES		10,075.77			
	295-6510-43430	MISCELLANEOUS		44.00			
	305-0000-20300	DUE TO TAX PAYER (ASSMENTTS)		179.80			
	400-1481-43300	PROFESSIONAL SERVICES		24,850.00			
	400-9050-45530	CAPITAL - OTHER		46,353.65			
	401-1003-43300	PROFESSIONAL SERVICES		243.36			
	401-1003-43380	UTILITIES		96.49			
	401-1003-43430	MISCELLANEOUS		5,470.75			
	401-1902-43300	PROFESSIONAL SERVICES		684.77			
	401-9030-43300-21:17	PROFESSIONAL SERVICES		4,686.24			
	401-9030-43300-22:06	PROFESSIONAL SERVICES		2,787.50			
	401-9030-43430	MISCELLANEOUS		23.39			
	401-9030-45530-21:12	CAPITAL-PYMTS TO CONTRACTS		679,170.51			

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 41/42

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			45,958.80	45,958.80		
	203 - TRANSIT FUND			98,987.87	98,987.87		
	211 - LIBRARY FUND			2,542.33	2,542.33		
	225 - PUBLIC SAFETY FUND			38,681.26	38,681.26		
	227 - RECYCLING FUND			164.35	164.35		
	230 - PARK & RECREATION FUND			36,641.18	36,641.18		
	235 - STREET & SEWER FUND			75,228.20	75,228.20		
	236 - PARKING LOT FUND			36.00	36.00		
	237 - SANITARY SEWER FUND			1,146.07	1,146.07		
	260 - AIRPORT FUND			22,859.21	22,859.21		
	278 - HEALTHY EMPLOYE INITIATIVE			2,617.83	2,617.83		
	295 - EDA FUND			10,185.77	10,185.77		
	305 - 2021A DEBT SERVICE FUND			179.80	179.80		
	400 - CAPITAL PROJECTS FUND			71,203.65	71,203.65		
	401 - CONSTRUCTION FUND			693,163.01	693,163.01		
--- TOTALS BY DEPT/ACTIVITY ---							
	0000 -			25,487.43	25,487.43		
	1003 - 10:03 DWNTWN MAIN CNTRACT			5,810.60	5,810.60		
	1400 - ADMINISTRATION			1,061.98	1,061.98		
	1481 - HISTORIC WATER TOWER REPA			24,850.00	24,850.00		
	1610 - LEGAL-CIVIL ATTORNEY			6,427.54	6,427.54		
	1700 - ENGINEERING			854.60	854.60		
	1800 - IT/GIS			9,061.56	9,061.56		
	1902 - 19:02 CLST CONNECTION			684.77	684.77		
	1940 - CITY HALL			4,438.27	4,438.27		
	2120 - POLICE DEPARTMENT			13,253.23	13,253.23		
	2127 - MISDEMEANOR PROSECUTOR			18,333.33	18,333.33		
	2131 - TACTICAL TEAM			24.00	24.00		
	2220 - FIRE DEPARTMENT			3,994.70	3,994.70		
	2400 - COMMUNITY DEVL/INSPECTION			3,287.98	3,287.98		
	2700 - ANIMAL CONTROL			3,076.00	3,076.00		
	3100 - S & S MAINTENANCE			31,833.32	31,833.32		
	3125 - SNOW REMOVAL			42,858.96	42,858.96		
	3170 - TRAFFIC CONTROL			535.92	535.92		
	3180 - PARKING LOTS EXPENSE			36.00	36.00		
	3190 - SANITARY SEWER EXPENSE			1,146.07	1,146.07		
	3230 - RECYCLING EXPENSE			164.35	164.35		
	5200 - PARK MAIN/ADMINISTRATION			32,905.43	32,905.43		
	5204 - CONCESSIONS			2,112.22	2,112.22		
	5215 - ADULT SOFTBALL			135.00	135.00		
	5280 - CAMPGROUND			1,488.53	1,488.53		

08/03/2023 01:47 PM

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INVOICE REGISTER REPORT FOR CITY OF BRAINERD

EXP CHECK RUN DATES 08/07/2023 - 08/07/2023

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 42/42

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
GL Distribution							
--- TOTALS BY DEPT/ACTIVITY ---							
	5500 - LIBRARY-BUDGETED			2,329.97	2,329.97		
	5505 - TAXABLE FEES			112.36	112.36		
	6510 - ECONOMIC DEVELOPMENT AUTH			10,119.77	10,119.77		
	6515 - HEALTHY EMPLOYE INITIATIVE			2,617.83	2,617.83		
	9000 - TRANSIT FUND			98,987.87	98,987.87		
	9020 - AIRPORT M & O			22,859.21	22,859.21		
	9030 - CONSTRUCTION PROJ-MISC			686,667.64	686,667.64		
	9050 - CAPITAL PROJECTS-MISC			46,353.65	46,353.65		
	9200 - CITY-WIDE			(4,314.76)	(4,314.76)		

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:30 P.M. by Council President Bevans.

Upon roll call, the following members were noted as present: Czeczok, O'Day, Stunek, Terry, Stenglein, Johnson, and Bevans. Mayor Badeaux was noted as absent

Council President Bevans opened the meeting with the Pledge of Allegiance to the flag.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STENGLEIN, DULY CARRIED, TO APPROVE THE AGENDA WITH THE ADDITION OF APPROVE PLANS & SPECIFICATIONS AND AUTHORIZE BIDDING- LUM PARK ROAD SPRA PROJECT TO SPW.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STUNEK TO APPROVE THE CONSENT CALENDAR WITH THE ADDITION OF MINNESOTA LAWFUL GAMBLING ADOPT RESOLUTION ALLOWING THE OFFSITE GAMBLING BY THE BRAINERD AMERICAN LEGION POST #255 ON JULY 28 & 29 AT THE MILLS PARKING LOT ON FRONT STREET, BRAINERD, MN.

- A. Approval of Bills
- B. Approval of Minutes
 - a. City Council & HRA Joint Workshop Minutes June 26, 2023
 - b. Regular City Council Minutes July 3, 2023
- C. Approval of Licenses
- D. Department Activity Report
- E. Temporary On-Sale Liquor License Application- Submitted by Vigilant Guardian Veterans Motorcycle Club for an Event to be held on August 18th, 2023, at the Brainerd Armory, 1115 Wright St
- F. Minnesota Lawful Gambling Application- Adopt Resolution Allowing Offsite Gambling by the Brainerd American Legion Post #255 on July 28 & 29 at the Mills Parking Lot on Front Street, Brainerd, MN
- G. Adopt Resolution Accepting Second Quarter Donations
- H. Authorize Hiring of Paid On-Call Firefighters Lee Anderson and Jackson Holmes Effective August 1, 2023

Upon roll call, Council Members Czeczok, O'Day, Stunek, Terry, Stenglein, Johnson, and Bevans. voted "aye". No member voted "nay". The Chair declared the motion carried.

Presentations

2022 Audit Presentation

Mary Reedy, CLA, gave an overview of the 2022 audit. Overall, the results for both the City and Brainerd Public Utilities had a clean opinion with no findings for internal control or Minnesota legal compliance. She thanked staff for being conscientious, responsible, and responsive during the audit. The settlement for the IAFF lawsuit was reported in 2022, due to this the fund balance is out of compliance with the Fund Balance Policy. The audit was submitted to the State on time.

Finance Director Hillman gave an overview of the City's financial results comparing 2022 revenues and expenditures to the budget.

Parks Capital Asset Presentation and Discussion

Andrew Shipe, 711 N 8th St, Park Board Chair, stated that the Park Board has been working over the last 18 months to determine all of the capital assets in all of the parks. The Board has done a tremendous amount of work to start developing a capital plan with the City Council to maintain the parks properly.

Kevin Yeager, 325 Bluff Ave, Park Board Member, gave an overview of the options the Council has for developing a capital plan- fundraising, community partners take over greater ownership, referendum, maintain, avoid grant trap, remove capital, and capital planning. He believes there has been a gap in maintenance in the last 30 years that is now becoming evident.

Member Czczok asked whether the assets included trails and parking lots.

Mr. Yeager stated that if the parking lot is within the park it is included, but these assets are more of the hard structures like pavilions, courts, flag poles, etc.

Member Terry stated that she appreciates all of the work done by the Park Board. She would like to have a work session.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND CZECZOK, DULY CARRIED, TO SET A WORKSHOP FOR JULY 31, 2023, AT 4:00 P.M. IN COUNCIL CHAMBERS TO DEVELOP THE 2024 PARKS BUDGET.

Council Committee Reports

Safety and Public Works Committee

Discussion on Assessment Reductions due to Detours

Committee Chair O'Day stated that staff's recommendation was not to make any reductions on assessments. The calculated reduction would be an insignificant amount when the road is eventually reconstructed. No other City practices reduction of assessments on detours and this may set a precedent. The committee directed staff to consider where the streets affected are placed on the 10-year plan.

Chair Bevans asked about the truck detour signs.

City Engineer/Public Works Director Dehn stated that there is one sign placed at the intersection of Highways 18 and 25 to instruct trucks to detour around. The other sign that was to be placed at 13th Street needed repair and was not placed. However, staff expects that the road will open as early as Thursday so the other sign will not be required.

Member Johnson stated that the Council should do something in the future about the assessments. The MnDOT policy included in the packet doesn't apply, as the City streets are not equipped to handle truck traffic.

Approve Brainerd Transit Fare Increase

Committee Chair O'Day stated that the Committee wanted to have discussion with the full Council.

City Engineer/Public Works Director Dehn gave an overview of the actions by transit partners. With the elimination of the Pine River route, methodology used to develop recommendations was a fuel cost analysis for each partner. The TAC did not make a formal recommendation on fare increases.

Member O'Day asked where the shortfall funding would come from if there was one.

City Engineer/Public Works Director Dehn stated that there is a small fund balance, beyond that the shortfall would come from the City's General Fund or levy.

Member Czezczok stated that he feels that a higher increase in fares will affect those that don't have other options. He feels \$3 for Brainerd originating trips scheduled in advance and \$6 same day scheduling is a compromise.

Member Johnson stated that he was ready to vote no on the recommended increase. He stated that it is public transportation so he doesn't want to squeeze people to make this a profitable venture, but he also does not want to use levy dollars for something that should be able to fund itself. It seems that the transit department is spending too much money. The contract with Blue Sky is the problem. He does not understand how the TAC could so confidently demand that the Council choose the higher bidding third party contractor but when it comes time to pay for the contractor it is placed as the responsibility of the City Council. He is very disappointed in the committee and is unsure what purpose they serve if they can't make a recommendation. He believes that the Brainerd routes should cash flow the operation based on the analysis.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECHOK AND STUNEK, DULY CARRIED, TO APPROVE FARE INCREASE WITH ADVANCED NOTICE TO \$3.00 FOR BRAINERD ORIGINATING DIAL-A-RIDE TRIPS, \$6.00 FOR SAME DAY SERVICE, EFFECTIVE AUGUST 21ST, 2023.

Request Authorization to Solicit Engineering Services for SW 4th Street Outfall Repair

Committee Chair O'Day stated that the outfall is right off of the street, the pictures do not do it justice. Staff would like to take care of this as soon as possible, that is why an RFP is not being requested. Also, since the engineering firms will have similar fee structures for this project.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECHOK, DULY CARRIED, TO AUTHORIZE STAFF TO DIRECT SOLICIT A SURVEY/DESIGN PROPOSAL FROM A CONSULTING ENGINEERING FIRM FOR THE REPAIRS.

Discussion on StreetScan Software and Proposal

Committee Chair O'Day stated that proposals are coming forward with details of the street scan. The committee is not recommending a proposal, rather to put it in the budget in 2024 and add it to the 10-year streets capital plan.

Member Johnson asked if the cost was to come out of the construction fund.

City Engineer/Public Works Director Dehn stated that it is recommended to come out of the construction fund.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO ADD STREET SCANNING AND ASSET MANAGEMENT SOFTWARE SERVICES TO THE 10-YEAR STREETS CAPITAL PLAN BEGINNING WITH INITIAL SCANNING IN 2024.

Discussion on Micromobility Regulations

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO DIRECT STAFF TO PREPARE A PROPOSED ORDINANCE REGULATING MICROMOBILITY.

Consider Directing Staff to Amend Section 320 of the City Code Pertaining to Contesting Citations

Committee Chair O'Day stated that it is a lengthy and costly process to contest citations currently.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO DIRECT STAFF TO DRAFT AN ORDINANCE TO AMEND SECTION 320.17 & 320.19 OF THE CITY CODE PERTAINING TO CONTESTING CITATIONS AND DESIGNATE CITY COUNCIL AS THE AUTHORITY TO HEAR AND REVIEW APPEALS.

Direction on Active Code Enforcement

Committee Chair O'Day gave an overview of the cases.

MOVED AND SECONDED BY MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO OBTAIN A SEARCH WARRANT AND ABATE THE FENCE AT 1306 OAK STREET; FURTHER, TO OBTAIN A SEARCH WARRANT AND ABATE THE JUNK AND DEBRIS AT 412 J ST NE.

Approve Plans & Specifications and Authorize Bidding- Lum Park Road SPRA Project

Chair Bevans asked about an engineers estimate on the road.

City Engineer/Public Works Director Dehn stated that the total cost of the project is \$260,000 with not quite half being funded by the State Park Road account through the DNR.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO THE PLANS AND SPECIFICATIONS AS PRESENTED AND AUTHORIZING BIDDING OF IMPROVEMENT 21-17 (S.A.P. 018-600-034) WITH AN ANTICIPATED BID OPENING OF THURSDAY AUGUST 10TH, 2023.

Personnel and Finance Committee

Accept Resignation of Paid On-Call Firefighter Matthew Ingman

MOVED AND SECONDED BY MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT THE RESIGNATION OF PAID ON-CALL FIREFIGHTER MATTHEW INGMAN EFFECTIVE FRIDAY, JULY 28, 2023.

July 17th, 2023

Unfinished Business

Call for Applicants – Informational:

Mayor Recommended: (terms to expire on 12/31 of said year)

Charter Commission – 2 terms (Expire 2026) 2 terms (Expire 2025)

Library Board- 1 term (Expire 2025)

Rental Dwelling License Board of Appeals – 5 terms (Expire 2025)

TAC—1 term (Expires 2023)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2028)

Council President Recommended: (terms to expire 12/31 of said year)

Parking Commission—1 term (Expire 2026)

New Business

Public Hearing and Adopt Resolution Allowing the HRA to Establish Redevelopment Project Area, TIF District, and Approving TIF Financing Plan

HRA Director Charpentier gave an overview of the process to establish the TIF district.

Mikaela Huot, Baker Tilly, gave an overview of the Thrifty White Redevelopment TIF Plan.

The Chair opened the public hearing at 8:31 p.m.

No one came forward.

The Chair closed the public hearing at 8:32 p.m.

Member Stenglein stated that the Planning Commission met to determine whether this project fit into the comprehensive plan. She also stated that the City Council will see DW Jones a number of times over the course of the project.

MOVED AND SECONDED BY MEMBERS JOHNSON AND STENGLEIN TO ADOPT RESOLUTION ESTABLISHING REDEVELOPMENT PROJECT NO. 2 AND APPROVING A REDEVELOPMENT PLAN THEREFOR; FURTHER, ESTABLISHING TAX INCREMENT FINANCING REDEVELOPMENT DISTRICT NO. 2-1 AND APPROVING A TAX INCREMENT FINANCING PLAN THERETO.

RESOLUTION 28:23

Upon roll call, Council Members Czczok, O'Day, Stunek, Terry, Stenglein, Johnson, and Bevans. voted "aye". No member voted "nay". The Chair declared the motion carried.

Adopt Resolution of Municipal Consent for DEED Redevelopment Grant Application by Brainerd HRA

HRA Director Charpentier gave an overview of the funding sources DW Jones is utilizing to develop the property. The Brainerd HRA would like to apply for a redevelopment grant through DEED on behalf of DW Jones. The grant match will be supplied with the creation of the TIF district.

Member Czczok asked how much the grant request is.

HRA Director Charpentier stated that they are seeking \$400,00-\$500,000.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND JOHNSON TO ADOPT THE RESOLUTION OF MUNICIPALITY CONSENT FOR MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT GRANT APPLICATION BY THE BRAINERD HRA.

RESOLUTION 29:23

Upon roll call, Council Members Czczok, O'Day, Stunek, Terry, Stenglein, Johnson, and Bevans. voted "aye". No member voted "nay". The Chair declared the motion carried.

First Reading of Proposed Ordinance 1553- Establish Country Manor – Planned Unit Development District, Consider Approval of the Preliminary Plat and Final Plat for Country Manor, and Consider Approval of the PUD General Concept Plan and Development Stage Plan for Country Manor

Community Development Director Kramvik gave an overview of the project.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND CZECZOK, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE 1553 AND DISPENSE WITH THE ACTUAL READING, AN ORDINANCE AMENDING SECTION 515-2-21. D OF THE ZONING CODE.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO APPROVE THE COUNTRY MANOR PRELIMINARY PLAT AND FINAL PLAT BASED ON THE FINDINGS OF FACT WITH THE FOLLOWING CONDITION: APPROVAL OF THE PRELIMINARY PLAT AND FINAL PLAT ARE SUBJECT TO CITY COUNCIL APPROVAL OF THE REZONING REQUEST, PROPOSED ORDINANCE 1553.

Member Stenglein stated that the Planning Commission considered the storm water and impervious surface ratio at length. Because the development requires a storm water plan, the amount of impervious surface percentages is less of an issue.

Member Czczok stated that he appreciates the work of the Planning Commission on this matter.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND TERRY, DULY CARRIED, TO APPROVE THE PUD GENERAL CONCEPT PLAN AND DEVELOPMENT STAGE PLAN BASED ON THE FINDINGS OF FACT WITH THE FOLLOWING CONDITIONS: APPROVAL OF THE PUD GENERAL CONCEPT PLAN AND DEVELOPMENT STAGE PLAN ARE SUBJECT TO CITY COUNCIL APPROVAL OF THE REZONING REQUEST, PROPOSED ORDINANCE 1553, AND APPROVAL OF THE COUNTRY MANOR PRELIMINARY PLAT AND FINAL PLAT; AND THE FINAL LIGHTING PLAN CONFORMS TO SECTION 515-4-8 OF THE ZONING CODE AND THE CN-2 DISTRICT STANDARDS.

Set Date for Presentation- Flaherty & Hood Classification & Compensation Study- to be held immediately following Joint Meeting with BPU Commission on July 31, 2023

Administrator Bergman stated that the information will not be ready by July 31, staff will schedule a presentation when it is prepared.

Public Forum

The Chair opened the public forum at 8:46 p.m.

No one came forward.

The Chair closed the public forum at 8:47 p.m.

Staff Reports

Community Development Director Kramvik stated that the EDA held a workshop and discussed incentives to develop Washington Street. Staff will be discussing this with BPU and Engineering. At the next Planning Commission, staff will bring the possibility of mixed-use development within the corridor.

Police Chief Davis requested that the City keep the family of slain Fargo Police Officer Wallin and the Fargo Police Department in our thoughts and prayers. Officer Wallin was the Great-nephew of former Mayor Wallin.

City Administrator Bergman stated that the packet for the BPU joint workshop will go out on Thursday, July 27th.

Council Member Reports

Member O'Day stated that he attended the Wastewater Treatment Board meeting, he would like to remind City Attorney Langel to respond to Public Utilities Director.

Member Johnson stated that the 10U Baseball team won the state tournament, they will attend a Twins game. The City club, the Cubs were up 6-0 when he left tonight. Finally, he has complained about 1420 Quince Street a number of time this year. The City Council met at that property 10 years ago to issue a \$100/day fines until issues were resolved, it is still not finished. He has a semi-trailer on the property with the door propped open with a cinder block, any kid could wander into the trailer and get locked in and die if the block were to fall away. It is a serious safety concern. He feels he needs to complain publicly as nothing has been done with his private complaints.

Member Stenglein stated that Region V will celebrate its 50th anniversary the celebration will take place in Brainerd.

Member Terry stated that the first Age Friendly meeting is scheduled.

Member Czczok stated that Public Utilities is awaiting response from the City Attorney on a time sensitive matter for the Wastewater Treatment Board.

Chair Bevans stated that his e-mails today included whether the City of Brainerd will address the smoking of weed in public any time soon.

Adjourn to Closed Session Pursuant to MN Statute 13D.05, Subd. 3(b)- Attorney-Client Privilege- to Discuss Pending Litigation, Scheffler v. City of Brainerd

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO ADJOURN TO CLOSED SESSION PURSUANT TO MN STATUTE 13D.05, SUBD 3(B)- ATTORNEY-CLIENT PRIVILEGE TO DISCUSS PENDING LITIGATION, SCHEFFLER V. CITY OF BRAINERD.

July 17th, 2023

The Chair adjourned the meeting to closed session at 8:55 p.m. with a five-minute break.

Adjourn to Joint Workshop City Council and BPU Commission on July 31 at 6:00 p.m. in the City Council Chambers

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND CZECZOK, DULY CARRIED, TO ADJOURN TO THE JOINT WORKSHOP OF THE CITY COUNCIL AND PARK BOARD ON JULY 31, 2023, AT 4:00 P.M. IN THE CITY COUNCIL CHAMBERS AND THE JOINT WORKSHOP OF THE CITY COUNCIL AND PUBLIC UTILITIES COMMISSION ON JULY 31, 2023 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS.

The Chair adjourned the meeting to the Joint Workshops at 9:07 p.m.

Jennifer Bergman
City Administrator



CITY ENGINEER/PUBLIC WORKS DIRECTOR REPORT AUGUST 7, 2023 CITY COUNCIL MEETING

Recreation Report

Adult Sports

- Adult Summer Softball
 - With all the weird weather, new holiday, and lakes jam the seasons seem to have run longer than usual.
 - We are still having some issues with the lights. Especially if someone other than myself turns them on.
- Summer Pickleball
 - League play is finishing up, we will be starting playoffs in a few weeks.
 - We did need to cancel our 2nd pickleball tournament this summer, which was to occur on July 22nd, unfortunately we had too few teams signed up.
- Fall Pickleball
 - We will look to have fall pickleball on Tuesdays and Thursdays with 3.5 and above division or if you finished top half during summer. Then also offer each night a beginner division on Tuesdays and Thursdays also.
- Fall Kickball/Softball
 - Fall Kickball will start near the end of August. Right now Returning teams can sign up until August 31st. New teams will be able to sign up on August 1st.
 - Lower Men's Softball (Tuesdays – late august)
 - Upper Men's Softball (Wednesdays – late august)
 - Coed Softball (Thursdays – late august)
 - We will be looking at increasing the size of the strike mat for fall ball.
- Fall Roller Hockey – If we do plan this activity we would look to host it on the basketball court at Memorial, not the large rink.

Concessions

- Bane Concessions is official closed for the season.
- Buffalo Hills Concession Stand will close Thursday July 27th for the season.
- All product will need to move to Memorial.
- Concession stands will need to be deep cleaned and electronics all unplugged.
- Please note Bane went the entire season with out a Viking Coca Cola Cooler for it's soda. So, we were using our own fridges for small quantities of drinks. We have been waiting for a new one to be delivered. It was never delivered.

Special Events

- The Great Pumpkin Festival will start picking up speed for planning and coordination. It is planned to take place on October 14th, 2023 from 1 – 4 p.m. in Gregory Park.

Misc.

- Beach house will need to be cleaned out in preparation for demolition.
- Cold Storage needs to be cleaned out of all of it's baseball/softball equipment, old sport jerseys, & etc. Jessie is looking into whether we could host a large garage sale type event benefitting the parks.
- I (Katie) will be registering for the MRPA conference taking place the end of September, it is taking place in Plymouth MN.
- We have been receiving a lot of comments regarding resurfacing Gregory Park 3 south tennis courts and adding 6 pickleball courts using the format the East Gull Lake used.



*Please note they kept the pickleball courts blue to match the tennis court.

*They also used the tennis nets as a divider.

Parks Maintenance Report

- Prep parks for 4th of July at Gregory, Lyman P. White, and Kiwanis
- Put up Lyman P White Park sign
- Cleaned Boom Lake and Rotary Trails
- Weeded College Drive median and roundabouts
- Mowed and Prepped Lyman P White for 4th of July
- Moved and Replaced temporary water hose and sprinklers at Lyman P White
- Hung No Skateboarding signs at Lyman P White
- Moving picnic tables around for miscellaneous functions
- Watering trees
- Deep cleaned Lum Park and Memorial Park restrooms
- Put screen around pump at splash pad (keeps plugging with wood chips)
- Prep the softball and baseball fields daily
- Garbage runs and restroom maintenance daily
- Mowing parks daily
- Replaced vandalized sink at Lum Park
- Fixed bad 30 amp breaker at Lum Campground
- Moved more things from old shop

- Assembled 2 carts for Gregory bandstand and kitchenette
- Wash garbage cans
- Sprayed miscellaneous bees nests
- Prepping for senior picnic
- Sharpening & changing out mower blades weekly
- Arranging new shop
- Fixing drain at splash pad
- Fixed Kiwanis pier railings
- Weed whipping around new trees
- Salvaged two door closers for new shop
- Fixed electrical breaker in Gregory bandstand
- Meetings with contractors
- Wired switch in pump
- Blowing sidewalks and trails
- Tested voltage output on light pole at Memorial Park
- Fixed banner downtown
- Cleaned up shop and vacuumed truck
- Fixed sound system at the splash pad
- Installed new closers at shop
- Weeded at splash pad
- Prepping park for Ski Loons show and placed extra garbage cans
- Fixed dog park gate and fence
- Repaired restroom divider at Memorial softball
- Bagged up grass on N 10th along drainage pond
- Still watering Lyman P White for contractor
- Toured Mills Field with Tournament Directors
- Fixed dog park latch
- Repaired coat hanger at Lyman P White restrooms
- Weed whipping and spraying herbicide
- Put on spring car at Kiwanis
- Assembled steel picnic tables for Kiwanis
- Watered trees at Gregory park
- Hung fire extinguishers in new shop and signs
- Replaced field lightbulb at Field #3
- Keys and locks for Lyman P White stage area
- Power washed inside of dugouts at Bane
- Prepping for 2 weekends of tournaments
- Mounted picnic tables at Kiwanis
- Sprayed herbicide and blew off tennis courts at Gregory Park
- Watering downtown flowers for 3 times a week

Streets Maintenance Report

Maintenance Tasks Completed Month Prior

- Sewer inspection and cleaning
- Jetting sewer lines, including
- Marking utility locates

- Continued pothole patching
- Street sweeping as staff and weather allows
- Painting crosswalks in the downtown area
- Installed traffic control for special event closures
- Haul sand and mixing salt/sand for winter operations
- Stump grinding at removed trees
- Trim trees at various locations due to sight distance restrictions
- Removed additional traffic control materials from the Harrison SRTS project
- Searched for iPhone in storm drains downtown
- Removed knocked down signs and trees hit by driver on College Drive
- Removed downed tree across road in Rotary Park
- Replacing downed signs throughout town
- Repairing and patching sink holes at catch basins

Engineering Report

North Brainerd Reconstruction Project

Phases 1 and 2 have been completed. Punchlist items and restoration remain to be completed. Phase 3 utility replacement continue the week of July 31st and should wrap up by the end of that week. Road grading and prep for gravel and curb are expected to take place the week of August 7th. It would be expected to have the major project work completed by the end of August, punchlist and turf restoration items remaining.

TH 25 Bridge Replacement over BNSF Railway

The contractor has begun with superstructure of the bridge with decking and railing work to continue during August. It would be expected to see superstructure and decking take place over the next several weeks. The closure and detour is likely to remain in place until the fall.

Graydon Avenue Outfall Repair Project

Council awarded the repair project to DeChantal Excavating. The contractor is planning on completing this work when their schedule allows in August.

Harrison Elementary Safe Routes to School Project

The contractor has completed the a majority of the work on this project. Turf seeding has taken place but weather conditions have not allowed for sufficient growth. Staff will continue to monitor the grass growth until establishment has been achieved. The new RRFB signage delivery has been delayed until September due to manufacturing delays by the supplier. Once these signs are received, the contractor will schedule to get them installed. Additional closures are not expected to allow for installation of the RRFB's.

TH 371B/Willow Street Roundabout Project (HSIP)

Staff is presenting a Joint Powers Agreement for the Engineering services between MnDOT District 3 and the City of Brainerd to lay out the 50% cost share of the expenses by each entity. Staff participated with SEH and MnDOT on a kick-off meeting for the project and will begin the initial investigation work for the design. Letters are being sent to residents to let them know about the upcoming work and that surveyors will be in the area. Surveyors are expected to be in the area doing work in both the right-of-way and on private properties during the week of August 7th.

Other Activities

- Reviewed Erosion and Sediment Control plan for proposed developments
- Sent notices out for leaves and grass clippings thrown into the streets
- Sent notices out for grease line issues
- Continued review of the Lum Park SPRA project and coordinated advertisement of bids.
- Reviewed LCCMR funding breakdowns for LPW Park project.
- Kick-off meeting for TH 210 Reconstruction Project with MnDOT and SRF.
- Discussed possible demonstration projects on TH 371B with MnDOT District 3 staff.
- Presented to the Kiwanis Club the improvements past and future at Kiwanis Park.
- Coordinated with United Way for Born Learning Trail signage at Kiwanis Park.
- Met with citizens regarding electric-assist bicycle regulations.
- Reviewed SW 4th Street washout scope with consulting firms.
- Reviewed SW 4th Street washout with MnDNR.
- Requested payments for previous State Aid projects that have been closed.
- Participated in MnDOT PROTECT subgroup.
- Participated in Region 5 TAC subgroup for STBGP Equity funding.
- Prepared and solicited quotes for Buster Park Pavilion.
- Participated in MnDOT ADA Walks on TH 210 in advance of the TH 210 reconstruction design.
- Participated in Region 5 TAC meeting.
- Attended information session on MnDNR Urban and Community Forest Management grant opportunities.
- Collected input on Special Assessment Policies from other MN City Engineers in regard to detour route reductions.
- Researched dozens of Special Assessment Policies at other MN cities for mention of detour route reductions.
- Reviewed Street Scanning and asset management proposals from various vendors.
- Coordination with WSB on Harrison Safe Routes to School project to correct issues found during construction.
- Issued letter about perimeter controls at 1420 Quince.
- Addressed citizen question about the establishment of the 30 MPH speed limit on Riverside Drive.
- Collected final remaining easements for the Buffalo Hills Gully Remediation project.
- Reviewed and commented on 60% plans for the Buffalo Hills Gully Remediation project.
- Provided building blueprint scans to Library staff.
- Discussed the possibility of including the pedestrian bridge in the TH 210 MPDG grant application from MnDOT.
- Sent SWPPP and MS4 inspection forms to IT/GIS for making electronic and accessible via mapping.
- Reviewed draft boundary for Federal Adjusted Urban Area Boundary Process.
- Reviewed draft plans for Lum Park Campground ARPA project and provided comments.
- Researched history of Ski Loons and discussions on regulations of operations on the lake.
- Reviewed event applications for any issues or concerns.
- Reviewed Armory request for storm water fee reduction and storm water report.
- Researched micromobility regulations in other agencies (i.e. MnDNR).
- Prepared draft 10-Year Capital Improvement Plan and begun discussing with staff for input.

Transit Report

Activities

- The call answered percentages are slightly below the expected rate of 85% but 3PC has continued to show improvement and is nearly meeting the required percentage.
- Phone answering and Maintenance continue to be top priorities for 3PC.
- Daily meetings with 3PC Director, and also quick follow ups daily with their Maintenance Manager.
- 3PC has hired a full-time on-site manager that will be starting 8/2/2023.
- Met with the TAC Committee on 7/20/2023
 - Discussed updates on changes that the various Boards and Councils have elected and approved.
 - Provided financial and staff updates on the Transit program.
- Continued work on monthly reporting and reviewing 3PC invoices.
- Preparation of documentation required for the 2024 OTAT solicitation for grant funding.
- Preparation of documentation required for MnDOT's Comprehensive Review (Audit) of the Transit program.
- Researched existing operating and capital expense shares between Cooperative partners via agreements.
- Discussed upcoming proposed changes with St. Francis Catholic School and City of Crosby.
- Discussed proposed 2024 operating budget.
- Revised Transit Lease Agreement beginning January 1, 2024 with new monthly rent amount.
- Prepared legal and published notices for upcoming changes to the Transit program for all areas.
- Reviewing reports of accidents, damage, or injuries on buses.
- Reviewing complaints of Transit 3PC (drivers, dispatch, etc.) and forwarding them to 3PC supervisors.



Brainerd Fire Department Monthly Report

July 2023

ACTIVITIES AND PUBLIC EDUCATION

Firefighters participated in several parades throughout the area. Many of our firefighters and their families gathered at the station for the Brainerd July 4th celebration.



Firefighters also participated in the Lakes Area United Way Llama Llama Read-o-Rama, First Baptist Church Youth Event, and Ace Hardware Community Event.

Chief Holmes was honored to assist in the funeral planning for Fargo Police Department Officer Wallin. Several other area departments also assisted in the planning and execution of the funeral, including the Brainerd Police Chief and Deputy Chief.



Chief Holmes also participated in the Crow Wing County Emergency Management Director interview panel. Brainerd Fire works closely with the Crow Wing County Emergency Manager and we appreciate being part of their hiring process.

TRAINING

Firefighter training in July included Bloodborne Pathogens, Aerial Operations, Water Supply, and Engine Operations.



Brainerd Fire Department Monthly Report

July 2023

INSPECTIONS	
Fire Alarm	3
Fire Pump	13
Hood Suppression	17
License Inspection	1
Sprinkler System	19

BRAINERD FIRE COVERAGE AREA INCIDENT REPORT	
Type of NFIRS Incident (National Fire Incident Reporting System)	Coverage Area Total Incidents (Includes City of Brainerd)
Fire	10
Rescue & Emergency Medical Service	6
Hazardous Condition	5
Service Calls	5
Good Intent Call	9
Alarm Activation	11
Severe Weather	0
TOTAL	46
Type of NFIRS Incident (National Fire Incident Reporting System)	City of Brainerd Total Incidents
Fire	2
Rescue & Emergency Medical Service	3
Hazardous Condition	4
Service Calls	4
Good Intent Call	3
Alarm Activation	6
Severe Weather	0
TOTAL	22



Scenes from several significant vehicle fires in July



HR DIRECTOR REPORT

In this report:

- Classification and Compensation Study
- Joint City Council / BPU Commission Meeting
- Employment Law Policies
- Personnel
- Hydro Dam Facility
- Wellness Committee

• Wellness Committee

Classification and Compensation Study

The HR Director and City Administrator have been reviewing and providing feedback to Flaherty & Hood regarding the draft Position Classification Evaluation Workbook and the draft Market Data Workbook. At this time, Staff is hoping that the Council may hold a Work Session on August 28th for Flaherty & Hood to present their findings and implementation recommendations.

Joint City Council/BPU Commission Meeting

The Joint City Council/BPU Commission meeting will held on July 31st. One of the topics discussed was the reorganization of the BPU Department. An updated City of Brainerd Org Chart is included on the 8/7/23 Council Agenda for approval that reflects the discussions from the Joint meeting.

Employment Law Policies

With the recent cannabis legalization, Staff is reviewing our Drug and Alcohol Policy for non-commercial drivers. An updated policy is expected to be presented to the City Council on August 17th for consideration.

With the plethora of employment law changes enacted by the 2023 MN Legislative session, our City Attorney has begun review of our Employee Policy Manual to incorporate the required changes. In the meantime, HR Staff has participated in multiple League of MN Cities trainings addressing the law changes.

Federal law was changed in 2022 requiring that anyone wanting a Commercial Driver's License be trained by an official certified trainer. This program is quite costly so Staff is reviewing the option for a tiered reimbursement if City pays for this training cost and the employee leaves within three years. More information will be provided in the near future.

Personnel

New Hires/Promotions for City/BPU/HRA:

Cameron Walkowiak - Police Officer (7/31)
Jackson Holmes - Paid On-Call Firefighter (8/1)
Lee Anderson - Paid On-Call Firefighter (8/1)
Patrick Wussow - Public Works Intern (8/1)

Farewell to:

Matthew Ingman - Paid On-Call Firefighter(7/28)

Current Job Opportunities:

Full-time

Police Officer – A candidate was given a conditional job offer and the PD is in the early stages of his background check process.

Finance Manager - Interviews were held on August 1st and a job offer is currently being negotiated.

Part-time/Internships/Seasonal Positions:

Community Service Officer - Accepting applications through August 4th.

Hydro Dam Facility

Staff negotiated a Memorandum of Understanding (MOU) to extend the timeframe for IBEW BPU Union Staff to temporarily perform work at the Hydro facility through December 31, 2024. This MOU was needed realizing three out of five Hydro Operators retired by the end of June and since automation of the Hydro facility is in process.

Wellness Committee

The Wellness Committee's July Lunch-n-Learn was held on July 20th at the Lyman P. White Park. There was a great turnout and Staff enjoyed a BBQ lunch as well as the beautiful view from our newest park.

Employee Appreciation Event

Please mark your calendars for our 2023 Employee Appreciation Event that will be held on September 6th at Lum Park. You won't want to miss this – Shawn from the Street Department is once again preparing lunch for the event and employee awards will be presented during the program. Be sure to RSVP to **Toni by Friday, August 18** if you will be attending!

MASONRY BY HINES, LLC

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
19151 LOVE LAKE RD	Masonry	Active			2023-0008	12/31/2023

PORTAGE LAKE CONCRETE, INC.

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
PO BOX 298	Masonry	Active			2023-0007	12/31/2023

SCHULZ BROTHERS CUSTOM REMOD

Address	Licensee Type	Status	State License	License Expire Date	Local License	License Expire Date
17377 COUNTY ROAD 1	General Commerical	Active			2023-0012	12/31/2023

Total Licensees3

Population: All Records
Licensee.DateRegistered Between 7/14/2023 12:00:00 AM AND 8/3/2023 12:00:00 AM



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Ratify the Hiring of Officer Cameron Walkowiak Effective July 31, 2023 at Step 1 of Police Officer Rate (\$31.35 per hour).

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director, John Davis, Police Chief

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): n/a- consent calendar

SUMMARY OF ISSUE: Cameron Walkowiak was hired as a Police Officer effective July 31, 2023 at Step 1 of the Police Officer Rate (\$31.35 per hour). With Cameron's hiring, we now have 26 sworn officers on staff. In addition, we have another candidate that is in the middle of the pre-employment hiring process.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Consent calendar agenda item to ratify the Hiring of Officer Cameron Walkowiak Effective July 31, 2023 at Step 1 of Police Officer Rate (\$31.35 per hour).

FINANCIAL IMPACT: 2023 Hourly Wage is \$31.35 per hour.



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approval of Electric Distribution Supervisor Job Description

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources Director, Todd Wicklund, Public Utilities Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources Director

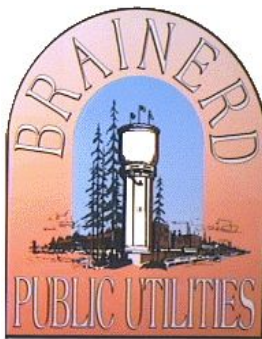
ESTIMATED TIME (MIN): n/a - consent calendar

SUMMARY OF ISSUE: Updating the Electric Distribution Supervisor job description was discussed at the Joint City Council/BPU Commission meeting as part of the Public Utilities Department reorganization. This position would oversee the distribution system and line workers to help assist the Operations Manager.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: This position has been vacant since 2019. The wage for the position will be included in the Flaherty & Hood Classification and Compensation Study presentation/recommendations.

RECOMMENDED ACTION/MOTION: Consent calendar agenda item to approve the Electric Distribution Supervisor job description.

FINANCIAL IMPACT: The financial impact is unknown at this time as we need wage information from our Classification and Compensation Study consultant. Public Utilities Director Wicklund stated the 2023 wage for this position would be offset by the delayed Finance Manager hiring and the elimination of the Superintendent position.



Electric Distribution Supervisor

DepartmentDivision: Electric

FLSA Status: Exempt

General Definition of Work

Performs difficult advanced technical and administrative work supervising the construction, operation, maintenance and repair of BPU's electrical distribution and hydro electrical generation systems and related work as required. Work is performed under general direction of BPU Superintendent the Operations Manager. Continuous supervision is exercised over personnel in the electric distribution and construction crews and the &-hydro electrical distribution systems.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Administer/direct the construction, operation, and maintenance of the electric distribution, electric generation, metering, and substation facilities in accordance with established utility/regulatory laws and policies.
- Prioritize both capital and maintenance work in order to meet system needs and maintenance goals.
- Participate in the development and administration of capital and operating budgets and monitor effective and efficient use of budgeted funds, personnel, materials, facilities, and time.
- Determine department safety requirements and implement necessary safety training programs. Conduct audits to ensure compliance to safety rules/procedures.
- Participate at a management level in organizational discussions/decisions on strategic planning, organizational benchmarks, core values/behaviors, process improvements, and other organization initiatives.
- Responsibilities include training, inspecting and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommending hiring and terminating personnel.
- ~~Inspects and monitors the electrical & hydro systems and equipment to ascertain that it is in proper operation at all times; oversees the repair and maintenance of equipment and reports major repair needs to Superintendent; assists in troubleshooting electrical, mechanical, hydraulic and pneumatic systems.~~
- Oversees the maintenance records of electrical and hydro operations distribution system and prepares periodic reports for submission to local, state and federal regulatory agencies, superiors or others as required.
- Confers with consultants and engineers; and federal and state agencies.
- Consults with vendors; orders equipment and parts.
- Participates in the work performed by electric crews and hydro personnel in emergency situations.
- Assists with voltage, power quality, and other customer complaints and/or problems.
- Attendance at continuing education events applicable to the position is strongly encouraged.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Attends meetings, workshops and training seminars to keep abreast of industry changes.
- Performs other duties as assigned.

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of the electric department including tools, materials, and equipment with the ability to detect flaws and to determine proper remedial measures.
- Thorough knowledge of the rules and regulations governing equipment operations and utility repair work performed in or on public roads and right-of-ways;

Electric Supervisor Job Description

Page 2

Knowledge, Skills and Abilities (Cont.)

- Thorough knowledge of the occupational hazards of the work and of necessary safety precautions to comply with BPU, NESC, and OSHA safety requirements;
- Leadership including problem solving and decision making;
- Ability to read, interpret, and implement documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies;
- Ability to write reports, business correspondence and procedure manuals;
- Ability to effectively present information and respond to questions from subordinates, supervisors, regulatory agencies, and customers;
- Developed mathematical skills;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- Ability to adopt to changes in procedures and workload and able to maintain composure when confronted with stressful situations;
- Ability to read and develop complex electrical distribution system plans and schematic diagrams;
- Ability to develop and interpret a variety of instructions and plans furnished in written, oral, and drawing form;
- Knowledgeable in electronics and computer technology and applications including Supervisory Control and Data Acquisition System (SCADA);
- Ability to understand and follow moderately complex oral and written instructions; ability to read meters and charts accurately and to maintain records of operations;
- Ability to assign and supervise the work of others;
- Ability to establish and maintain effective working relationships with employees, regulatory agency officials and the general public.

Education, Experience and Special Requirements

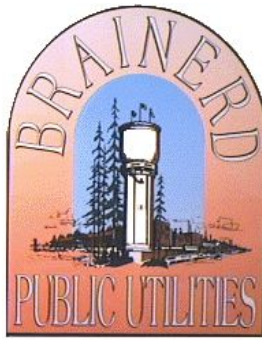
- High School Diploma or general education degree (GED).
- Graduate of electrical lineworker program at a vocational or technical college.
- The qualified candidate must have successfully completed a Lineman Apprenticeship Program or equivalent Lineman training courses.
- Must be a journeyman lineman or combination of experience and training to meet BPU requirements as determined by the BPU Superintendent Public Utilities Director.
- Must have a minimum of ten years experience as a lineworker; utility and supervisory experience preferred.
- Minnesota Class A commercial driver's license with air brake endorsement or the ability to obtain within six months of hire.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force, and exertion of up to 100 pounds of force rarely-not daily; work regularly requires standing, speaking or hearing, using hands to finger, handle or feel, climbing or balancing and reaching with hands and arms, frequently requires walking, stooping, kneeling, sitting, bending, crouching or crawling, pushing or pulling, lifting and repetitive motions and occasionally requires tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions including extreme heat or cold, wet/humid conditions (non-weather), and risk of electrical shock, occasionally requires working near moving mechanical parts and working in high, precarious places; occasionally exposed to vibration, noise, fumes or airborne particles and rarely exposed to toxic or caustic chemicals; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic). The worker may be exposed to bloodborne pathogens and may be required to wear specialized personal protective gear.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last Revised: January 1, 2018 July 21, 2023



Electric Distribution Supervisor

Division: Electric

FLSA Status: Exempt

General Definition of Work

Performs difficult advanced technical and administrative work supervising the construction, operation, maintenance and repair of BPU's electrical distribution and hydro electrical generation systems and related work as required. Work is performed under general direction of the Operations Manager. Continuous supervision is exercised over personnel in the electric distribution and construction crews and the hydro electrical distribution system.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Administer/direct the construction, operation, and maintenance of the electric distribution, electric generation and substation facilities in accordance with established utility/regulatory laws and policies.
- Prioritize both capital and maintenance work in order to meet system needs and maintenance goals.
- Participate in the development and administration of capital and operating budgets and monitor effective and efficient use of budgeted funds, personnel, materials, facilities, and time.
- Determine department safety requirements and implement necessary safety training programs. Conduct audits to ensure compliance to safety rules/procedures.
- Participate at a management level in organizational discussions/decisions on strategic planning, organizational benchmarks, core values/behaviors, process improvements, and other organization initiatives.
- Responsibilities include training, inspecting and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommending hiring and terminating personnel.
- Oversees the maintenance records of electrical distribution system and prepares periodic reports for submission to local, state and federal regulatory agencies, superiors or others as required.
- Confers with consultants and engineers; and federal and state agencies.
- Consults with vendors; orders equipment and parts.
- Participates in the work performed by electric crews in emergency situations.
- Assists with voltage, power quality, and other customer complaints and/or problems.
- Attendance at continuing education events applicable to the position is strongly encouraged.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Attends meetings, workshops and training seminars to keep abreast of industry changes.
- Performs other duties as assigned.

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of the electric department including tools, materials, and equipment with the ability to detect flaws and to determine proper remedial measures.
- Thorough knowledge of the rules and regulations governing equipment operations and utility repair work performed in or on public roads and right-of-ways;

Electric Supervisor Job Description

Page 2

Knowledge, Skills and Abilities (Cont.)

- Thorough knowledge of the occupational hazards of the work and of necessary safety precautions to comply with BPU, NESC, and OSHA safety requirements;
- Leadership including problem solving and decision making;
- Ability to read, interpret, and implement documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies;
- Ability to write reports, business correspondence and procedure manuals;
- Ability to effectively present information and respond to questions from subordinates, supervisors, regulatory agencies, and customers;
- Developed mathematical skills;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- Ability to adopt to changes in procedures and workload and able to maintain composure when confronted with stressful situations;
- Ability to read and develop complex electrical distribution system plans and schematic diagrams;
- Ability to develop and interpret a variety of instructions and plans furnished in written, oral, and drawing form;
- Knowledgeable in electronics and computer technology and applications including Supervisory Control and Data Acquisition System (SCADA);
- Ability to understand and follow moderately complex oral and written instructions; ability to read meters and charts accurately and to maintain records of operations;
- Ability to assign and supervise the work of others;
- Ability to establish and maintain effective working relationships with employees, regulatory agency officials and the general public.

Education, Experience and Special Requirements

- High School Diploma or general education degree (GED).
- Graduate of electrical lineworker program at a vocational or technical college.
- The qualified candidate must have successfully completed a Lineman Apprenticeship Program or equivalent Lineman training courses.
- Must be a journeyman lineman or combination of experience and training to meet BPU requirements as determined by the Public Utilities Director.
- Must have a minimum of ten years experience as a lineworker; utility and supervisory experience preferred.
- Minnesota Class A commercial driver's license with air brake endorsement or the ability to obtain within six months of hire.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force, and exertion of up to 100 pounds of force rarely-not daily; work regularly requires standing, speaking or hearing, using hands to finger, handle or feel, climbing or balancing and reaching with hands and arms, frequently requires walking, stooping, kneeling, sitting, bending, crouching or crawling, pushing or pulling, lifting and repetitive motions and occasionally requires tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions including extreme heat or cold, wet/humid conditions (non-weather), and risk of electrical shock, occasionally requires working near moving mechanical parts and working in high, precarious places; occasionally exposed to vibration, noise, fumes or airborne particles and rarely exposed to toxic or caustic chemicals; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic). The worker may be exposed to bloodborne pathogens and may be required to wear specialized personal protective gear.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last Revised: July 21, 2023



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approval of Journeyman Electrician Job Description

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources Director, Todd Wicklund, Public Utilities Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources Director

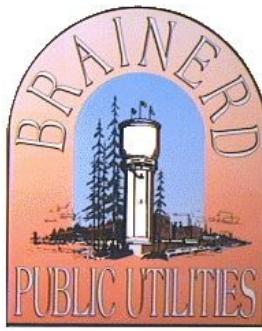
ESTIMATED TIME (MIN): n/a - consent calendar

SUMMARY OF ISSUE: Creating a new Journeyman Electrician position was discussed at the Joint City Council/BPU Commission meeting as part of the Public Utilities Department reorganization. The job duties for this position would be very similar to the Maintenance Electrician position with different education and experience requirements.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: This would be a new position. The wage for the position will be included in the Flaherty & Hood Classification and Compensation Study presentation/recommendations and would need to be negotiated with the IBEW BPU Union.

RECOMMENDED ACTION/MOTION: Consent calendar agenda item to approve the Journeyman Electrician job description.

FINANCIAL IMPACT: The financial impact is unknown at this time as we need wage information from our Classification and Compensation Study consultant. Public Utilities Director Wicklund stated the 2023 wage for this position would be offset by the delayed Finance Manager hiring and the elimination of the Superintendent position.



MAINTENANCE JOURNEYMAN ELECTRICIAN

~~Department~~Division: Electric

FLSA Status: Non-Exempt

General Definition of Work

Performs skilled work in the construction, operation, maintenance and repair of the Utility's electrical and metering systems and equipment; performs related work as apparent or assigned. Work is performed under the general supervision of ~~an Electric Supervisor~~ the Operations Manager.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Inspect, maintain, dismantle, repair, test, alter, install and reassemble such electrical and electronic equipment as motors, generators and related auxiliary equipment, circuit breakers, control equipment, relays, signals, power and light circuits, programmable logic controllers and other digital control systems, SCADA, transformers, revenue meters, and other power equipment.
- Test and repair problems on high and low voltage electrical and electronic circuits and systems including substation and recloser inspections.
- Assist in the planning and layout of jobs including parts and equipment identification and ordering needed to complete the job.
- Prepare work permits and administer the Lock Out/Tag Out program, or similar systems, as it applies to the equipment under the control of the Maintenance Electrician.
- Operate bridge cranes, forklifts, scissor lifts, and other mobile equipment as required.
- Clean electrical equipment, electrical equipment areas, and shop areas, as required.
- Maintain generators and related auxiliaries; inspect and lubricate motors and controllers; conducts monthly generator inspections and testing.
- Preventative maintenance activities and equipment performance analysis using diagnostic technologies and portable test equipment.
- Participation in the on-call rotation is required; Responds to trouble and emergency calls and performs necessary maintenance. Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- Read, interpret, modify, and implement technical information found in manufacturer's technical manuals, electrical drawings and blueprints, and operating and maintenance procedures.
- Participate in ongoing training to maintain and enhance skills required to perform all Maintenance Electrician duties and assist in the training of others.
- Establish/review metering and metering related equipment inventory; assists in ordering all meters and supplies.
- Determine type and size of meters and associated equipment for service installations.
- Assists with distribution load studies and power factor studies.
- Assists customers with voltage/high bill complaints; May assist electricians in special problems on customer premises.
- Prepares required records of installation, repair and maintenance of facilities; Generates reports as needed.
- Performs electrical construction and alteration of Utility electrical equipment and systems.
- Ability to interface with the public in a professional manner and to effectively communicate orally and in writing. Must be willing to accept overtime assignments.
- Utilizes appropriate leadership and human relationship skills in working with other employees and the public.
- Assists with locating and fault finding.
- Performs other duties when assigned or when necessary.

Knowledge, Skills and Abilities

- Must have substantial knowledge and aptitude in instrument control, maintenance, instrument transformer connections, testing, troubleshooting and addressing problems associated with the electrical system.
- Thorough knowledge of electric utility safety practices and specialized use of tools and meter test equipment.
- Thorough knowledge of all types of electrical construction materials and methods.
- Considerable knowledge of modern developments, current literature, and sources of information in the field of electrical construction and maintenance.
- Thorough understanding of metering theory, electrical distribution practices,
- Good working knowledge of personal computers including AMI software (Command Center) and building temperature control software/system.
- Ability to inspect and analyze malfunctions in electrical and mechanical equipment;
- Thorough knowledge of the hazards connected with electrical distribution system maintenance and the necessary safety precautions to comply with BPU, NESC, NEC, and OSHA safety requirements.
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.
- Demonstrates the ability to adopt to change in procedures and workload and able to maintain composure when confronted with stressful situations.
- Maintains skills and knowledge in the proper and safe techniques for performing job functions.

Education and Experience

Minimum Requirements:

1. High School Diploma or general education degree (GED);
2. Possess and maintain a MN Class D driver's license;
3. Licensed as a Class "A" Journeyman electrician to bid on this position.
4. ~~Must hold and maintain a valid Class "A" Master Electrician's license within 18 months of hire to remain in this classification.~~

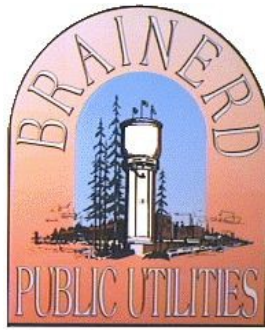
Preferred:

1. Graduation from Technical/Community College training program with specialized training in the electrical trades.
2. Considerable experience involving a wide variety of residential, commercial, and industrial electric operations.
3. Training and/or experience in electric revenue metering to include installation, maintenance, retrofitting, programming, and repair of electric revenue meters.

Physical Requirements

This is heavy work requiring the exertion of up to 75 pounds of force occasionally, 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work frequently speaking or hearing and using hands to finger, handle or feel and occasionally requires standing, walking, sitting, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, tasting or smelling, pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work frequently requires exposure to the risk of electrical shock and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, working in high, precarious places, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to outdoor weather conditions, exposure to extreme heat (non-weather) and exposure to vibration; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.



JOURNEYMAN ELECTRICIAN

Division: Electric

FLSA Status: Non-Exempt

General Definition of Work

Performs skilled work in the construction, operation, maintenance and repair of the Utility's electrical and metering systems and equipment; performs related work as apparent or assigned. Work is performed under the general supervision of the Operations Manager.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Inspect, maintain, dismantle, repair, test, alter, install and reassemble such electrical and electronic equipment as motors, generators and related auxiliary equipment, circuit breakers, control equipment, relays, signals, power and light circuits, programmable logic controllers and other digital control systems, SCADA, transformers, revenue meters, and other power equipment.
- Test and repair problems on high and low voltage electrical and electronic circuits and systems including substation and recloser inspections.
- Assist in the planning and layout of jobs including parts and equipment identification and ordering needed to complete the job.
- Prepare work permits and administer the Lock Out/Tag Out program, or similar systems, as it applies to the equipment under the control of the Maintenance Electrician.
- Operate bridge cranes, forklifts, scissor lifts, and other mobile equipment as required.
- Clean electrical equipment, electrical equipment areas, and shop areas, as required.
- Maintain generators and related auxiliaries; inspect and lubricate motors and controllers; conducts monthly generator inspections and testing.
- Preventative maintenance activities and equipment performance analysis using diagnostic technologies and portable test equipment.
- Participation in the on-call rotation is required; Responds to trouble and emergency calls and performs necessary maintenance. Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- Read, interpret, modify, and implement technical information found in manufacturer's technical manuals, electrical drawings and blueprints, and operating and maintenance procedures.
- Participate in ongoing training to maintain and enhance skills required to perform all Maintenance Electrician duties and assist in the training of others.
- Establish/review metering and metering related equipment inventory; assists in ordering all meters and supplies.
- Determine type and size of meters and associated equipment for service installations.
- Assists with distribution load studies and power factor studies.
- Assists customers with voltage/high bill complaints; May assist electricians in special problems on customer premises.
- Prepares required records of installation, repair and maintenance of facilities; Generates reports as needed.
- Performs electrical construction and alteration of Utility electrical equipment and systems.
- Ability to interface with the public in a professional manner and to effectively communicate orally and in writing. Must be willing to accept overtime assignments.
- Utilizes appropriate leadership and human relationship skills in working with other employees and the public.
- Assists with locating and fault finding.
- Performs other duties when assigned or when necessary.

Knowledge, Skills and Abilities

- Must have substantial knowledge and aptitude in instrument control, maintenance, instrument transformer connections, testing, troubleshooting and addressing problems associated with the electrical system.
- Thorough knowledge of electric utility safety practices and specialized use of tools and meter test equipment.
- Thorough knowledge of all types of electrical construction materials and methods.
- Considerable knowledge of modern developments, current literature, and sources of information in the field of electrical construction and maintenance.
- Thorough understanding of metering theory, electrical distribution practices,
- Good working knowledge of personal computers including AMI software (Command Center) and building temperature control software/system.
- Ability to inspect and analyze malfunctions in electrical and mechanical equipment;
- Thorough knowledge of the hazards connected with electrical distribution system maintenance and the necessary safety precautions to comply with BPU, NESC, NEC, and OSHA safety requirements.
- Ability to read and interpret documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.
- Demonstrates the ability to adopt to change in procedures and workload and able to maintain composure when confronted with stressful situations.
- Maintains skills and knowledge in the proper and safe techniques for performing job functions.

Education and Experience

Minimum Requirements:

1. High School Diploma or general education degree (GED);
2. Possess and maintain a MN Class D driver's license;
3. Licensed as a Class "A" Journeyman electrician to bid on this position.

Preferred:

1. Graduation from Technical/Community College training program with specialized training in the electrical trades.
2. Considerable experience involving a wide variety of residential, commercial, and industrial electric operations.
3. Training and/or experience in electric revenue metering to include installation, maintenance, retrofitting, programming, and repair of electric revenue meters.

Physical Requirements

This is heavy work requiring the exertion of up to 75 pounds of force occasionally, 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects; work frequently speaking or hearing and using hands to finger, handle or feel and occasionally requires standing, walking, sitting, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, tasting or smelling, pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work frequently requires exposure to the risk of electrical shock and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, working in high, precarious places, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to outdoor weather conditions, exposure to extreme heat (non-weather) and exposure to vibration; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last Revised: July 21, 2023



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Direction On Active Code Enforcement Cases

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Direction Requested

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 20 min

SUMMARY OF ISSUE: With the adoption of Ordinance No. 1524, the revised Section 320 of the City Code dictates that violations of the City Code shall, after receiving a notice of violation, be issued up to three administration citations for non-compliance. Once three citations have been issued, the violation shall be brought before the Safety & Public Works Committee for review. The Committee shall then make a recommendation to the City Council as to how to proceed with enforcement of the violation.

Staff is bringing two (3) properties before the Committee for review. Staff is looking for direction from the Council as how to proceed with the cases.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Attached are the case files for:

412 J St
609 11th Ave NE
1201 Norwood St

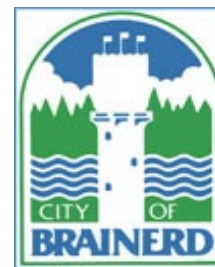
Section 320, action that could be taken against these properties include:

- 1) Continued administrative citations in an amount determined by the City Council
- 2) Abatement of the offense (depending on the type of offense)
- 3) Legal action (at the recommendation of the City Attorney depending on the type of the offense)
- 4) Cease corrective action

RECOMMENDED ACTION/MOTION: See Memo

FINANCIAL IMPACT: N/A

MEMO



TO: Mayor and City Council

FROM: James Kramvik, Community Development Director

DATE: August 7, 2023

RE: Recommendations for Active Code Enforcement Cases

Staff recommends the following actions for the active code enforcement cases brought before the City Council:

- **412 J St NE**
 - Received one (1) Notice of Violation Letter (5/22/23) and three (3) Citations for Outdoor Storage
 - First citation 6/23/23 – Third citation 7/13/23
 - \$600 in open citations

Staff recommends issuing a \$300 citation once a month until December 1st 2023 and if the violation is not corrected, bring the case back to SPW for further consideration.

- **412 J St NE**
 - Received one (1) Notice of Violation Letter (6/9/23) and three (3) Citations for Unlicensed Vehicle
 - First citation 6/9/23 – Third citation 7/20/23
 - \$600 in open citations

Staff recommends issuing a 10-day order to correct letter and if the violation is not corrected, forward the case file to the City Attorney for abatement of the vehicle.

- **609 11th Ave NE**
 - Received one (1) Notice of Violation Letter (4/24/23) and three (3) Citations for Unlicensed Vehicle
 - First citation 5/30/23 – Third citation 6/21/23
 - \$600 in open citations

Resident has called and stopped in numerous times with promises of taking care of it – we have allowed many delays.

Staff recommends issuing a 10-day order to correct letter and if the violation is not corrected, forward the case file to the City Attorney for abatement of the vehicle.

- **1201 Norwood St**
 - Received one (1) Notice of Violation Letter (7/19/23) for unpermitted Accessory Structure Material and living in a tent on a vacant property.

Recommended Options

- 1) *Issue a 10-day order to correct letter for the illegal structure and if the violation is not corrected, forward the case to the City Attorney for abatement of the structure.*
- 2) *Issue citations in the amount of \$100, \$200, and \$300 every 10 days to the violator and if the violation is not corrected, forward the case file to the City Attorney for abatement of the structure.*
- 3) *According to Section 115.01 Any person who violates a provision of this Code is guilty of a misdemeanor and upon conviction thereof may be punished by a fine of not more than \$700 and imprisonment for a term not to exceed 90 days, or both.*
 - a. *Note: this provision is seldom used by municipalities for violations of the Zoning Code.*

Running Summary of Actions Taken

1005 3rd Ave NE – Administrative warrant received, and property was abated 5/4/23 - junk and debris - \$825 in open fines.

915 Laurel Street – Administrative warrant received 5/30/23. Abated 6/9/23.

1306 Oak Street – Immediate \$300 fine for garbage – Administrative warrant received 5/23/23. Abated 6/2/23.

1306 Oak Street – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds took place 6/2/23.

1201 Norwood – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds took place 6/2/23.

924 7th Ave NE – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds took place 6/2/23.

408 2nd Ave NE – Repeat grass issue – Immediate \$300 fine and immediate abatement for long grass/weeds took place 6/2/23.

1113 Rosewood St – Administrative warrant received, and property was abated for garbage and junk/debris/blight 6/22/23.

924 7th Ave NE – 3rd citation for tree limbs, brush pile sent to property owner – abated 6/30/23.

1812 Oak St – Administrative warrant received, and property was abated for garbage and junk/debris 7/26/23.

1306 Oak Street – Immediate \$300 fine for garbage – requested administrative warrant 7/13/23 to abate garbage.

1306 Oak Street – Requested administrative warrant 7/18/23 to abate broken fence.

412 J St NE – Requested administrative warrant 7/18/23 to abate junk/debris.

1113 Rosewood St – Immediate \$300 fine for garbage - requested administrative warrant 8/1/23 to abate garbage.

412 J St NE



This citation charges you with one or more violations of the
Property Maintenance Code, Ordinance No. 1338

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0238

Date of Violation: 07/13/2023

Parcel ID: 41190917

Violator(s): HUNTER, IVY RAE
6078 DONALD ST
BAXTER, MN 56425

Location/Address of Violation: **412 J ST NE**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
515-3-28 Outdoor Storage	Zoning Code Violation	\$300.00

If the owner fails to correct the nuisance within the timeframe stipulated in the first notice, the City of Brainerd shall cause such action to correct such nuisance by means of, but not limited to, cutting grass or collecting garbage or junk. The expense thereof shall be billed to the property owner and shall constitute a lien upon such realty. An Administrative Citation is separate and in no way defrays the expense of correcting the nuisance.

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

**Payment may be presented in person or by way of First Class Mail in the form of cash, check or money order, payable to:
City of Brainerd, submitted to the Department of Building Safety, City Hall - 501 Laurel Street; Brainerd, MN 56401.**

Re-inspection Date: 07/31/2023

For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so.

An additional citation will be issued if the violation is not corrected by the re-inspection date.

**Failure to pay the fine will result in it being assessed against the property as provided in Minnesota Statute 429.
Unpaid fines, including an administrative charge of \$25.00 plus interest of the total balance, will be assessed
against the property of the owner charged with the violation.**

When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed. If you request a hearing and the citation stands, you will be responsible for the hearing costs and fines as determined by the hearing officer as well as correction of the violation. If the citation is contested and a hearing is scheduled, a notice will be mailed to you with the date/time/location of the hearing. If you cannot attend on the scheduled date or wish to request the Hearing Officer be removed from the case, you must do so no later than 15 days prior to the date of the hearing. A new hearing date will be set and another notification will be sent to the party contesting the citation.

Representative: Dylan Edwards, Assistant Planner

Date: 07/13/2023

Representative's Signature: (served via first class mail)







This citation charges you with one or more violations of the
Property Maintenance Code, Ordinance No. 1338

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0300

Date of Violation: 07/20/2023

Parcel ID: 41190917

Violator(s): HUNTER, IVY RAE
6078 DONALD ST
BAXTER, MN 56425

Location/Address of Violation: **412 J ST NE**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 302.8	Unlicensed/Inoperable Vehicle	\$300.00

If the owner fails to correct the nuisance within the timeframe stipulated in the first notice, the City of Brainerd shall cause such action to correct such nuisance by means of, but not limited to, cutting grass or collecting garbage or junk. The expense thereof shall be billed to the property owner and shall constitute a lien upon such realty. An Administrative Citation is separate and in no way defrays the expense of correcting the nuisance.

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

Payment may be presented in person or by way of First Class Mail in the form of cash, check or money order, payable to:
City of Brainerd, submitted to the Department of Building Safety, City Hall - 501 Laurel Street; Brainerd, MN 56401.

Re-inspection Date: 07/30/2023

For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so.

An additional citation will be issued if the violation is not corrected by the re-inspection date.

Failure to pay the fine will result in it being assessed against the property as provided in Minnesota Statute 429.

Unpaid fines, including an administrative charge of \$25.00 plus interest of the total balance, will be assessed against the property of the owner charged with the violation.

When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed. If you request a hearing and the citation stands, you will be responsible for the hearing costs and fines as determined by the hearing officer as well as correction of the violation. If the citation is contested and a hearing is scheduled, a notice will be mailed to you with the date/time/location of the hearing. If you cannot attend on the scheduled date or wish to request the Hearing Officer be removed from the case, you must do so no later than 15 days prior to the date of the hearing. A new hearing date will be set and another notification will be sent to the party contesting the citation.

Representative: Jason Stockinger, Building Inspector

Date: 07/20/2023

Representative's Signature:

(served via first class mail)



609 11th Ave NE



This citation charges you with one or more violations of the
Property Maintenance Code, Ordinance No. 1338

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218-828-2307

EN23-0120

Date of Violation: 06/21/2023

Parcel ID: 41191667

Violator(s): MILES, JULIE
609 11TH AVE NE
BRainerd, MN 56401

Location/Address of Violation: **609 11TH AVE NE**

VIOLATION

Section	Subdivision, Chapter or Article	Fine
IPMC 302.8	Unlicensed/Inoperable Vehicle	\$300.00

If the owner fails to correct the nuisance within the timeframe stipulated in the first notice, the City of Brainerd shall cause such action to correct such nuisance by means of, but not limited to, cutting grass or collecting garbage or junk. The expense thereof shall be billed to the property owner and shall constitute a lien upon such realty. An Administrative Citation is separate and in no way defrays the expense of correcting the nuisance.

Citation Amount Due: \$300.00

Payment Due By: 30 Days from Date of Violation

**Payment may be presented in person or by way of First Class Mail in the form of cash, check or money order, payable to:
City of Brainerd, submitted to the Department of Building Safety, City Hall - 501 Laurel Street; Brainerd, MN 56401.**

Re-inspection Date: 07/01/2023

For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so.

An additional citation will be issued if the violation is not corrected by the re-inspection date.

Failure to pay the fine will result in it being assessed against the property as provided in Minnesota Statute 429.

Unpaid fines, including an administrative charge of \$25.00 plus interest of the total balance, will be assessed against the property of the owner charged with the violation.

When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed. If you request a hearing and the citation stands, you will be responsible for the hearing costs and fines as determined by the hearing officer as well as correction of the violation. If the citation is contested and a hearing is scheduled, a notice will be mailed to you with the date/time/location of the hearing. If you cannot attend on the scheduled date or wish to request the Hearing Officer be removed from the case, you must do so no later than 15 days prior to the date of the hearing. A new hearing date will be set and another notification will be sent to the party contesting the citation.

Representative: Jason Stockinger, Building Inspector

Date: 06/21/2023

Representative's Signature: 

(served via first class mail)



1201 Norwood St

July 19, 2023

Current Resident
1201 Norwood St
Brainerd, MN56401

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Sir or Madam,

Brainerd residents have consistently expressed that clean, well-maintained residential neighborhoods and commercial districts are a high priority. Maintaining these areas has proven to increase property values, provide a higher standard of living, and promotes community pride. Several city code violations were observed on the property described below. Understanding that you might not be aware of what the city codes require, I am sending you this courtesy notice to give you an opportunity to correct this matter.

Property Address: 1201 Norwood St
Real Estate Code: 41300678

Violation: General Building Design Provisions applicable to all Zoning Districts

Ordinance: 515-4-1. B - Dwelling Unit Restriction.

Description: No cellar, garage, tent, travel trailer, motor home, fish house, shall at any time be used as a dwelling unit.

Violation: Accessory Buildings, Uses and Equipment

Ordinance: 515-4-6. C - Design Standards

Description: No plastic, canvas or vinyl tarps shall be used in the construction of any accessory buildings.
All buildings over 200 square feet shall designed to be compatible with the Principal Structure.

To review City Codes on the web, go to www.ci.brainerd.mn.us/153/City-Code.

Action should be taken on or before 08/01/2023

Per the above-mentioned code section and City Code 320 – Administrative Citations, failure to comply with this ordinance will result in citation(s) according to the following schedule:

1st Citation - \$100.00 | 2nd Citation - \$200.00 | 3rd Citation - \$300.00

After the issuance of three (3) citations, the offense shall be brought before the Safety & Public Works Committee for determination of further action to correct the violation. Such actions may include but are not limited to abatement, issuance of further administrative citations in an amount determined by the Committee, or legal action. The determination of the Safety & Public Works Committee shall then be referred as a recommendation to the City Council for final approval.

If you are unable to make the corrections by the date above or believe this violation is in error, please call this office to discuss or make other arrangements. Office hours are 7:30 to 4:30, Monday through Friday. **Feel free to contact Assistant Planner, Dylan Edwards at 218/454-3409 if you have questions.**

Respectfully,
By Order of:
THE CITY OF BRAINERD







Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve Event Application - BHS Homecoming 5K

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER:

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: Attached to this request is an Event Application for the 2023 Brainerd Homecoming 5K to be held on September 23, 2023 starting in Kiwanis Park and utilizing Brainerd Street trails for the run. The 5K run has a proposed route utilizing the Buffalo Hills and Boom Lake Trails, East River Road, and Kiwanis Park. The route map is attached to this application.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The applicant intends on utilizing the restrooms at Kiwanis Park and the High School track for the event, along with the school-owned PA system for sound amplification. The event has worked well in the past with the applicant providing volunteer runners with safety apparel and guiding the runners across streets. Temporary mile marks and course markings will be placed along the route. No street closures will be needed. However, volunteers will still monitor the route in the event of encountering traffic.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the attached application under the conditions as described in the event application.

FINANCIAL IMPACT: N/A



SPECIAL EVENT APPLICATION

Date of Application: _____

Event applications can be submitted to the Engineering Department at 501 Laurel Street, Brainerd, MN 56401 or tgage@ci.brainerd.mn.us. Event applications that include a street closure must be submitted at least 30 calendar days prior to the event and will require City Council approval. All other event applications must be submitted at least 14 calendar days prior to the event.

Type of event: Event – City Parking Lot Event – City Park
 Event with Street Closure Other _____

Name of event: _____

Organizer Information

Organizer's Name: _____

Organizer's Address: _____

Event Contact Person: _____

Event Contact Daytime Phone: _____

Event Contact E-mail Address: _____

Contact Name/Number Day of Event: _____

For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name: _____

Applicant Address: _____

Applicant Phone: _____

Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
			(course maps provided as attachment)

Recurring event (requires only one application submittal per year)

Event locations (all dimensions are parking lot usable space estimates):

- City Hall Parking Lot (130’ x 146’)
- Laurel Street Parking Lot (92’ x 120’)
- Front Street Parking Lot (66’ x 125’)
- City Street(s) (street closure request information on page 4 MUST be filled out)
- City Park (must contact the Parks & Recreation Department for information)
- Other (specify location above)

Description of Activities

Brief description of the activities planned during the event. If a parade/run/walk event, please describe the proposed route with the assembly and dispersal locations and attach a route map:

Site Information

Electrical usage	Yes	No

Describe the type of equipment to be used and how you intent to supply the power:

Amplified Sound	Yes	No
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Describe any recording and sound amplification equipment to be used in your event along with the times:

Restrooms provided	Yes	No
--------------------	-----	----

If yes, how many _____ (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: _____
(if restrooms are provided by neighboring property(s), please submit the location and property owner's signature to verify approval has been granted)

Signs, banners, and/or posters/flyers	Yes	No

Describe the signs, banners, posters, flyers and the locations:

Trash Receptacle Disposal	Yes	No
---------------------------	-----	----

Company contracted for trash receptacle disposal: _____

Additional Event Information

Please provide a layout of the event showing booths, tents, staging, amusement, food, etc and provide a street map or park map showing the borders of the event.

Throughout all events, businesses should be reasonably accessible to the public. If a business's entrance is blocked by an event layout, then accommodations such as signage, handbills, or similar methods should be made available to mitigate the impact on customer access.

A \$100/day security deposit for publicly owned spaces ONLY is required (payable by check only). The security deposit will be refunded should the event site be left clean and void of trash and all event items are removed on the last day of the event. An event that does not occur will not have its security deposit refunded except for hazardous weather conditions, as determined by the City of Brainerd.

Street Closure Request Information

Describe the name and sections of the streets for which you are requesting temporary closure (e.g. South 7th Street between Maple Street and Front Street):

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

Describe how your event preserves customer and residential access for businesses and houses along your proposed street closure (e.g. preserving pedestrian flow along sidewalks). Additional pages may be attached.

While the City continues to treat downtown as a venue for events, event plans must be balanced with the interests and needs of property owners.

If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the street of the proposed closure. All street closures shall be approved by the City Council. Failure to notify property owners and tenants in street closure areas will result in revocation of this permit.

For information regarding a street closure, please contact the City Engineering office at 218-828-2307 or engineer@ci.brainerd.mn.us.

Hold Harmless Agreement and Insurance Information

The Applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and attorney's fees), charges, liability, or exposure, however caused, resulting from, arising out of, or in any way connected with the applicant's event herein described.

The City, at its discretion, may require the Applicant to obtain liability insurance for any event. If liability insurance is required, the following requirements apply:

- Minimum of \$1,000,000 in commercial general liability insurance.
- Applicant's insurance shall be primary.
- Insurance shall cover liability for injury death and property damage including coverage for alcohol related claims if alcohol will be served.
- The insurance policy must be issued by an insurance company licensed to do business in Minnesota acceptable to the City.
- The City must be named as an "Additional Insured" on the policy.
- At least ten (10) days prior to the event, the Applicant must provide to the City a Certificate of Insurance showing the required coverage.

Signature of Event Applicant

I attest that the above information is true and accurate, and I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.



Signature of Applicant

Print Name

Contacts, Permits, and Fees Checklist

Each event has its own requirements and needs. Listed below is a summary of the permits common to many events. Please note that it is not necessary to have all permits approved upon submission of this application. However, this checklist should serve as a guide as you plan your event. *All events must have all permits and fees paid and approved prior to the start of the event.*

The Event Planner is responsible for providing the following (as needed) information:

Permit, License, or Checklist	Yes	Pending	N/A	Contact (See contact information below)
Authorization to use a city park				Contact the Parks & Recreation Department for information/procedure.
Fire/EMS/Police support				Check yes to request emergency support. The appropriate level of fire, EMS, and police support will be determined based on crowd size and the type of event. Fees may be discussed with the sponsor.
Food and vendor licenses				All vendors must apply for a temporary license through the Commissioner of Revenue's Office. Food vendors are required to collect and report meals tax. Contact City Hall for information/procedure.
Health Department Permit				All food vendors must apply for a temporary food permit through the Minnesota Health Department (MDH).
Insurance Certificate				May be required before issuing a permit.
Sign/banner Permits				Contact the Planning Department for information/procedure.
Parade Permit				Issued by the Police Department after complete submission of application.
Alcohol Use Permit				Must be approved by City Council after submission of the event application. Contact City Hall for information/procedure.

Contact Information

Administration Department:	(218) 828-2307 admin@ci.brainerd.mn.us
Parks and Recreation Department:	(218) 828-2320 parks@ci.brainerd.mn.us
Engineering Department:	(218) 828-2307 engineer@ci.brainerd.mn.us
Planning Department:	(218) 828-2307 planning@ci.brainerd.mn.us
Police Department:	(218) 829-2805 police@ci.brainerd.mn.us
Fire Department:	(218) 828-2312 fire@ci.brainerd.mn.us
MN Commissioner of Revenue:	(651) 282-5225 www.revenue.state.mn.us
MN Department of Health	(320) 223-7300 www.health.state.mn.us
MNDOT Baxter Office	(218) 828-5700 www.dot.state.mn.us

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	_____	_____
City Administration	_____	_____
Engineering Department	_____	_____
Fire Department	_____	_____
Fire Support/EMS	_____	_____
Parks Department	_____	_____
Planning Department	_____	_____
Police Department	_____	_____

Event Application Approval

The event as described above is approved subject to any conditions noted on this form or otherwise set forth by the City of Brainerd.

City Administrator

Date

Approval Conditions

Certification of Street Closure Approval

The street closure request as described herein was approved by the City Council at their _____, 20__ meeting. Approval is subject to the following condition(s):

2023 Brainerd Homecoming 5k Course

← Lap 1
← Lap 2

Mile mark

Finish

Kiwanis Park

Start

Mile mark

Treatment plant

Mile mark

Paved bike/walking path

Race starts South of Kiwanis Park shelter and registration area on East River Rd. and proceeds South to paved walking/bike path. Path curves East, away from the river, and course leaves paved path at "T" junction with gravel service road shortly before mile 1 mark. Service gate is opened for runners. Race continues North by water treatment plant, crosses Jenny St., proceeds around Boom lake 1.5x counter-clockwise. Course crosses Kiwanis park parking area and turns North using College Dr. pedestrian underpass to return to and cross East River Rd. and enter Brainerd High School track for a 380m counter clockwise run on the track to finish.



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Adopt Name-A-Truck Selection

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 2 Minutes

SUMMARY OF ISSUE: Staff recently received the new dump/plow truck that was ordered in early 2022. Staff put out a public survey to collect recommendations from residents on the name for the truck.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Many dozens of names were proposed from residents. They were then allowed to rank their favorite choices. The top three ranked selections are as follows:

1. Plow Bunyan
2. Snewbegone Kenobi
3. Blade the Blue Ox

RECOMMENDED ACTION/MOTION: Staff recommends adoption of "Plow Bunyan" as the name of the new truck.

FINANCIAL IMPACT: N/A



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve Transit Lease Agreement

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 2 Minutes

SUMMARY OF ISSUE: Office leased space for the Transit program is an eligible expense to be reimbursed on a yearly basis from the State of Minnesota. Therefore, the City has always leased the office space to the Transit program. The lease rent cost was last increased in 2022 to \$660 per month. Staff is recommending increase of the office lease rent by \$40 per month, or approximately 6%, to account for higher expenses due to inflation on utilities. The total proposed office lease rent is \$700 per month, effective January 1, 2024.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The increased cost would be included in the proposed 2024 operating budget and the grant application for MnDOT for annual operating costs of the Transit program. A copy of the lease agreement is included in the packet.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the attached lease agreement as presented.

FINANCIAL IMPACT: N/A

Commercial Lease Agreement

This Commercial Lease Agreement ("Lease") is made and effective January 1, 2024, by and between City of Brainerd ("Landlord") and Brainerd & Crow Wing County Public Transit ("Tenant").

Landlord is the owner of land and improvements commonly known and numbered as Brainerd City Hall, Transit Office, 501 Laurel Street, Brainerd, MN 56401.

Landlord desires to lease the Leased Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the term, at the rental and upon the covenants, conditions and provisions herein set forth.

THEREFORE, in consideration of the mutual promises herein, contained and other good and valuable consideration, it is agreed:

1. Term. Landlord hereby leases the Leased Premises to Tenant, and Tenant hereby leases the same from Landlord, for an "Initial Term" beginning January 1, 2024. On January 1, 2024, Tenant shall have possession of the lease premises.

2. Rent. Tenant shall pay to Landlord a monthly rent during the initial term and during the renewal period lease of \$700.00 per month.

3. Use. Notwithstanding the forgoing, Tenant shall not use the Leased Premises for the purposes of storing, manufacturing or selling any explosives, flammables or other inherently dangerous substance, chemical, thing or device.

4. Sublease and Assignment. Tenant shall not sublease all or any part of the Leased Premises, or assign this Lease in whole or in part without Landlord's effective written consent.

5. Utilities. Landlord shall pay all charges for sewer, gas, electricity, fax, phone, internet and other services and utilities used by Tenant on the Leased Premises during the term of this Lease unless otherwise expressly agreed in writing by Landlord.

6. Entry. Landlord shall have the right to enter upon the Leased Premises at reasonable hours to inspect the same, provided Landlord shall not thereby unreasonably interfere with Tenant's business on the Leased Premises.

7. Leased Premises Rules. Tenant will comply with the rules of the Leased Premises adopted and altered by Landlord from time to time and will cause all of its agents, employees, invitees and visitors to do so; all changes to such rules will be sent by Landlord to Tenant in writing.

8. This agreement will remain in effect until the terms are changed by an updated agreement or cancelled by 30-day written notice by Landlord or Tenant.

IN WITNESS WHEREOF, the parties have executed this Lease on August 7, 2023.

Landlord, Jennifer Bergman, City Administrator

Tenant, Crystal Gauthier, Transit Coordinator



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve Change Orders #3, #4, and #5 - Harrison SRTS

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 2 Minutes

SUMMARY OF ISSUE: Staff is presenting the Council with 3 Change Orders for the Harrison Elementary Safe Routes to School crossings improvements project. A summary of the change orders are as follows:

- Change Order 3: Accounts for a reduced cost of bituminous (asphalt) paving unit price due to efficiencies by the change approved in Change Order #2.
- Change Order 4: Extends the contract time to allow for installation of the new RRFB signage this fall. This is due to delays in manufacturing from the supplier.
- Change Order 5: Allows for the addition of new V-Curb that was placed adjacent to the school sign. With making the new sidewalk ADA-compliant, there were some higher slopes between the sign and the sidewalk. To address this, additional V-Curb was placed adjacent to the walk to relieve the grade difference. This was also approved by school district staff.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Change Orders 3 and 5 have additional costs associated with them. Due to the work included in Change Order 1, there was additional bituminous material needed to complete paving through Oak Street. However, due to efficiencies with the change, the unit cost of paving was able to be reduced. Overall, the additional cost due to Change Order 3 was \$10,438. The additional cost in Change Order 5 to construct the new V-Curb was \$2,200. Under the grant, we have \$500,000 available for construction. The original bid amount was \$465,871.40 and Change Orders 1 & 2 totaled \$13,654.84. Including Change Orders 3, 4, and 5, the current estimated total would be \$492,164.24. The work on the project, with the exception of the installation of the RRFBs, has been completed and thus no additional change orders are anticipated on the project.

RECOMMENDED ACTION/MOTION: Staff recommends approval of Change Orders 3, 4, and 5 in the total amount of \$12,638.

FINANCIAL IMPACT: \$12,638

WSB Project No. 020548-000		Owner Project No. 22-06		Change Order No. 3		
Project Title/Description: Harrison Elementary Safe Routes to School Project						
Owner: City of Brainerd						
Owner Address: 501 Laurel St Brainerd, MN 56401-3595						
Contractor: DeChantal Excavating, LLC						
Contractor Address: 12209 State Highway 18 Brainerd, MN 56401						
Total Change Order Amount: \$10,438.00						
Description: This change order is to adjust the unit price for bituminous paving. The character of the work changed in a way that required more "TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)" to be placed and use the paver to place all the mix. It also removed the need for hand placing "TYPE SP 12.5 NON WEARING COURSE MIXTURE (3,B)". Therefore, efficiencies were achieved and the Contractor agreed to provide a reduced contract price for TYPE SP 9.5 WEARING COURSE MIXTURE (3,C). All work will be perform in accordance with the applicable contract documents and as directed by the Engineer.						
Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)						
Group/Funding Category	Item No.	Description	Unit	Unit Price	+ or - Quantity	+ or - Amount \$
SAP 103-113-008	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)	TON	\$98.00	577	\$56,546.00
SAP 103-113-008	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)	TON	\$102.00	-356	(\$36,312.00)
SAP 103-113-008	2360.509	TYPE SP 12.5 NON WEARING COURSE MIXTURE (3,B)	TON	\$124.00	-79	(\$9,796.00)
Net Change This Change Order						\$10,438.00

Due to this change, the contract time: (check one)	
(X) Is NOT changed	() May be revised as provided in MnDOT Specification 1806
Number of Working Days Affected by this Contract Change: 0	Number of Calendar Days Affected by this Contract Change: 0

Approved By Project Engineer:



Date: 7/26/2023

Approved By Contractor:



Date: 7-26-23

Approved By Owner:



Date:

WSB Project No. 020548-000		Owner Project No. 22-06		Change Order No. 4		
Project Title/Description: Harrison Elementary Safe Routes to School Project						
Owner: City of Brainerd						
Owner Address: 501 Laurel St Brainerd, MN 56401-3595						
Contractor: DeChantal Excavating, LLC						
Contractor Address: 12209 State Highway 18 Brainerd, MN 56401						
Total Change Order Amount: \$0.00						
Description: The Engineer has determined that due to material delays for the RRFB flasher system the contract completion date in S-9 (1806) DETERMINATION AND EXTENSION OF CONTRACT TIME, S-9.2 will need to be placed with the following: Contractor must complete all Work to meet the requirements of 1516.2 (Project Acceptance) under this Contract before October 15th, 2023.						
Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)						
Group/Funding Category	Item No.	Description	Unit	Unit Price	+ or - Quantity	+ or - Amount \$
Net Change This Change Order						\$0.00

Due to this change, the contract time: (check one)	
☐ Is NOT changed	☐ May be revised as provided in MnDOT Specification 1806
Number of Working Days Affected by this Contract Change:	Number of Calendar Days Affected by this Contract Change:

Approved By Project Engineer:



Date: 7-26-23

Approved By Contractor:



Date: 7-26-23

Approved By Owner:

Date:

WSB Project No. 020548-000		Owner Project No. 22-06		Change Order No. 5		
Project Title/Description: Harrison Elementary Safe Routes to School Project						
Owner: City of Brainerd						
Owner Address: 501 Laurel St Brainerd, MN 56401-3595						
Contractor: DeChantal Excavating, LLC						
Contractor Address: 12209 State Highway 18 Brainerd, MN 56401						
Total Change Order Amount: \$2,200.00						
Description: Based on a visual inspection of the slope grading of topsoil behind the North sidewalk between Sta. 102+60 to Sta. 103+00 the Engineer determined that a V-curb was required to build a slope that would be maintainable. This work will be directed by the Engineer and performed according to the applicable standards and provisions in the plan. All labor, materials, and equipment required to perform this work will be included in the unit price for "CONCRETE CURB DESIGN V".						
Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)						
Group/Funding Category	Item No.	Description	Unit	Unit Price	+ or - Quantity	+ or - Amount \$
SAP 103-113-008	2531.603	CONCRETE CURB DESIGN V	L F	\$55.00	40	\$2,200.00
Net Change This Change Order						\$2,200.00

Due to this change, the contract time: (check one)	
(X) Is NOT changed	() May be revised as provided in MnDOT Specification 1806
Number of Working Days Affected by this Contract Change:	Number of Calendar Days Affected by this Contract Change:

Approved By Project Engineer:



Date: 7/28/22

Approved By Contractor:



Date: 7-28-23

Approved By Owner:

Date:



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve Letter of Support and Adopt Resolution - TH 210 MPDG Grant

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 2 Minutes

SUMMARY OF ISSUE: Staff is requesting Council approve a Letter of Support and Adopt a Resolution supporting MnDOT's MPDG grant application for Federal-aid funding for the TH 210/Washington Street Reconstruction Project.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: MnDOT, with the support of local agencies, will be applying for the federal MPDG grant. MnDOT has indicated that the grant application amount is intended to cover most of the anticipated City expenses including underground utilities and other costs. Some costs (such as some aesthetic elements) may not be Federally eligible expenses and would be determined once the grant award is determined. MnDOT is reviewing the TH 210/Lum Park Pedestrian Bridge Feasibility Study to determine if they are willing to revise the grant application to include funding for the potential pedestrian bridge. If the potential pedestrian bridge is not included in the application, it may be a possible eligible expense should there be available funds remaining.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the Letter of Support and adoption of the Resolution supporting MnDOT's MPDG grant application.

FINANCIAL IMPACT: N/A

July 31, 2023

Pete Buttigieg
United States Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590



RE: Letter of Support for the FY 2023-2024 MPDG Rural Grant Program: Highway 210 Brainerd, Minnesota – Equity, Safety, and Multimodal Connectivity Project

Dear Secretary Buttigieg:

I am writing in support of the Minnesota Department of Transportation (MnDOT) District 3's application for funding through the FY 2023-2024 Multimodal Projects Discretionary Grant (MPDG) Rural Surface Transportation Grant (Rural) Program. Highway 210 Brainerd, Minnesota – Equity, Safety, and Multimodal Connectivity Project aligns with the USDOT's strategic goals as it addresses critical safety concerns in the historic Brainerd Lakes Area of central Minnesota. Hwy 210 through Brainerd is an important corridor for statewide users, the commuting public, freight, and those accessing regional destinations. It has the highest traffic volumes in Crow Wing County and is the only continuous east-west corridor in Brainerd. There are currently limited provisions for pedestrians and bicyclists to travel along or cross-over the corridor.

The MPDG Rural funding would reconstruct approximately four-mile segment of Highway 210, construct a network of Americans with Disabilities Act (ADA) accessible multiuse sidewalks ramps, crosswalks, and trails; rehabilitate the bridge over the Mississippi River; construct two new roundabouts; and upgrade aging utility and stormwater infrastructure. In addition, the general look and feel of the corridor will be improved to preserve the Brainerd Lakes Area as a popular vacation destination for Minnesotans.

MnDOT District 3 spans a large swath of central Minnesota – a diverse mix of both rapidly urbanizing communities in the southern portion around St. Cloud and extending along Interstate 94 from the Minneapolis-St. Paul Metropolitan Area (MSP) and rural communities in the north extending past Brainerd Lakes Area and including the Mille Lacs Indian Reservation. The project is critically important to District 3's regional economy as it supports key industries as well as consumers across the state. The project provides multimodal connectivity to the community and increases safety and travel time reliability so residents and visitors of all backgrounds, incomes, and abilities may access jobs, recreation, and housing.

This project will reconstruct the main corridor through the City of Brainerd and the success of this project is vitally important to the long-term health of the heart of Brainerd. The improvements due to the project will serve to improve traffic flow, provide safer streets, repair aging infrastructure, expand multimodal access, and improve overall appeal in and around the project area. I support MnDOT's application for the funding of Highway 210 Brainerd, Minnesota – Equity, Safety, and Multimodal Connectivity Project and look forward to the infrastructure investment in our region through the Bipartisan Infrastructure Law. Please give this FY 2023-2024 MPDG Rural Discretionary Grant proposal your full consideration and if we can answer any questions, please do not hesitate to contact the City of Brainerd. You may reach Administration at (218) 828-2307.

Sincerely,

Dave Badeaux
Mayor, City of Brainerd City Council

RESOLUTION
NO. _____

**RESOLUTION OF SUPPORT FOR FY 2023-2024 MPDG GRANT APPLICATION FOR THE
MN 210 IN BRAINERD – SAFETY, MOBILITY, AND MULTIMODAL IMPROVEMENTS
PROJECT**

WHEREAS, the Multimodal Projects Discretionary Grant (MPDG) Rural Surface Transportation Grant (Rural) Program provides dedicated, discretionary funding for transportation infrastructure projects in rural areas; and

WHEREAS, the United States Department of Transportation is soliciting applications for \$675 million for the FY 2023-2024 MPDG Grants Program as appropriated through the Bipartisan Infrastructure Law under the National Infrastructure Investments and 2023 Appropriations Act; and

WHEREAS, eligible projects for FY 2023-2024 MPDG Grants Program include surface transportation capital projects including highway, bridge, or other road projects in rural areas in order to increase connectivity, improve the safety and reliability of the movement of people and freight, and generate regional economic growth and improve quality of life; and

WHEREAS, Minnesota Department of Transportation is seeking funds to improve safety, mobility, and multimodal transportation alternatives in Brainerd; and

WHEREAS, funds would be used to reconstruct or repave approximately four-mile segment of MN 210 from Baxter Drive to Pine Shores Road; construct a network of Americans with Disabilities Act (ADA) accessible multiuse sidewalks ramps, crosswalks, and trails; rehabilitate bridge no. 5060 over Mississippi River; construct two new roundabouts; update utilities and signal systems, realign and access; replace stormwater infrastructure along the project corridor; and

WHEREAS, the proposed improvements will reduce fatal/serious injury crashes through the existing intersections and the numerous conflict points, enhance non-motorized transportation infrastructure, improve the safety, mobility, travel time reliability, resiliency, multimodality, and economic and regional growth of Brainerd Lakes Area; and

WHEREAS, the project is identified in the City of Brainerd's 2023-2027 Capital Improvement Plan; and

WHEREAS, the City of Brainerd will provide funding as identified in the MPDG grant application, which includes the use of funding programmed for maintenance, secured funding through other grant programs, and additional program funding as applicable; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD,
MINNESOTA:

the City of Brainerd City Council supports and approves the application towards FY 2023-2024 MPDG Rural Grants Program for MN 210 in Brainerd – Safety, Mobility, and Multimodal Improvements Project.

Adopted this 7th day of August 2023

KELLY BEVANS
President of the Council

Approved this 7th day of August 2023

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve MnDOT Agreement - Engineering Services on TH 371B/Willow St Roundabout Project

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: At the June 5th Council meeting, the City Council awarded an engineering contract for the preliminary, design, and construction engineering services for the HSIP-grant project for intersection improvements at the intersection of S. 6th Street (TH 371B) and Willow Street. It is intended that the project would construct a roundabout in 2025 to improve safety for motorists and pedestrians as well as have the intersection available for the additional traffic expected during the TH 210/Washington Street Reconstruction Project in 2026-2027. During the discussion with the Council, the Council wanted to ensure that the agreement with MnDOT reflected a 50% share of engineering expenses from the State for this work.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Attached to the packet is a Joint Powers Contract for Professional and Technical Services for this project. The agreement details that MnDOT would share in 50% of the costs of the engineering contract, not to exceed \$196,997.25. This amount is consideration for the base contract amount from SEH and includes the potential additional services, totaling \$393,994.50. The City will be reimbursed for costs expended through regular invoices for services rendered.

This agreement and the costs included reflect engineering costs only and do not include actual construction costs. A supplementary agreement between the City and MnDOT will be needed prior to bidding to detail out the share of the construction costs. These costs will be known more through further development of the design phase of the project.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the Joint Powers Contract with MnDOT as presented.

FINANCIAL IMPACT: N/A

**MINNESOTA DEPARTMENT OF TRANSPORTATION
JOINT POWERS CONTRACT
FOR PROFESSIONAL AND TECHNICAL SERVICES**

Federal Project Number: N/A

State Project Number (SP): N/A

Trunk Highway Number (TH): 371B

Project Identification: TH 371B and Willow Street Roundabout

This contract is between the State of Minnesota, acting through its Commissioner of Transportation ("State") and City of Brainerd acting through its BOARD OF COMMISSIONERS ("Governmental Unit").

Recitals

1. Minnesota Statutes §15.061 authorizes State to engage such assistance as deemed necessary.
2. Minnesota Statutes §471.59 authorizes State and Governmental Unit to enter into this contract.
3. State is in need of professional, technical assistance to provide final design for the TH 371B and Willow Street Roundabout project. The City of Brainerd, as the Governmental Unit under this Joint Powers Agreement, will complete the design work on behalf of the State.
4. Governmental Unit represents that it is duly qualified and agrees to perform all services described in this contract to the satisfaction of State.

Contract**1. Term of Contract; Survival of Terms; Incorporation of Exhibits**

- 1.1. **Effective Date:** This contract will be effective on the date State obtains all required signatures under Minnesota Statutes Section §16C.05, subdivision 2. The Governmental Unit must not begin work under this contract until this contract has been fully executed and the Governmental Unit has been notified by State's Authorized Representative to begin work.
- 1.2. **Expiration Date:** This contract will expire on November 30, 2026, or when all obligations have been satisfactorily fulfilled, whichever occurs first.
- 1.3. **Survival of Terms:** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this contract, including, without limitation, the following clauses: 6. Indemnification; 7. State Audits; 8. Government Data Practices; 9. Intellectual Property Rights; and 10. Venue.
- 1.4. **Exhibits:** Exhibits A through D are attached and incorporated into this contract.

2. Scope of Work and Deliverables

- 2.1. The Governmental Unit will contract with Short Elliott Hendrickson to complete the duties and provide the deliverables listed in Exhibit A.

3. Payment

- 3.1. **Consideration.** The budget below represents the cost of the Governmental Unit's Subcontractor. State will pay Governmental Unit 50% of the total actual costs not to exceed on a Cost Plus Fixed Fee (profit) basis as follows. State will pay for all services performed by the Governmental Unit under this contract as follows:

Costs for Short Elliott Hendrickson, Inc.

Direct Labor Costs:	\$ 97,344.00
Overhead Costs:	\$165,484.80
Fixed Fee Costs:	\$ 32,853.60
Direct Expense Costs:	\$ 75,990.60

Potential Additional Services

Direct Labor Costs:	\$4,000.00
Overhead Costs:	\$6,800.00
Fixed Fee Costs:	\$1,350.00
Direct Expense Costs:	\$10,171.50

Total Project Cost: \$393,994.50

- 3.1.1. **Overhead Rate.** The overhead rate of 170% of Direct Salary Costs will be used on a provisional basis, determined by State's Office of Audit, and will not exceed 170%.
- 3.1.2. **Fee.** The fee rate of 12.5% of Direct Salary and Overhead Costs will be used. The final fee amount distributed will be capped at 15% of actual Direct Salary and Overhead Costs incurred at the close of the contract, as determined by MnDOT's Office of Audit.
- 3.1.3. **Budget Details.** See Exhibit B for Budget Details on Governmental Unit and its subcontractor(s).
- 3.1.4. **Direct Costs.** Allowable direct costs include project specific costs listed in Exhibit B. Any other direct costs not listed in Exhibit B must be approved, in writing, by State's Project Manager prior to expenditure.
- 3.1.5. **Travel Expenses.** The Governmental Unit will be reimbursed for travel and subsistence expenses in the same manner and in no greater amount than provided in the current "Minnesota Department of Transportation Travel Regulations." The Governmental Unit will not be reimbursed for travel and subsistence expenses incurred outside the State of Minnesota unless it has received prior written approval from State for such out of state travel. State of Minnesota will be considered the home base for determining whether travel is "out of state." See Exhibit C for the current Minnesota Department of Transportation Reimbursement Rates for Travel Expenses.
- 3.1.6. **Total Obligation.** The total obligation of State for all compensation and reimbursements to the Governmental Unit will not exceed **\$196,997.25** which represents 50% of the total actual cost of the project.

3.2. Terms of Payment

- 3.2.1. **Invoices.** The Governmental Unit must submit invoices electronically for payment, using the format set forth in Exhibit D. The Governmental Unit will submit invoices monthly for payment.
- 3.2.2. **State's Payment Requirements.** State will promptly pay all valid obligations under this contract as required by Minnesota Statutes §16A.124. State will make undisputed payments no later than 30 days after receiving the Governmental Unit's invoices and progress reports for services performed. If an invoice is incorrect, defective or otherwise improper, State will notify the Governmental Unit within 10 days of discovering the error. After State receives the corrected invoice, State will pay the Governmental Unit within 30 days of receipt of such invoice. State reserves the right to audit all invoices, at State's discretion.
- 3.2.3. **Invoice Package Submittal.** The Governmental Unit must submit the signed invoice, the signed progress report and all required supporting documentation, for review and payment, to State's Consultant Services Section, at ptinvoices.dot@state.mn.us. Invoices will not be considered "received" within the meaning of Minnesota Statutes §16A.124 until the signed documents are received by State's Consultant Services Section.

- i. Each invoice must contain the following information: MnDOT contract Number, the Governmental Unit invoice number (sequentially numbered), the Governmental Unit billing and remittance address, if different from business address, and the Governmental Unit signature attesting that the invoiced services and costs are new and that no previous charge for those services and goods has been included in any prior invoice.
- ii. Except for Lump Sum contracts, direct nonsalary costs allocable to the work under this contract, must be itemized and supported with invoices or billing documents to show that such costs are properly allocable to the work. Direct nonsalary costs are any costs that are not the salaried costs directly related to the work of the Governmental Unit. Supporting documentation must be provided in a manner that corresponds to each direct cost.
- iii. Except for Lump Sum contracts, the Governmental Unit must provide, upon request of State's Authorized Representative, the following supporting documentation:
- iv. Direct salary costs of employees' time directly chargeable for the services performed under this contract. This must include a payroll cost breakdown identifying the name of the employee, classification, actual rate of pay, hours worked and total payment for each invoice period; and
- v. Signed time sheets or payroll cost breakdown for each employee listing dates and hours worked. Computer generated printouts of labor costs for the project must contain the project number, each employee's name, hourly rate, regular and overtime hours and the dollar amount charged to the project for each pay period.

3.2.4. **Federal funds.** If federal funds are used, the Governmental Unit is responsible for compliance with all federal requirements imposed on these funds and accepts full financial responsibility for any requirements imposed by the Governmental Unit's failure to comply with federal requirements.

4. Authorized Representatives

4.1. State's Authorized Representative will be:

Name/Title: Kelly Arneson
 Address: 395 John Ireland Blvd.
 Saint Paul, MN 55155
 Telephone: 651-366-4774
 E-Mail: Kelly.Arneseon@state.mn.us

State's Authorized Representative, or his/her successor, will monitor Contractor's performance and has the authority to accept or reject the services provided under this contract.

4.2. State's Project Manager will be:

Name/Title: Darren Nelson
 Address: 7694 Industrial Park Road
 Baxter, MN 56425
 Telephone: 218-821-2644
 E-Mail: Darren.Nelson@state.mn.us

State's Project Manager, or his/her successor, has the responsibility to monitor Contractor's performance and progress. State's Project Manager will sign progress reports, review billing statements, make recommendations to State's Authorized Representative for acceptance of Contractor's good or services and make recommendations to State's Authorized Representative for certification for payment of each invoice submitted for payment.

4.3. The Governmental Unit's Authorized Representative will be:

Name/Title: Jessie Dehn
 Address: 501 Laurel Street
 Brainerd, MN 56401
 Telephone: 218-513-0172
 E-Mail: jdehn@ci.brainerd.mn.us

5. Assignment, Amendments, Waiver, Contract Complete, and Electronic Records and Signatures

- 5.1. **Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this contract without the prior consent of State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this contract, or their successors in office.
- 5.2. **Amendments.** Any amendment to this contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original contract, or their successors in office.
- 5.3. **Waiver.** If State fails to enforce any provision of this contract, that failure does not waive the provision or its right to subsequently enforce it
- 5.4. **Contract Complete.** This contract contains all negotiations and contracts between State and the Governmental Unit. No other understanding regarding this contract, whether written or oral, may be used to bind either party.
- 5.5. **Electronic Records and Signatures.** The parties agree to contract by electronic means. This includes using electronic signatures and converting original documents to electronic records.

6. Indemnification

- 6.1. In the performance of this contract by the Governmental Unit, or the Governmental Unit's agents or employees, and to the extent permitted by law, the Governmental Unit must indemnify, save, and hold State, its agents, and employees harmless from any and all claims or causes of action, including reasonable attorney's fees incurred by State, to the extent caused by the Governmental Unit's: 1) intentional, willful, or negligent acts or omissions; 2) breach of contract or warranty; or 3) breach of the applicable standard of care. The indemnification obligations of this section do not apply if the claim or cause of action is the result of State's sole negligence. This clause will not be construed to bar any legal remedies the Governmental Unit may have for State's failure to fulfill its obligation pursuant to this contract.

7. State Audits

- 7.1. Under Minnesota Statutes §16C.05, subdivision 5, the Governmental Unit's books, records, documents and accounting procedures and practices relevant to this contract are subject to examination by the State and the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this contract.

8. Government Data Practices

- 8.1. The Governmental Unit and State must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by State under this contract, and as it applies to all data created, collected, received, stored, used, maintained or disseminated by the Governmental Unit under this contract. The civil remedies of Minnesota Statutes §13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or State.

9. Intellectual Property Rights

- 9.1. **Intellectual Property Rights.** State owns all rights, title and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks and service marks in the Works and Documents created and paid for under this contract. "Works" means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes and disks conceived, reduced to practice, created or originated by the Governmental Unit, its employees, agents and subcontractors,

either individually or jointly with others in the performance of this contract. Works includes Documents. "Documents" are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks or other materials, whether in tangible or electronic forms, prepared by the Governmental Unit, its employees, agents or subcontractors, in the performance of this contract. The Documents will be the exclusive property of State and the Governmental Unit upon completion or cancellation of this contract must immediately return all such Documents to State. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be "works made for hire." The Governmental Unit assigns all right, title and interest it may have in the Works and the Documents to State. The Governmental Unit must, at the request of State, execute all papers and perform all other acts necessary to transfer or record State's ownership interest in the Works and Documents

9.2. **Obligations**

9.2.1. **Notification.** Whenever any invention, improvement or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by the Governmental Unit, including its employees and subcontractors, in the performance of this contract, the Governmental Unit will immediately give State's Authorized Representative written notice thereof, and must promptly furnish State's Authorized Representative with complete information and/or disclosure thereon.

9.2.2. **Representation.** The Governmental Unit must perform all acts, and take all steps necessary to ensure that all intellectual property rights in the Works and Documents are the sole property of State, and that neither the Governmental Unit, nor its employees, agents nor subcontractors retain any interest in and to the Works and Documents. The Governmental Unit represents and warrants that the Works and Documents do not and will not infringe upon any intellectual property rights of other persons or entities. Notwithstanding Clause 6, the Governmental Unit will indemnify, defend, to the extent permitted by the Attorney General, and hold harmless State, at the Governmental Units expense, from any action or claim brought against State to the extent that it is based on a claim that all or part of the Works or Documents infringe upon the intellectual property rights of others. The Governmental Unit will be responsible for payment of any and all such claims, demands, obligations, liabilities, costs and damages, including but not limited to, attorney fees. If such a claim or action arises, or in the Governmental Unit's or State's opinion is likely to arise, the Governmental Unit must, at State's discretion, either procure for State the right or license to use the intellectual property rights at issue or replace or modify the allegedly infringing Works or Documents as necessary and appropriate to obviate the infringement claim. This remedy of State will be in addition to and not exclusive of other remedies provided by law.

10. **Venue**

10.1. Venue for all legal proceedings out of this contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

11. **Termination; Suspension**

11.1. **Termination.** State or the Commissioner of Administration may terminate this contract at any time, with or without cause. Upon termination, Governmental Unit will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

11.2. **Termination for Insufficient Funding.** State may immediately terminate this contract if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Governmental Unit. State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Governmental Unit will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. State will not be assessed any penalty if the contract is terminated because of the decision of the

Minnesota Legislature, or other funding source, not to appropriate funds. State must provide the Governmental Unit notice of the lack of funding within a reasonable time of State's receiving that notice.

- 11.3. **Suspension.** State may immediately suspend this contract in the event of a total or partial government shutdown due to failure to have an approved budget by the legal deadline. Work performed by the Governmental Unit during a period of suspension will be deemed unauthorized and undertaken at risk of non-payment.

12. E-Verify Certification (In accordance with Minnesota Statutes §16C.075).

- 12.1. For services valued in excess of \$50,000, the Governmental Unit certifies that as of the date of services performed on behalf of State, the Governmental Unit and all its subcontractors will have implemented or be in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work on behalf of State. The Governmental Unit is responsible for collecting all subcontractor certifications and may do so utilizing the E-Verify Subcontractor Certification Form available at <http://www.mmd.admin.state.mn.us/doc/EVerifySubCertForm.doc>. All subcontractor certifications must be kept on file with the Governmental Unit and made available to State upon request.

13. Plain Language; Accessibility Standards

- 13.1. **Plain Language.** Except for designs, plans, layouts, maps and similar documents, the Governmental Unit must provide all deliverables in "Plain Language". Executive Order 14-07 requires the Office of the Governor and all Executive Branch agencies to communicate with Minnesotans using Plain Language. As defined in Executive Order 14-07, Plain Language is a communication which an audience can understand the first time they read or hear it. To achieve that, the Governmental Unit will take the following steps in the deliverables:

- Use language commonly understood by the public;
- Write in short and complete sentences;
- Present information in a format that is easy-to-find and easy-to-understand; and
- Clearly state directions and deadlines to the audience.

- 13.2. **Accessibility Standards.** Except for designs, plans, layouts, maps and similar documents, the Governmental Unit agrees to comply with the State of Minnesota's Accessibility Standard (https://mn.gov/mnit/assets/Stnd_State_Accessibility_tcm38-61585.pdf) for all deliverables under this contract. The State of Minnesota's Accessibility Standards entail, in part, the Web Content Accessibility Guidelines (WCAG) 2.0 (Level AA) and Section 508 of the Rehabilitation Act, as amended. The Governmental Unit's compliance with the State of Minnesota's Accessibility Standard includes, but is not limited to, the specific requirements as follows:

- All videos must include closed captions, audio descriptions and a link to a complete transcript;
- All documents, presentations, spreadsheets and other material must be provided in an accessible format. In addition, the Governmental Unit will provide native files in an editable format. Acceptable formats include InDesign, Word and Excel; and
- All materials intended for downloading and printing such as promotional brochures, must be labeled as such and the content must additionally be provided in an accessible format.

14. Subcontractor Reporting

- 14.1. The State of Minnesota is committed to diversity and inclusion in public procurement. If the total value of this contract may exceed \$500,000.00, including all extension options, the Governmental Unit must track and report, on a quarterly basis, the amount spent with diverse small businesses. When this applies, the Governmental Unit will be provided free access to a portal for this purpose, and the requirement will continue as long as the contract is in effect.

15. Title VI/Non-discrimination Assurances.

- 15.1. The Governmental Unit agrees to comply with all applicable US DOT Standard Title VI/Non-Discrimination Assurances contained in DOT Order No. 1050.2A, and in particular Appendices A and E, which can be found at: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=11149035. The Governmental Unit will ensure the appendices and solicitation language within the assurances are inserted into contracts as required. State may conduct a review of the Governmental Unit's compliance with this provision. The Governmental Unit must cooperate with State throughout the review process by supplying all requested information and documentation to State, making the Governmental Unit's staff and officials available for meetings as requested, and correcting any areas of non-compliance as determined by State.

16. Additional Provisions.

None.

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STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minnesota Statutes §16A.15 and §16C.05.

Signed:

Date:

DEPARTMENT OF TRANSPORTATION (with delegated authority)

Signed:

Title:

Date:

GOVERNMENTAL UNIT*

Governmental Unit certifies that the appropriate person(s) have executed the contract on behalf of Governmental Unit as required by applicable resolutions, ordinances or charter provisions.

Signed: _____

Title: _____

Date: _____

COMMISSIONER OF ADMINISTRATION

Signed:

Date:

***Political subdivisions must provide documentation approving this contract, including: 1) a resolution evidencing approval of the agreement; and 2) proper signature pursuant to the resolution.**

The City of Brainerd will oversee the design work on behalf of the State as the Governmental Unit under a Joint Powers Agreement between the parties, and City of Brainerd has agreed. The Governmental Unit will closely coordinate the work with the State to prevent conflicts and deliver the desired outcomes on time and within budget. The Governmental Unit has hired a Subcontractor (Contractor) to perform the design work. The scope of work is as follows:

Phase 1 – Preliminary Design

- A. **Topographic Survey** – Contractor will perform a field control survey and develop horizontal and vertical control points at convenient intervals throughout the roadway project and perform topographic survey of the project boundaries.
 - i. Contractor will prepare preliminary and final permanent easement descriptions and depictions should Right-of-Way acquisition be necessary for construction.
 - ii. Contractor will prepare preliminary and final temporary easement descriptions and depictions should temporary easement acquisition be necessary for construction
 - iii. Contractor will stake all temporary and permanent easements prior to acquisition for property owner's review.
- B. **Existing Plans** – Using topographic and right-of-way survey information, prepare base plans showing:
 - i. Locations and elevations of all physical features.
 - ii. Existing right-of-way.
 - iii. Existing profiles.
- C. **Geotechnical Testing Services**
 - i. Geotechnical Testing Services – The Contractor will submit a fee for Geotechnical Testing Services for the Preliminary Engineering phase of the project. Services included, but not limited to:
 - i. Soil borings on all project areas prior to design
 - ii. Pavement design based on R-values (where applicable)
 - iii. Design recommendations for any scope of project work.
- D. **Preliminary Design Plans** - Use of existing conditions and development process to prepare a Level 1 approved layout and preliminary plans for agency review and comment.
 - a. Construction Limits – existing right-of-way, necessary temporary and permanent easements identified
 - b. Removals Plan – preliminary plan to address potential contaminated materials
 - c. Alignment – set the alignment for all project areas.
 - d. Profiles – set the profiles for the project.
 - e. Cross-sections – develop cross sections for the entire project.
 - f. Removals – develop a removals plan for all portions of the project.
 - g. Storm drainage system – storm sizing will need to be confirmed prior to replacement.
 - h. Utilities (electric, gas, telephone, cable TV) – all utilities should be coordinated to allow adequate time for relocations if necessary. Contractor will follow State utility process. Working with City staff, utilities should be shown based on information provided by utility companies and marked in the field.
 - i. This should include organizing a small utility meeting and working with the small utility companies on relocation and schedule.
 - i. Sanitary sewer will be replaced/realigned as needed.
 - j. Water main will be replaced/realigned as needed.
 - k. Signing and striping - the consultant selected will develop a signing and striping plan for all portions of the project.

- l. Intersection Design – The Contractor will develop an intersection design plan for the Project. This should also include Americans with Disabilities Act (ADA) design of all pedestrian ramp facilities. Additionally, Rectangular Rapid Flashing Beacons (RRFB's) at all pedestrian crossings will be included if allowed by State.
 - m. Landscape/Aesthetic Plan - The Contractor will potentially incorporate landscape and aesthetic enhancements into the proposed design.
 - n. Stormwater Pollution Prevention Plan - The Contractor will develop a Stormwater Pollution Prevention Plan for all portions of the project.
 - o. Street Lighting Plan – The Contractor will develop a street lighting plan for the project intersection that conform to the current City of Brainerd Street Lighting Policy.
 - p. Traffic control plans during construction including phasing plan – The Contractor will develop a traffic control and construction-phasing plan that minimizes closures to the fullest extent.
 - q. Project Memorandum – Complete all tasks necessary to complete a Project Memorandum.
 - r. Estimated Quantities – Estimate the quantities for the project.
 - s. Perform an Intersection Control Evaluation (ICE) on the TH371B and Willow Street intersection to evaluate a proposed roundabout.
 - t. Draft Project Memorandum (CATEX).
- E. **Property Acquisition** – The Contractor will provide property acquisition services (up to 10 parcels) for the necessary temporary and permanent easements required for construction.
- a. Process will conform with State of Minnesota requirements for right of way acquisition.
 - b. City will provide necessary title searches
 - c. City attorney will prepare the necessary conveyance documents.
 - d. Assume no relocation required and no eminent domain support will be required.
- F. **Project Meetings** – The Contractor will coordinate and facilitate Project Development meetings throughout the preliminary engineering phase including the following:
- a. Weekly meetings (up to 10) to be held with the City's project manager and other personnel as identified.
 - i. The first kickoff meeting to occur no more than 15 days following contract execution.
 - ii. These meetings can be held virtually, if needed.
 - iii. The intent of these meetings is to review progress of deliverables, issues, and effectiveness.
 - b. Monthly meetings to be held with the City's Project Management Team (PMT).
 - i. The City's PMT group will consist of City and State staff, and elected officials.
 - ii. The first PMT meeting to occur no more than 30 days following contract execution.
 - iii. The intent of these meetings is to review project progress and discuss design development.
 - c. Stakeholder coordination meetings
 - i. These meetings are intended to collect input from agency-identified stakeholders during the design process.
 - ii. The Contractor will facilitate at least two stakeholder meetings in the preliminary engineering phase.
- G. **Public Engagement** – The Contractor will be responsible for leading a Public Engagement process during the preliminary engineering phase including the following:
- a. Public Input Meetings
 - i. Contractor will hold one (1) Public Input Meeting prior to presenting City Council with the 30% design concepts including proposed landscaping/aesthetic enhancements.
 - b. City Council Meetings
 - i. Contractor will present at City Council with 30% Plans and Design, including cost estimates.

Phase 2 – Final Design

- A. **Final Design Plans and Specifications** – Contractor will prepare plans and specifications. The Contractor will design a final full set of plans and specifications that meet City and MnDOT standards. Specifications will supplement City's standard construction documents.
- a. Refinement of preliminary design elements as described in Phase 1, Items D.a. through D.r.
 - b. Prepare contract documents - the Contractor will prepare contract documents based on the City of Brainerd and MnDOT standards.
 - c. Submit plans, specifications, and all other State/Federal Highway Administration (FHWA) required submittal documentation to the City and State for review and approval.
 - d. Obtain all required permits – The Contractor will prepare and submit applications for all required permits. The agencies will pay for all permit fees.
 - e. Prepare opinion of probable construction costs.
 - f. The Contractor will produce copies of the plans and specifications for bidding purposes and distribute plans and specifications to potential bidders. The Contractor will maintain and provide a plan holders' list. The Contractor will be familiar with the State and Federal grant aid process and will be responsible for preparation of all documents/reports that may be required by the DCP process.
- B. **Project Meetings** – The Contractor will coordinate and facilitate Project Development meetings throughout the final design plans phase including the following:
- a. Weekly meetings (up to 18) to be held with the City's project manager and other personnel as identified.
 - i. These meetings can be held virtually, if needed.
 - ii. The intent of these meetings is to review progress of deliverables, issues, and effectiveness.
 - b. Monthly meetings to be held with the City's Project Management Team (PMT).
 - i. The intent of these meetings is to review project progress and discuss design development.
 - c. Stakeholder coordination meetings
 - i. The consultant will facilitate up to two (2) stakeholder meetings in the final design plans phase.
- C. **Public Engagement** – The Contractor will be responsible for leading a Public Engagement process during the final design phase including the following:
- a. Public Input Meetings
 - i. Contractor will hold one (1) Public Input Meeting to collect input and comments on the 60% design concepts prior to presenting City Council with the final plans and specifications.
 - b. City Council Meetings
 - i. Contractor will present at City Council when Approving Plans and Specifications and Authorize for Bids.
- D. **Bidding Administration** – Bidding administration will be required of the Contractor:
- a. Prepare advertisement for bids and submit to required publications.
 - b. Answer bidder's questions – The Contractor will be required to answer all bidders' questions.
 - c. Issue addenda, if required – The Contractor will be required to prepare and distribute any addendums.
 - d. Bid opening and tabulation – The Contractor will open and tabulate bids.
 - e. Prepare letter of award recommendation – The Contractor will prepare a letter of award recommendation.

Phase 3 – Construction Engineering / Contract Administration

- A. **Construction Administration** – The Contractor will be required to:
- a. Attend preconstruction conference.
 - b. Perform on-site review of project's work and status as needed.
 - c. Attend progress meetings as needed.
 - d. Approve shop drawings, material list reports and all information on material to be used for construction in accordance with the plans and specifications.
 - e. Field staking.
 - f. Stake limits of construction.
 - g. Stake temporary and permanent easements for construction.
 - h. Stake for grading.
 - i. Stake alignment and grades for new storm sewer, sanitary sewer and watermain replacement and/or repairs.
 - j. Stake alignment and grades for curb and gutter.
 - k. Stake alignment and grades for all new sidewalk and pedestrian amenities.
 - l. Stake locations for signage.
 - m. Stake landscaping amenities as necessary.
 - n. Stake pavement markings as necessary.
 - o. Stake other facilities as necessary.
- B. **Construction Observation Support** - The successful consultant will provide construction observation and day-to-day project coordination. Tasks include but are not limited to:
- a. Full-time daily on-site inspection services (up to 460 hours).
 - b. Maintain good public relations with residents and/or property owners.
 - c. Maintaining a daily diary of construction activity.
 - d. Daily documentation of pay item quantities.
 - e. Working with the Contractor and City Staff to prepare partial pay estimates.
 - f. Coordinate and documentation of materials testing requirements.
 - g. Documenting certification of materials.

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	Project Manager	Prelim. Designer	Design Eng.	Traffic Eng.	Traffic Eng.	Environmental Scientist	Sr. Planner	Lighting Designer	Design Eng.	Drainage Eng.	Grad Eng.	Grad Eng.	CADD Tech	Survey Lead	Row Speacialist	Landscape Arch.	Const. Inspector	Admin	Total
Phase 1- Preliminary Design	40	32	36	8	32	12	112	0	50	20	50	60	52	64	140	12	0	8	728
Phae 2- Final Design	64	6	118	50	0	0	0	70	104	40	140	100	100	0	0	40	0	48	880
Phase 3 Construction	6	0	4	0	0	0	0	10	124	0	0	0	0	172	0	0	265	24	605
Total	110	38	158	58	32	12	112	80	278	60	190	160	152	236	140	52	265	80	2213
Hourly Rate	\$73.00	\$73.00	\$55.00	\$51.00	\$46.00	\$40.00	\$51.00	\$50.00	\$51.00	\$44.00	\$37.00	\$42.00	\$34.00	\$39.00	\$36.00	\$44.00	\$32.00	\$31.00	
Labor	\$8,030.00	\$2,774.00	\$8,690.00	\$2,958.00	\$1,472.00	\$480.00	\$5,712.00	\$4,000.00	\$14,178.00	\$2,640.00	\$7,030.00	\$6,720.00	\$5,168.00	\$9,204.00	\$5,040.00	\$2,288.00	\$8,480.00	\$2,480.00	\$97,344.00
Overhead	170%																		\$165,484.80
Labor and Overhead																			\$262,828.80
Fixed Fee	12.50%																		\$32,853.60
Expenses																			\$75,990.60
Total																			\$371,673.00

DIRECT EXPENSES						
Description	Quantity	Miles	Quantity X Miles	Unit	Unit Rate	Total Cost
Survey						
Mileage	44	30	1320	Mile	\$0.655	\$864.60
Vehicle	124			Day	\$75.00	\$9,300.00
Total Station	70			Day	\$40.00	\$2,800.00
GPS	46			Day	\$25.00	\$1,150.00
SX12	8			Day	\$400.00	\$3,200.00
Survey Subtotal						\$17,314.60
Construction						
Vehicle	25			Day	\$16.00	\$400.00
Construction Subtotal						\$400.00
Appraiser						
Appraiser (Up to 10 parcels)	1			Each	\$24,500.00	\$24,500.00
Appraiser Subtotal						\$24,500.00
Borings and Testing						
Geotechnical Evaluation	1			Each	\$7,160.00	\$7,160.00
Environmental Testing	1			Each	\$4,970.00	\$4,970.00
Construction Testing	1			Each	\$21,646.00	\$21,646.00
Borings and Testing Subtotal						\$33,776.00
SEH DIRECT EXPENSES TOTAL						\$75,990.60

Potential Additional Services (if needed)	Enviro. Scientist	Total
Phase II ESA	100	
Hourly Rate	\$ 40.00	
Labor	\$ 4,000.00	\$ 4,000.00
Overhead	170%	\$ 6,800.00
Labor and Overhead		\$ 10,800.00
Fixed Fee	12.50%	\$ 1,350.00
Expenses		\$10,171.50
Total		\$22,321.50

SEH POTENTIAL ADDITIONAL SERVICES (IF NEEDED)						
Description	Quantity	Miles	Quantity X Miles	Unit	Unit Rate	Total Cost
Phase II						
Mileage	1	300	300	Mile	\$0.655	\$196.50
Geotechnical Evaluation	1			Each	\$6,500.00	\$6,500.00
Air Monitoring / PID	1			Day	\$75.00	\$75.00
GPS / R1	1			Day	\$40.00	\$40.00
4gas Meter	1			Day	\$25.00	\$25.00
Phase II Lab Analysis	1			Each	\$2,935.00	\$2,935.00
Analytic Shipping	1			Each	\$400.00	\$400.00
Phase II Subtotal						\$10,171.50

MINNESOTA DEPARTMENT OF TRANSPORTATION
2021-2023 Commissioner's Plan Reimbursement Rates for Travel Expenses*

Subject	Conditions/Mileage	Rate
Personal Car	(1)	Federal IRS reimbursement rate
Commercial Aircraft	(2)	Actual cost
Personal Aircraft	(1)	Federal IRS reimbursement rate
Rental Car	(2)	Actual cost
Taxi	(3)	Actual cost
Subject	Meals	Rate
Breakfast	(1) (5) (7)	\$10.00
Lunch	(1) (5) (7)	\$13.00
Dinner	(1) (5) (7)	\$19.00
Subject	Lodging	Rate
Motel, Hotel, etc.	(2) (4) (6)	Actual cost
Laundry/Dry Cleaning (After seven continuous days in Travel Status)	(1) (3)	\$16.00 each week
Telephone, Personal	(1)	As of July 1, 2022, no reimbursement of costs

Travel Status

- More than 35 miles from Home Station and/or stay overnight at commercial lodging (motel, etc.).
- Leave home in travel status before 6 a.m. for breakfast expense that day or away from home overnight.
- In travel status after 7 p.m. for supper expense that day or is away from home overnight.
- On travel status and/or more than 35 miles from Home Station for lunch expense that day.

Restrictions

1. A maximum rate shown or a lesser rate per actual reimbursement to an employee.
2. Include receipt or copy of receipt when invoicing. (Coach class for aircraft, Standard card size, and standard room.)
 - a. Lodging costs should be reasonable and consistent with facilities available.
3. Include receipt or copy of receipt when more than \$10.00.
4. Reasonable for area of stay.
5. The gratuity is included in the maximum cost.
6. To be in Travel Status and at a commercial lodging.
7. Meal reimbursements for high-cost localities as identified by the IRS, the maximum reimbursement will be Breakfast \$12.00, Lunch \$15.00, and Dinner \$23.00.

*The above expense rates are based on the 2021-2023 Commissioner's Plan contract and are subject to change with subsequent contract updates.

INVOICE NO. _____

Estimated Completion: ____% (from Column 6 Progress Report)

Final Invoice? ☐ Yes ☐ No

Invoice Instructions:

Contractor must:

1. Complete the invoice and, if applicable, the progress report, in their entirety
2. Sign the invoice and progress report
3. Attach supporting documentation
4. Scan the entire invoice package*, **in the following order**:
 - a. Completed, Signed Invoice Form
 - b. Completed, Signed Progress Report Form (if applicable)
 - c. Supporting Documentation

Note: Whenever possible, convert landscape pages to portrait pages and optimize the document to decrease the size

5. E-mail the invoice package, in .pdf, to ptinvoices.dot@state.mn.us

MnDOT Contract Number: 1054209
Contract Expiration Date: November 30, 2026
SP Number: N/A TH Number: 371B

Billing Period*: From _____ to _____
Invoice Date: _____

	Total Contract Amount	Total Billing to Date	Amount Previously Billed	Billed This Invoice
1. Direct Labor Costs: (Attach Supporting Documentation)	\$97,344.00			
2. Overhead Costs: Rate = 170% (Direct Labor*Overhead Rate)	\$165,484.80			
3. Fixed Fee (Profit) Costs: Rate = 12.5% (Fixed Fee = \$ * Percent Complete)	\$32,853.60			
4. Direct Expense Costs: (Attach Supporting Documentation)	\$75,990.60			
5. Potential Additional Services				
Direct Labor Costs	\$4,000.00			
Overhead Costs: Rate 170%	\$6,800.00			
Fixed Fee Costs: Rate 12.5%	\$1,350.00			
Direct Expenses Costs	\$10,171.50			
Net Earning Totals:	\$393,994.50			
Total Amount due this invoice:				\$
State Total Amount Due This Invoice (50% of Total)				\$

**If your billing period includes costs to and after June 30, provide a "Billed This Invoice" split of cost through June 30, and costs after.*

Contractor: Complete this table when submitting an invoice for payment

Source Type	Total Billing to Date	Amount Previously Billed	Billed This Invoice
1250			
Total			

I certify that the statements contained on this invoice, and its supporting documents, are true and accurate and that I have not knowingly made a false or fraudulent claim, or used a false or fraudulent record in connection with this Invoice. I understand that this invoice is subject to audit.

Governmental Unit: City of Brainerd

Signature: _____

Print Name: _____

Title: _____

If you are unable to support electronic submission of Invoices, you must contact the Authorized Representative for possible alternatives.



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve LHB Proposal - Engineering Services for Historic Water Tower

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: In 2018, Council approved \$300,000 towards the restoration of the Historic Water Tower. Portions of Phase I of the repair including a new roof have been completed. Rehabilitation of the stairs and windows were removed from the initial work due to the cost of construction of the new roof. In December 2023, Council approved an additional \$200,000 in ARPA funding to complete the remaining Phase 1 items.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: To complete reconfiguring the plans and specifications for the window and stairs restoration work, along with including additional electrical needed for lighting and power supply in the water tower bowl, LHB provided a proposal for professional services to complete preparation of the plans and specifications, as well as construction administration support during the work. The proposal includes a total fee of \$14,000 to complete their work as described.

Of the original \$300,000, there is approximately \$112,000 remaining in budget funds. With the addition of the \$200,000 of ARPA funds, this provides for approximately \$312,000 in available dollars for this phase of work. If the Council approves the LHB proposal, this would leave approximately \$298,000 for construction of the remaining stair, window, and electrical rehabilitation work.

RECOMMENDED ACTION/MOTION: Staff recommends approval of the LHB proposal in the amount of \$14,000.

FINANCIAL IMPACT: \$14,000

We appreciate the opportunity to provide you with our services. We look forward to working with you. Please contact me at 612-766-2811 if you have any questions.

LHB, INC.



MIKE LOVATO, PROJECT ARCHITECT



PHIL WAUGH, PROJECT PRINCIPAL

c: Names of Recipients
LHB Project No. 190190.03

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Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Discussion on Proposed Ordinance on E-Bike Regulations

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: Staff had discussion with the Safety and Public Works Committee regarding potential regulations regarding various types of electric-assisted micromobility and their use in various areas of the City. Considerations were taken for trails, sidewalks, streets, and parks. Staff is requesting direction from the City Council on the proposed regulations attached in the memo.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: See attached memo.

RECOMMENDED ACTION/MOTION: Staff is requesting discussion on the considerations listed in the memo for what should be included in a proposed ordinance at the August 21 Council meeting.

FINANCIAL IMPACT: N/A



MEMO

TO: BRAINERD CITY COUNCIL

FROM: CITY ENGINEER/PUBLIC WORKS DIRECTOR JESSIE DEHN

DATE: AUGUST 7, 2023

SUBJECT: MICROMOBILITY REGULATIONS DISCUSSION

Micromobility is a relatively newer technology that continues to grow in popularity. Micromobility is a term that refers to transportation using lightweight vehicles such as bicycles or scooters, especially electric ones. Electric-assist bicycles, scooters, skateboards, and segways are all examples of forms of micromobility.

Staff brought this discussion to the City Council and requested direction on a potential ordinance creating a City Code regulating the use of various forms of micromobility within the City. Staff also met with stakeholders to gather additional input on the matter as well. Below are several facets of micromobility regulations that staff is considering including in a proposed ordinance to be brought to the City Council for considerations at a future meeting.

1. Motorized bicycles, scooters, etc. (powered by a fuel combustion engine)
 - a. Not allowed on any public sidewalks, trails or in public parks.
2. Electric-assisted bicycles
 - a. Allowed on multi-use and bicycle trails
 - b. Allowed on public sidewalks up to 10 miles per hour, yield right-of-way to pedestrians and handicapped persons
 - c. Not allowed to be rode within the Downtown Business District area
 - d. Use in public parks limited to the restrictions on sidewalks and trails, unless otherwise posted
3. Electric-assisted scooters
 - a. Allowed on multi-use and bicycle trails
 - b. Allowed on public sidewalks up to 10 miles per hour yield right-of-way to pedestrians and handicapped persons
 - c. Allowed on public sidewalks within the Downtown Business District area up to normal walking speed
 - d. Use in public parks limited to the restrictions on sidewalks and trails, unless otherwise posted
4. Electric-assisted skateboards, roller blades, segways, and hoverboards
 - a. Allowed on multi-use and bicycle trails

- b. Allowed on public sidewalks up to 10 miles per hour yield right-of-way to pedestrians and handicapped persons
- c. Allowed on public sidewalks within the Downtown Business District area up to normal walking speed
- d. Use in public parks limited to the restrictions on sidewalks and trails, unless otherwise posted



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Review Draft Ordinance for Amendment to Section 320.19 - Contesting Administrative Citations

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Discussion Item

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 10 min

SUMMARY OF ISSUE: Staff would like City Council to consider an ordinance amendment to Section 320.19 of the City Code pertaining to contesting administrative citations. The current ordinance requires the City Council to periodically approve a list of lawyers, from which the City Administrator will select a Hearing Officer to hear and determine a matter for which the hearing is requested. The cost of the hearing shall be borne solely by the non-prevailing party. The City shall provide an estimate of the cost of the hearing at the time of the request for hearing. The City Council has the authority to reduce the non-prevailing party's costs where that party can demonstrate indigency by clear and convincing evidence.

The Hearing Officer has the authority to determine that a violation did or did not occur, to dismiss a citation or impose the scheduled fine or to reduce, stay or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: City Council directed staff to present a draft ordinance amendment of Section 320.19 in which City Council would become the Authority to review contested nuisance citations rather than a third party attorney. Staff recommends the proposed ordinance amendment for consistency with our current review processes for nuisance assessments and zoning appeals. Also, City Council review would incur no extra legal fees and the proposed process would have a more efficient timeline to resolve the contested issue.

After a full review of Section 320, staff recommends changing the correction time for violations of the Zoning Code. Violations of the Zoning Code currently allow residents 30 days to correct the issue, with the exception of signs and off-street parking. In many instances, 30 days have been too long for property owners to take corrective action pertaining to items in the Zoning Code.

RECOMMENDED ACTION/MOTION: Review the draft ordinance, recommend any changes to the proposed language, and direct staff to bring this to the next City Council meeting as a first reading.

FINANCIAL IMPACT: N/A

ORDINANCE
NO. 15__

AN ORDINANCE AMENDING SECTION 320 – ADMINISTRATIVE CITATIONS

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 320.09 of the City Code is hereby amended as indicated, with deleted language struck out and new language underlined:

Section 320.09 Order to Correct; Administrative Citations. Upon the reasonable belief that an administrative offense has occurred, the City officials listed in Section 320.05 shall serve on the violator an order to correct the violation. If compliance is not achieved within the timeline prescribed in the order to correct the violation, the official is authorized to issue an administrative citation. Violations relating to property maintenance and Zoning Code violations related to accessory structures and violations of the Zoning Code, with the exclusion of violations relating to signs and off-street parking, shall be corrected within thirty (30) days of the date of the order to correct. All other violations of the Code shall be corrected within ten (10) days of the date of the order to correct.

An administrative citation shall be presented in person or by first class mail to the person responsible for the violation. Service shall be deemed complete upon depositing the citation in the U.S. Mail, properly addressed to the last known address of the person to be served and postage prepaid. The citation shall state the following: date, time and nature of the offense, citing the relevant portion of the City Code that was allegedly violated, the amount of the scheduled civil fine, and the manner for paying the fine, a statement that the City Code violation and the amount of the administrative civil penalty may be contested to be heard before an independent hearing officer the Board of Administrative Citation Appeals by notifying the City Administrator or designated representative in writing within 10 days of the date of the citation, and a statement that failure to pay the administrative civil penalty may result in it being assessed against the property as provided in Minnesota Statutes Chapter 429. If the tenth day is a Saturday, Sunday, or holiday, the appeal period shall extend to the next business day.

SECTION TWO: Section 320.19 of the City Code is hereby amended as indicated, with deleted language struck out and new language underlined:

Section 320.19 Administrative Hearing Procedures.

~~Subd 1. Hearing Officers. The City Council will periodically approve a list of lawyers, from which the City Administrator will select a Hearing Officer to hear and determine a matter for which the hearing is requested. The person who has requested the hearing has the right to request, no later than 15 days before the date of the hearing, that the assigned Hearing Officer be removed from the case. One such request for each case will be granted by the City Administrator. A subsequent request must be directed to the assigned Hearing Officer who will decide whether the Hearing Officer can fairly and objectively review the case. If such a finding is made, the Hearing Officer shall remove himself or herself from the case, and the City Administrator shall assign another Hearing Officer. The Hearing Officer is not a judicial officer, but is a public officer as defined by Minnesota Statutes, Section 609.415. The Hearing Officer shall not be a current or former employee of the City of Brainerd.~~

Subd 1. Board of Administrative Citation Appeals. The City Council shall serve as the Board of Administrative Citation Appeals.

Subd 2. The Board of Administrative Citation Appeals shall act upon all administrative citation appeals and it shall hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with enforcing the Ordinance. Any party may appear at the hearing in person or by agent or attorney.

~~Subd 2.~~ Subd 3. Notice of Hearing. Notice of the hearing must be served in person or by first class mail to the person responsible for the violation no less than ~~20-10~~ days in advance of the scheduled hearing, unless a shorter time is accepted by both parties. Service shall be deemed complete upon depositing the Notice of Hearing in the U.S. Mail, properly addressed to last known address of the person to be served and postage prepaid.

~~Subd 3. Payment for Cost of Hearing. The cost of the hearing shall be borne solely by the non-prevailing party. The City shall provide an estimate of the cost of the hearing at the time of the request for hearing. The City Council has the authority to reduce the non-prevailing party's costs where that party can demonstrate indigency by clear and convincing evidence. Proof of indigency can be demonstrated by the party's receipt of means tested governmental benefits or a demonstrated lack of assets or current income. Such proof shall be presented to the City Council for determination subsequent to the hearing. However, the Hearing Officer at the time of the hearing shall make specific findings as to whether or not the party is indigent with said findings presented to the City Council. In all cases, where the party requesting the hearing is unable to attend and fails to request a continuance of the hearing at least 48 hours in advance of the scheduled hearing, all costs incurred by the City attributable to the hearing shall be charged to the requesting party.~~

Subd 4. Hearing Procedures. At the hearing, the parties shall have the opportunity to present testimony and question any witnesses, but strict rules of evidence shall not apply. The ~~Hearing Officer Board~~ shall record the hearing and receive testimony and exhibits and the full record of the hearing shall be kept. ~~The Hearing Officer shall receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs.~~

Subd 5. Authority of ~~Hearing Officer~~ the Board of Administrative Citation Appeals. The ~~Hearing Officer Board~~ has the authority to determine that a violation did or did not occur, to dismiss a citation or impose the scheduled fine or to reduce, stay or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions. When imposing a penalty for a violation, the ~~hearing officer Board~~ may consider any or all of the following:

- 1) The duration of the violation;
- 2) The frequency or recurrence of the violation;
- 3) The seriousness of the violation;
- 4) The history of the violation;
- 5) The violator's conduct after issuance of the notice of hearing;
- 6) The good faith effort of the violator to comply;
- 7) The economic impact of the penalty on the violator;
- 8) The impact of the violation upon the community;
- 9) Any other factors appropriate to a just result.

~~Subd 6. Fines for Continuing Violations. The Hearing Officer may exercise discretion to~~

~~impose a fine for more than one day of a continuing violation but only on a finding that the violation caused a serious threat of harm to the public health, safety, or welfare, or the accused intentionally and unreasonably refused to comply with the Code requirement. The Hearing Officer's decision and supporting reasons for continuing violations must be in writing.~~

Subd 7. Decision of the ~~Hearing Officer Board of Administrative Citation Appeals~~. The ~~Hearing Officer Board~~ shall issue a decision at the hearing after receiving testimony from all parties and shall serve a copy of such order upon the appellant or petitioner by mail, in writing to both parties within 10 days of the hearing. ~~The reasons for the Board's decision shall be stated in the letter.~~ Any fines or penalties imposed must be paid no later than 30 days of the date of the ~~Hearing Officer's Board's~~ order. If the fine is not paid, the City may assess the civil penalty against the owner's property pursuant to Minnesota Statutes Chapter 429. ~~If the Hearing Officer determines that no violation occurred, the City may not proceed with criminal prosecution for the same act or conduct.~~ The decision of the Hearing Officer Board is final and may only be appealed to the Minnesota Court of Appeals by petitioning for a writ of certiorari pursuant to Minnesota Statute Section 606.01.

SECTION THREE: This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this _____ day of _____, 2023

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2023

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Published: One Time – _____



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve 2023 Relief Association Annual Report

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Tim Holmes, Fire Chief

DEPARTMENT: Fire

PRESENTER: Joe Enge

ESTIMATED TIME (MIN): 10 minutes

SUMMARY OF ISSUE: See attached memo and reports from the Brainerd Fire Department Relief Association.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Authorize staff to sign the annual reports.

FINANCIAL IMPACT:

Brainerd Fire Department
Relief Association
23 Laurel St
Brainerd MN 56401
(218) 828-2312

July 31, 2023

TO: City Council City of Brainerd

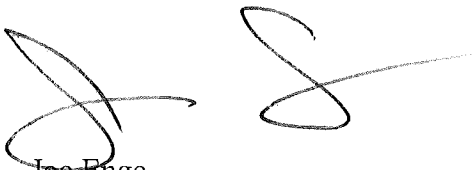
FR: Brainerd Fire Department Relief Association

Pursuant to Minnesota State Statute 424A.093, subdivision 5(c), the Brainerd Fire Department Relief Association must certify to the municipality the annual financial requirements for the association by August 1, 2023. The financial requirements for the association are calculated on the Form SC-23, which is provided to the relief association by the Office of the State Auditor. This form is used to determine the projected current year end plan liabilities, any projected surplus or deficit, and the future year required municipal contribution.

Based upon the financial projections on the Form SC-23, the Brainerd Fire Department Relief Association is requesting an increase to our benefit level. We are currently at \$13,750 per year of service and are requesting an increase to \$14,000 per year of service. Based on the performance of our fund in the past year and several other variables we feel that an increase would be in the funds best interest. As a result of this increase, we will be leaving our plan funded to more than 100%. Thank you for your consideration of this matter.

The form SC-23 is attached for your review and certification.

Sincerely,



Joe Enge
BFDRA President

OFFICE OF THE STATE AUDITOR

Active Member Information

Enter the Annual Benefit Level in effect for 2023:

\$14,000

Enter the Minimum Retirement Age:

50

Enter the Years Required for Full Vesting:

20

(If you change your benefit level before 12/31/2023, the SC must be recalculated and recertified at the new level.)

								2023	2024	
Total Active Member Liabilities								3,566,365		4,028,280
	Name	Status	Date of Birth	Fire Department Entry Date	Leaves of Absence and Breaks in Service (months)	Return to Service Member ?	To end of 2023		To end of 2024	
							Years of Service	Accrued Liability	Years of Service	Accrued Liability
1	Rubado, Joseph J	Paid		11/1/1996	14		26	0	27	0
2	Schellin, Jeffrey J	Active		10/1/2001	0		22	308,000	23	322,000
3	Smith, Joshua R	Active		10/1/2002	3		21	269,052	22	290,320
4	Johnson, Todd M	Deferred		11/1/2003	6		20	0	21	0
5	Mann, Lawayne R	Active		3/8/2005	3		19	236,338	20	256,240
6	Howard, Dennis J	Active		6/7/2005	49		14	164,147	15	181,148
7	Zeien, Cory J	Active		6/7/2005	16		17	205,301	18	223,899
8	Holmstrom, Matthew D	Active		8/7/2006	16		16	193,224	17	211,460
9	Bautch, James P	Active		10/3/2006	3		17	205,301	18	223,899
10	Enge, Joseph	Active		10/20/2008	0		15	181,148	16	199,021
11	Jacobson, Joel L	Active		10/20/2008	24		13	135,425	14	150,218
12	Read, David T	Active		10/20/2008	0		15	170,749	16	187,596
13	Marohn, Samuel	Active		12/9/2009	0		14	164,147	15	181,148
14	Powell, Jeremy	Deferred		12/9/2009	28		12	0	13	0
15	Amundson, Greg	Active		2/4/2011	3		13	143,672	14	159,366
16	Groenwold, Christopher	Active		2/4/2011	6		12	128,758	13	143,672
17	Lemieur, Jonathan	Active		2/4/2011	3		13	147,983	14	164,147
18	Findlay, Rahn D	Active		8/1/2013	0		10	101,139	11	114,590
19	Kargel, Brian T	Active		8/1/2013	0		10	104,173	11	118,028
20	Norwood, James	Active		8/1/2013	0		10	104,173	11	118,028
21	Flowers, Erik	Active		7/1/2016	0		8	78,555	9	91,025
22	Haglin, Nicholas	Active		7/1/2016	0		8	78,555	9	91,025
23	Isle, Steven	Active		7/1/2016	3		7	66,733	8	78,555
24	Rosier, Paul	Active		4/1/2018	0		6	52,346	7	62,902
25	Grimsby, Kathleen M	Active		8/1/2018	5		5	44,930	6	55,534
26	Wallace, Christopher A	Active		8/1/2018	5		5	44,930	6	55,534
27	Headley, Clint	Active		7/1/2019	24		3	25,411	4	34,897
28	Hidalgo, Erik	Active		7/1/2019	0		5	43,622	6	53,916
29	Ingman, Matt	Separated/Not Vested		7/1/2019	0		5	0	6	0
30	Kramer, Bobby	Active		7/1/2019	0		5	39,920	6	49,341
31	Beeson, Drew	Active		12/1/2020	0		3	23,254	4	31,936
32	Kalis, Randy	Active		12/1/2020	0		3	25,411	4	34,897
33	Lee, Rick	Active		12/1/2020	0		3	25,411	4	34,897
34	Praska, Henry	Active		12/1/2020	0		3	25,411	4	34,897
35	Anderson, Nicholas	Active		8/1/2022	0		1	7,984	2	16,447
36	High, Isaac	Active		8/1/2022	0		1	6,686	2	13,774
37	Moberg, Anthony	Active		8/1/2022	0		1	7,984	2	16,447

Form SC-23

Brainerd Fire Relief Association

38	Ogren, Tyler	Active		8/1/2022	0		1	6,492	2	13,373
39	Holmes, Jackson J	Active		8/1/2023	0		0	0	1	6,119
40	Anderson, Lee E	Active		8/1/2023	0		0	0	1	7,984
41		Choose Status						0		0
42		Choose Status						0		0
43		Choose Status						0		0
44		Choose Status						0		0
45		Choose Status						0		0
46		Choose Status						0		0
47		Choose Status						0		0
48		Choose Status						0		0
49		Choose Status						0		0
50		Choose Status						0		0
51		Choose Status						0		0
52		Choose Status						0		0
53		Choose Status						0		0
54		Choose Status						0		0
55		Choose Status						0		0
56		Choose Status						0		0
57		Choose Status						0		0
58		Choose Status						0		0
59		Choose Status						0		0
60		Choose Status						0		0
61		Choose Status						0		0
62		Choose Status						0		0
63		Choose Status						0		0
64		Choose Status						0		0
65		Choose Status						0		0
66		Choose Status						0		0
67		Choose Status						0		0
68		Choose Status						0		0
69		Choose Status						0		0
70		Choose Status						0		0
71		Choose Status						0		0
72		Choose Status						0		0
73		Choose Status						0		0
74		Choose Status						0		0
75		Choose Status						0		0
76		Choose Status						0		0
77		Choose Status						0		0
78		Choose Status						0		0
79		Choose Status						0		0
80		Choose Status						0		0
81		Choose Status						0		0
82		Choose Status						0		0
83		Choose Status						0		0
84		Choose Status						0		0
85		Choose Status						0		0
86		Choose Status						0		0
87		Choose Status						0		0
88		Choose Status						0		0
89		Choose Status						0		0

OFFICE OF THE STATE AUDITOR

Deferred Member Information
(fully or partially vested)

Total Deferred Member Liabilities 2023 876,363
Total Deferred Member Liabilities 2024 920,181

1

Enter all information as it pertains to this member.

Member Name:	<u>Turner, Mark</u>	Benefit Level at Separation:	<u>7,400</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>11/1/1996</u>	Separation:	<u>7/31/2009</u>		
LOAs and BIS (in months):	<u>23</u>	Vesting %:	<u>60</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>10</u>	Months (if paid):	<u>10</u>		
2023 Estimated Liability:	<u>97,243</u>				
2024 Estimated Liability:	<u>102,105</u>	Status:	<u>Deferred</u>		

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %
1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2016: <u> </u> %	2022: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2017: <u> </u> %	2023: <u> </u> % +

Deferred Interest Paid

(Select "Yes" if offered.)

Yes

If Interest is Paid, Choose Type:

Straight 5%

Period Interest is Paid:

Full Period

2

Enter all information as it pertains to this member.

Member Name:	<u>Cox, David J</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>1/1/1998</u>	Separation:	<u>2/1/2017</u>		
LOAs and BIS (in months):	<u>12</u>	Vesting %:	<u>92</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>18</u>	Months (if paid):	<u>1</u>		
2023 Estimated Liability:	<u>0</u>				
2024 Estimated Liability:	<u>0</u>	Status:	<u>Paid</u>		

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %
1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2016: <u> </u> %	2022: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2017: <u> </u> %	2023: <u> </u> % +

Deferred Interest Paid

(Select "Yes" if offered.)

Yes

If Interest is Paid, Choose Type:

Straight 5%

Period Interest is Paid:

Full Period

3	Enter all information as it pertains to this member.				
Member Name: <u>Johnson, Richard C</u>		Benefit Level at Separation:		Months of Service Are Paid	Yes
Minimum Years Required to Vest: <u>10</u> DOB: _____				<u>8,750</u>	Yes
Service Dates: Entry: <u>1/26/1998</u> Separation: <u>11/3/2016</u>				Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months): <u>61</u> Vesting %: <u>72</u>				If Interest is Paid, Choose Type: Straight 5%	
Return to Service Member ? _____ (Select "Yes" if applicable.)				Period Interest is Paid: Full Period	
Total Service: Years: <u>13</u> Months (if paid): <u>8</u>					
2023 Estimated Liability: <u>122,130</u>					
2024 Estimated Liability: <u>128,237</u> Status: Deferred					
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.					
1992: _____ % 1997: _____ %		2002: _____ %		2007: _____ %	
1993: _____ % 1998: _____ %		2003: _____ %		2008: _____ %	
1994: _____ % 1999: _____ %		2004: _____ %		2009: _____ %	
1995: _____ % 2000: _____ %		2005: _____ %		2010: _____ %	
1996: _____ % 2001: _____ %		2006: _____ %		2011: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: _____ %	2013: _____ %
				2014: _____ %	2015: _____ %
				2016: _____ %	2017: _____ %
				2018: _____ %	2019: _____ %
				2020: _____ %	2021: _____ %
				2022: _____ %	2023: _____ %
				2024: _____ %	2025: _____ %

4	Enter all information as it pertains to this member.				
Member Name: <u>Logelin, Dennis J</u>		Benefit Level at Separation:		Months of Service Are Paid	Yes
Minimum Years Required to Vest: <u>10</u> DOB: _____				<u>8,750</u>	Yes
Service Dates: Entry: <u>7/1/2001</u> Separation: <u>7/26/2016</u>				Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months): <u>36</u> Vesting %: <u>68</u>				If Interest is Paid, Choose Type: Straight 5%	
Return to Service Member ? _____ (Select "Yes" if applicable.)				Period Interest is Paid: Full Period	
Total Service: Years: <u>12</u> Months (if paid): <u>0</u>					
2023 Estimated Liability: <u>102,648</u>					
2024 Estimated Liability: <u>107,780</u> Status: Deferred					
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.					
1992: _____ % 1997: _____ %		2002: _____ %		2007: _____ %	
1993: _____ % 1998: _____ %		2003: _____ %		2008: _____ %	
1994: _____ % 1999: _____ %		2004: _____ %		2009: _____ %	
1995: _____ % 2000: _____ %		2005: _____ %		2010: _____ %	
1996: _____ % 2001: _____ %		2006: _____ %		2011: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: _____ %	2013: _____ %
				2014: _____ %	2015: _____ %
				2016: _____ %	2017: _____ %
				2018: _____ %	2019: _____ %
				2020: _____ %	2021: _____ %
				2022: _____ %	2023: _____ %
				2024: _____ %	2025: _____ %

5

Enter all information as it pertains to this member.

Member Name:	<u>Sell, Barry L</u>	Benefit Level at Separation:	<u>10,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>10/1/2002</u>	Separation:	<u>7/31/2020</u>		
LOAs and BIS (in months):	<u>6</u>	Vesting %:	<u>88</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>17</u>	Months (if paid):	<u>4</u>		
2023 Estimated Liability:	<u>193,813</u>				
2024 Estimated Liability:	<u>203,504</u>	Status:	<u>Deferred</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %
1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2016: <u> </u> %	2022: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2017: <u> </u> %	2023: <u> </u> % +

6

Enter all information as it pertains to this member.

Member Name:	<u>Davis, Lance M</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>11/1/2003</u>	Separation:	<u>11/9/2015</u>		
LOAs and BIS (in months):	<u>0</u>	Vesting %:	<u>68</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>12</u>	Months (if paid):	<u>0</u>		
2023 Estimated Liability:	<u>0</u>				
2024 Estimated Liability:	<u>0</u>	Status:	<u>Paid</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2012: <u> </u> %	2018: <u> </u> %
1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2013: <u> </u> %	2019: <u> </u> %
1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2014: <u> </u> %	2020: <u> </u> %
1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2015: <u> </u> %	2021: <u> </u> %
1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2016: <u> </u> %	2022: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2017: <u> </u> %	2023: <u> </u> % +

7	Enter all information as it pertains to this member.				
Member Name: <u>Joseph J Rubado</u>		Benefit Level at Separation:	Months of 13,750 Service Are Paid	Yes	
Minimum Years Required to Vest: <u>20</u> DOB: _____		Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u> If Interest is Paid, Choose Type: Straight 5% Period Interest is Paid: Full Period			
Service Dates: Entry: <u>11/1/1996</u> Separation: <u>7/31/2023</u>					
LOAs and BIS (in months): <u>14</u> Vesting %: <u>100</u>					
Return to Service Member ? _____ (Select "Yes" if applicable.)					
Total Service: Years: <u>25</u> Months (if paid): <u>7</u>					
2023 Estimated Liability: <u>0</u>					
2024 Estimated Liability: <u>0</u> Status: Paid					
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.					
1992: _____ % 1997: _____ %		2002: _____ % 2007: _____ %		2012: _____ % 2018: _____ %	
1993: _____ % 1998: _____ %		2003: _____ % 2008: _____ %		2013: _____ % 2019: _____ %	
1994: _____ % 1999: _____ %		2004: _____ % 2009: _____ %		2014: _____ % 2020: _____ %	
1995: _____ % 2000: _____ %		2005: _____ % 2010: _____ %		2015: _____ % 2021: _____ %	
1996: _____ % 2001: _____ %		2006: _____ % 2011: _____ %		2016: _____ % 2022: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2017: _____ % 2023: _____ % +	

8	Enter all information as it pertains to this member.				
Member Name: <u>Powell, Jeremy</u>		Benefit Level at Separation:	Months of 13,750 Service Are Paid	Yes	
Minimum Years Required to Vest: <u>10</u> DOB: _____		Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u> If Interest is Paid, Choose Type: Straight 5% Period Interest is Paid: Full Period			
Service Dates: Entry: <u>12/9/2009</u> Separation: <u>7/31/2023</u>					
LOAs and BIS (in months): <u>28</u> Vesting %: <u>64</u>					
Return to Service Member ? _____ (Select "Yes" if applicable.)					
Total Service: Years: <u>11</u> Months (if paid): <u>3</u>					
2023 Estimated Liability: <u>101,083</u>					
2024 Estimated Liability: <u>106,137</u> Status: Deferred					
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.					
1992: _____ % 1997: _____ %		2002: _____ % 2007: _____ %		2012: _____ % 2018: _____ %	
1993: _____ % 1998: _____ %		2003: _____ % 2008: _____ %		2013: _____ % 2019: _____ %	
1994: _____ % 1999: _____ %		2004: _____ % 2009: _____ %		2014: _____ % 2020: _____ %	
1995: _____ % 2000: _____ %		2005: _____ % 2010: _____ %		2015: _____ % 2021: _____ %	
1996: _____ % 2001: _____ %		2006: _____ % 2011: _____ %		2016: _____ % 2022: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2017: _____ % 2023: _____ % +	

9		Enter all information as it pertains to this member.									
Member Name: <u>Johnson, Todd M</u>				Benefit Level at Separation:		<u>13,750</u>		Months of Service Are Paid		<u>Yes</u>	
Minimum Years Required to Vest:		<u>10</u>		DOB: _____		Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u> If Interest is Paid, Choose Type: Straight 5% Period Interest is Paid: Full Period					
Service Dates: Entry: <u>11/1/2003</u>		Separation: <u>7/31/2023</u>									
LOAs and BIS (in months): <u>6</u>		Vesting %: <u>96</u>									
Return to Service Member ? _____		(Select "Yes" if applicable.)									
Total Service: Years: <u>19</u>		Months (if paid): <u>3</u>									
2023 Estimated Liability: <u>259,446</u>											
2024 Estimated Liability: <u>272,418</u>		Status: Deferred									
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.											
1992: _____ %		1997: _____ %		2002: _____ %		2007: _____ %		2012: _____ %		2018: _____ %	
1993: _____ %		1998: _____ %		2003: _____ %		2008: _____ %		2013: _____ %		2019: _____ %	
1994: _____ %		1999: _____ %		2004: _____ %		2009: _____ %		2014: _____ %		2020: _____ %	
1995: _____ %		2000: _____ %		2005: _____ %		2010: _____ %		2015: _____ %		2021: _____ %	
1996: _____ %		2001: _____ %		2006: _____ %		2011: _____ %		2016: _____ %		2022: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.								2017: _____ %		2023: _____ % +	

10	Enter all information as it pertains to this member.				
Member Name: _____		Benefit Level at Separation: _____	Months of Service Are Paid _____		
Minimum Years Required to Vest: _____		DOB: _____		Deferred Interest Paid (Select "Yes" if offered.) _____ If Interest is Paid, Choose Type: Choose Type _____ Period Interest is Paid: Choose Interest Payment Period _____	
Service Dates: _____	Entry: _____	Separation: _____			
LOAs and BIS (in months): _____		Vesting %: _____			
Return to Service Member ? _____		(Select "Yes" if applicable.)			
Total Service: _____	Years: _____	Months (if paid): _____			
2023 Estimated Liability: _____		2024 Estimated Liability: _____		Status: Deferred	
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.					
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %
1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2013: _____ %	2019: _____ %
1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2014: _____ %	2020: _____ %
1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2015: _____ %	2021: _____ %
1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2016: _____ %	2022: _____ %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2017: _____ %	2023: _____ % +

OFFICE OF THE STATE AUDITOR

Unpaid Installment Information

Enter here the name of each member who has been paid portions of a pension benefit and who still has outstanding liabilities.

Name	Status	Birth Date	Entry Date	Separation Date	Amount Previously Paid	2023 Estimated Liability	2024 Estimated Liability
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						

Totals

0

0

OFFICE OF THE STATE AUDITOR**Financial Projections**

	2023	2024	
Total Active Member Liabilities	3,566,365	4,028,280	
Total Deferred Member Liabilities	876,363	920,181	
Total Unpaid Installments	0	0	
Grand Total Special Fund Liability	A. 4,442,728	B. 4,948,461	
Normal Cost (Cell B minus Cell A)			C. 505,733

Projection of Net Assets for Year Ending December 31, 2023

Special Fund Assets at December 31, 2022 (FIRE-22 Form ending assets) 1 4,716,456

Projected Income for 2023

Fire State Aid (2022 fire state aid of \$195,057 may be increased by up to 3.5%)	D.	195,057
Supplemental State Aid (actual 2022 supplemental state aid)	E.	39,367
Municipal / Independent Fire Dept. Contributions	F.	
Interest / Dividends	G.	286,000
Appreciation / (Depreciation)	H.	
Member Dues	I.	
Other Revenues	J.	
Total Projected Income for 2023 (Add Lines D through J)	2	520,424

Projected Expenses for 2023

Service Pensions (fill in individual pension amounts below)	K.	652,297
<u>Names:</u> Lance Davis Dave Cox Joseph Rubado <u>\$ Amounts:</u> 102,335 198,191 351,771		
Other Benefits	L.	1,000
Administrative Expenses	M.	17,916
Total Projected Expenses for 2023 (Add Lines K through M)	3	671,213
Projected Net Assets at December 31, 2023 (Add Lines 1 and 2, subtract Line 3)	4	4,565,667

Projection of Surplus or (Deficit) as of December 31, 2023

Projected Assets (Line 4)	5	4,565,667
2023 Accrued Liability (Page 4, cell A)	6	4,442,728
Surplus or (Deficit) (Line 5 minus Line 6)	7	122,939

OFFICE OF THE STATE AUDITOR

Calculation of Required Contribution

Deficit Information - Original			Deficit Information - Adjusted		
Year Incurred	Original Amount	Amount Retired as of 12/31/2022	Original Amount	Amount Retired as of 12/31/2023	Amount Left to Retire 1/1/2024
2014	0	0			
2015	0	0			
2016	0	0			
2017	0	0			
2018	0	0			
2019	0	0			
2020	0	0			
2021	0	0			
2022	0	0			
2023					
Totals			0		0

Normal Cost	8	505,733
Projected Administrative Expense	9	0
Amortization of Deficit (Total of Original Amount column x 0.10)	10	0
10% of Surplus	11	12,294
Fire and Supplemental State Aid	12	234,424
Member Dues	13	0
5% of Projected Assets at December 31, 2023	14	228,283
Required Contribution (Add Lines 8, 9 and 10, subtract Lines 11, 12, 13 and 14. If negative, zero is displayed.)	15	30,732

The required contribution must be made during 2024.



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve MOU Extension to Allow IBEW Employees to Work at Hydro Facility

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources Director, Todd Wicklund, Public Utilities Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources Director

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: Both the United Steel Workers (USW) and IBEW Local No. 31 (Public Utility) Union representatives have agreed to extend the Memorandum of Understanding (MOU) allowing IBEW BPU employees to temporarily perform work at the Hydro facility. The original MOU was set to expire on December 31, 2023; however, staff has negotiated an extension to the original MOU so it will now expire an additional year to December 31, 2024. Please note the new expiration date is when the current USW Union contract expires. This extension was negotiated realizing three out of five Hydro Operators had retired by the end of June and that automation of the Hydro facility is in process. This extension will give us time to continue automation and also to determine future staffing needs. A copy of the MOU extension signed by the union representatives is attached.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The Brainerd Public Utilities Commission, at their July 25, 2023 meeting, recommended approval of the attached MOU with the extended date to the City Council.

RECOMMENDED ACTION/MOTION: Motion to approve the MOU between the City of Brainerd, the USW Local No. 9230 Unit 09 Union, and the IBEW Local No. 31 Union representing Public Utility employees that allows IBEW BPU Employees to assist at the Hydro Dam facility as needed through December 31, 2024; further, to authorize the signature of City Administrator on said MOU.

FINANCIAL IMPACT: n/a

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into by and between the City of Brainerd, Minnesota ("City"), the United Steel Workers, Local No. 9230 Unit 09 ("USW"); and International Brotherhood of Electrical Workers Local Union No. 31, ("IBEW"). The City, USW, and IBEW are referred to collectively as "the Parties," and each individually as a "Party."

WHEREAS, USW and the City entered into a Master Agreement, dated January 1, 2022 through December 31, 2024 ("USW CBA"), governing the general terms and conditions of employment for USW employees with the City; and

WHEREAS, IBEW and the City entered into a Master Agreement, dated January 1, 2022 through December 31, 2023 ("IBEW CBA"), governing the general terms and conditions of employment for IBEW employees with the City; and

WHEREAS, USW employees work at the Brainerd Hydro Dam, and

WHEREAS, USW has advised the City that several employees in the bargaining group covered by the USW CBA ("USW Employees") anticipate upcoming absences, including for medical purposes; and

WHEREAS, Certain City employees in the bargaining group covered by the IBEW CBA ("IBEW Employees") are able to perform duties at the Brainerd Hydro Dam on a temporary basis when one or more USW Employees is/are unable to do so; and

WHEREAS, the Parties are interested in allowing IBEW Employees to work on a temporary assignment at the Brainerd Hydro Dam to assist the City in meeting the maintenance and operational needs of the facility when a USW Employee is absent or otherwise unable to perform his or her job duties.

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises and agreements contained in this MOU, including the relinquishment of certain legal rights, the Parties hereby agree as follows:

1. **Temporary Assignment to Cover Absences.** The City may temporarily assign one or more IBEW Employees to perform work normally performed by USW Employees at the Brainerd Hydro Dam in the event one or more USW Employees are absent or otherwise unable to perform their assigned work. Assignments will be at the City's discretion and based on operational needs including employee qualifications and availability.

2. **Compensation for Temporary Assignment.** Any IBEW Employee temporarily assigned to assist with operational or maintenance needs at the Brainerd Hydro Dam will be compensated at their normal rate of pay as an IBEW Employee. If an IBEW Employee is assigned to cover an absence of a USW Employee, the IBEW Employee shall receive the Step 1 Hydro Operator rate of pay or their normal rate of pay as an IBEW Employee, whichever is greater.

Any IBEW Employee temporarily assigned at the Brainerd Hydro Dam will receive salary and benefits, including insurance benefits and leaves of absence, as provided in the IBEW CBA and as clarified herein. Time spent serving in the temporary assignment pursuant to this Memorandum of Understanding will be counted as years of service for purposes of calculating the IBEW Employee's salary, seniority, and other benefits of the IBEW CBA. Only a possible wage adjustment to the Step 1 Hydro Operator Wage from the USW CBA may apply to an IBEW Employee during their temporary assignment. IBEW employees are not subject to USW union membership and/or union dues during any such temporary assignment.

3. **Waiver of Right to File Grievance.** USW and IBEW hereby waive any right they may have to file a grievance, request a hearing, or pursue any other action against the City regarding the terms of this MOU, the assignment of any IBEW Employee to perform work normally performed by a USW Employee as allowed in this MOU, or any other matter arising out of or relating to this MOU, other than its enforcement.
4. **No Precedent or Past Practice.** Nothing in this MOU shall be deemed to establish a precedent or practice or to alter any established precedent or practice arising out of or relating to the respective CBA between the Parties. No Party may submit this MOU in any proceeding as evidence of a precedent or practice.
5. **Effective Date and Duration.** Unless specifically renewed, in writing signed by the Parties, this MOU shall expire upon December 31, 2024.
6. **Equal Drafting.** In the event any Party asserts that a provision in this MOU is ambiguous, this MOU must be construed to have been drafted equally by the Parties.
7. **Choice of Law and Severability.** This MOU shall be construed and interpreted in accordance with the laws of the State of Minnesota. Any term or condition of this MOU found to be invalid, illegal or unenforceable shall not render this MOU void or unenforceable. If any particular provision of this MOU shall be adjudicated to be invalid or unenforceable, the Parties specifically authorize the tribunal making such determination to sever and/or replace the invalid or unenforceable provision

of this MOU to allow this MOU and the remaining provisions thereof, to be valid and enforceable to the fullest extent allowed by law.

8. **Entire Agreement.** This MOU constitutes the entire agreement between the Parties relating to the subject matter described in this document. No Party has relied upon any statements or promises that are not set forth in this document. This MOU controls to the extent that it conflicts with the terms of USW CBA or IBEW CBA. No changes to this MOU are valid unless they are in writing and signed by all Parties.

IN WITNESS WHEREOF, the Parties have entered into this MOU on the dates shown below.

By signing below, each Party acknowledges that it has had an opportunity to review this MOU with a representative or legal counsel and that it understands and voluntarily agrees to be legally bound by all terms of the MOU.

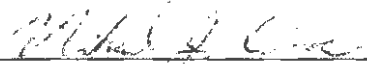
CITY OF BRAINERD

Date: _____

City Administrator

**UNITED STEEL WORKERS,
LOCAL NO. 9230 UNIT 09**

Date: 8-18-23



Union Representative

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS,
LOCAL UNION NO. 31**

Date: 7-19-23



Union Representative



Brainerd City Council

Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Approve Updated City of Brainerd Organizational Chart

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director, Jennifer Bergman, City Administrator

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE: Attached is an updated City of Brainerd Organizational Chart. The updates are based on recent department restructuring recommendations from Public Utilities Director Wicklund and as approved by the BPU Commission on June 27, 2023. The following summarizes the recommended changes:

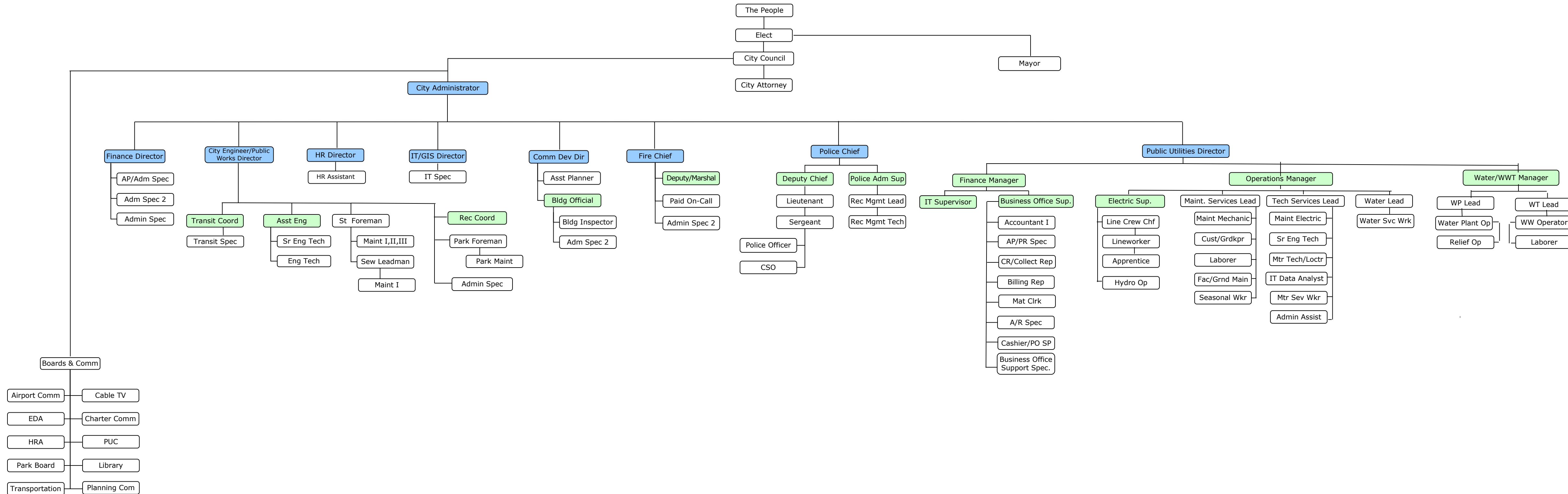
- The Accounting Supervisor will be renamed as the Business Office Supervisor.
- The Electric Distribution Supervisor position will oversee the distribution system and line workers to help assist the Operations Manager. This position has been vacant since 2019. The Commission recommended approval of this job description at its July 25th meeting.
- Technical Services and Maintenance Services are two new divisions created to reorganize existing staff and reclassify team members to lead roles with some additional job duties.
- The Water Utility is split into distribution (construction crew) and production (Water Plant). The Wastewater Manager would oversee production and the Operations Manager would oversee distribution. Job descriptions for both of those positions will need to be revised to reflect the additional supervisory responsibilities.
- A new Journeyman Electrician position was created and the job description was recommended for approval by the BPU Commission on July 25th.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Based on discussions from the Joint City Council/BPU Commission meeting, the two new technology positions for the BPU Department were removed from the updated Org Chart. Also, the Electric Distribution Supervisor and Journeyman Electrician job descriptions are included on today's consent calendar for approval.

RECOMMENDED ACTION/MOTION: Motion to approve the updated City of Brainerd Organizational Chart as presented.

FINANCIAL IMPACT: n/a

City of Brainerd, Minnesota—Organizational Chart
Draft - 8/3/2023





Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Discussion of Proposed 2024 Debt Levy

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 10 minutes

SUMMARY OF ISSUE: Please see the attached memo and attachments regarding how the debt levy is calculated, assumptions Staff used, and information on the overall debt of the City.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Discussion and review of Staff's assumptions, and the preliminary 2024 debt levy.

FINANCIAL IMPACT:

MEMO



TO: Mayor and Council

FROM: Finance Director Connie Hillman

DATE: August 2, 2023

RE: 2024 Debt Levy

All of the City's bonds have been structured with a February 1st (principal and interest) and August 1st (interest only) debt payment, with the exception of the bonds issued for the airport extension project (April 1st and October 1st payment structure) and the Build American Bonds for the wastewater treatment plant (August 20th and March 20th).

The City has several different types of current outstanding bond issues. The bonds are General Obligation (GO) bonds which means if the designated source of revenue to pay the bonds is not available the City can levy for the payments. The table below shows summaries of the types of bonds and the revenue source to pay the debt service:

Bond Type	Use of Bond Funds	Source to pay Debt Service
Tax Abatement	Memorial Park	Taxes and Levy
Improvement or Assessment Bonds	Road Improvement Projects	Assessment and Levy
Build America Bonds	Wastewater treatment Plan	Charges for Services
Revenue Bonds	Water, Electric, Sanitary and Storm Sewer projects	Charges for Services
Equipment Certificates	Equipment	Levy

The Build America and revenue bonds are paid for by the enterprise funds (BPU, Sanitary and Storm Sewer funds). The rates paid for the services includes the repayment of debt. Since the City does not receive its primary source of revenue payments, LGA and property taxes, until July, the debt levy that is needed for 2024, is to pay for the August 2024 and the February 2025 debt service payments. The City needs to have enough cash on December 31st to pay the February bond payments.

Calculating the Debt Levy

Attached you will find the preliminary debt levy calculation.

- We started with the cash balance of the debt service funds as of July 31, 2023 for the issues that are repaid with levy dollars. This balance takes into account the interest payments due August 1st.
- Staff then estimated what would be received in December for the 2023 levy and assessments to arrive at the projected 12/31/2023 balance (yellow column) by assuming:
 - 100% of the 2023 levy would be collected. We are usually about 96-98% collections in the year of levy. Staff assumed 100% because any delinquent taxes collected would make up the 2-4% non-collection rate. The amount received for the 2023 levy in June/July was then subtracted to estimate the December collections.
 - 98% of the certified 2023 assessments would be collected in 2023. The amount of assessments collected in June/July was then subtracted to estimate the amount to be received in December.
 - There was no estimate for any pay offs of assessments received either by the County or the City.
 - For the 2023 debt levy calculation, Staff had assumed a 98% collection rate for the levy and 95% collection rate for assessments. The changes were made for the 2024 debt levy to try to get more accurate in the projected end of year cash balance.
- The 2023 debt levy was for the August 2023 and February 2024 debt payments. The white, boxed column is the scheduled February 2024 interest and principal payments.
- The green column is the projected cash balance after the February debt payment. It is estimated the City will have about \$847,000.
- To calculate the 2024 debt levy we take the scheduled payments for August 2024 and February 2025 (peach columns). We then add 5% for any non-tax payments. From this amount we subtract any special assessment payments that we estimate to receive. Staff did use 100% collection rate on the assessment amount for collection in 2024, assuming that the 5% amount added to the scheduled debt payment would account for any non-payments or deferments. For the equipment certificates, we have reduced the amount of the levy needed by the amount that the City will collect from the entities the City provides fire protection services. All of this is represented in the grey column – “Calculated 2024 Levy.”
- The proposed levy is then further increased or decreased based on the projected cash balance as of February 1, 2024 (the green column). Staff took 98% of the projected cash balance as of February 1, 2024, and then divided it by the number of

remaining years of the issue to reduce the 2024 debt levy. The calculated levy was reduced by \$123,200 to get to the “Proposed 2024 Levy” (the purple boxed column).

- The City will be issuing debt for the 2023 construction project this fall. Since the debt has not been issued yet, an interest rate as well as the scheduled debt payments are all estimates at this point. The total debt issue is going to be about \$5.5 million. \$3.0 million will be revenue bonds with the repayments being charges for services. \$2.5 million will be improvement/assessment bonds, with \$750,000 being paid for by special assessments. The difference is then the levy amount.
- The 2023 debt levy was \$920,000. The proposed, preliminary 2024 debt levy is currently calculated at \$973,341, an increase of \$53,341. This can be lowered by using more of the projected February 1, 2024 cash balance.

Additional Information

The Council has lowered the debt levy significantly in the previous years. Below is a history of the debt levy over the past 20 years. The changes in the debt levy were due to new debt being issued and to make up for the assessments the City was not collecting from the developments of the Industrial Park, Brainerd Oaks, Riverside Drive etc. The bonds for those projects have since been paid off, resulting in the City to be able to lower the debt levy.

Pay Year	Levy Amount	% Change	Pay Year	Levy Amount	% Change
Prelim. 2024	\$973,341	5.80%	2014	1,900,000	26.67
2023	920,000	14.91	2013	1,500,000	0.00
2022	800,615	-12.23	2012	1,499,661	11.11
2021	912,212	-27.86	2011	1,349,661	14.21
2020	1,264,451	0.00	2010	1,181,717	12.87
2019	1,264,850	-20.99	2009	1,046,959	5.75
2018	1,600,886	-22.92	2008	990,000	30.39
2017	2,076,916	0.00	2007	759,278	3.90
2016	2,076,916	14.63	2006	730,775	-1.34
2015	1,811,860	-4.64	2005	740,678	

The City, through the capital levy, is trying to be in a place where equipment and facility improvements can be done without having to issue debt. The last bonds for facilities and equipment were issued in 2020. Long-term capital planning really started in 2018 with the establishment of the 30-year capital plan. Consequently, the City would only need to issue improvement and revenue bonds.

The Permanent Improvement levy is transferred into the road improvement capital fund (401). The 2023 Permanent Improvement levy was \$375,350, 6% of the previous years tax levy. Per the Charter, the City can levy up to 9%. During the 2023 levy discussions, it was

presented that the levy of 6%, in addition to the state aid annual municipal funds barely covered the salary and wages allocated to Fund 401 as well as the maintenance costs of street striping, crack sealing, street patching and seal coating. As a result, historically the City has issued debt annually for road improvement projects.

Ideally the debt levy could be set at a certain amount and when one debt issue is paid off, another debt issue of the same amount could be issued. The debt levy, barring changes in interest rate, the cost of construction, and the size of each construction project each year, would remain fairly the same.

As mentioned above, the improvement portion of the 2023 debt issue is approximately \$2.5 million. This is currently calculating at an average annual levy of \$215,500 over the next 10 years. The 2013A debt issue will be paid off after the February 1, 2024 payment is made. The 2023 debt levy for this issue was \$33,579. However, the 2022 construction project was delayed to 2023 and the City had also levied \$100,000 for pay year 2034 for the debt issue, resulting in the net increase in the new debt versus expiring debt of \$81,921. 2024 and beyond construction projects have not been set by Council. However, looking into the future and making many assumptions, assuming a similar debt issue, with an average annual levy of \$198,000, and the retired debt levy of \$52,600, would result in a potential increase of \$145,400 (14.9%) for 2025 debt levy. This amount can also be impacted by using more of the projected cash balance after the February 1st payments are made. The impact to the levy will need to be considered when establishing the future construction projects.

Next Steps

This item appears on the August 7, 2023 agenda for Council discussion and review of Staff's assumptions. Staff will update the debt levy when the 2023 debt is issued and when additional information becomes available.

2024 DEBT SERVICE LEVY CALCULATION - AS OF 8/2/23

		Issue		Projected	2/1/2024		8/1/2024	2/1/2025		2024		Proposed	
Project		Maturity	7/31/2023	12/31/2023	Scheduled	Projected	Scheduled	Scheduled	105%	Estimated	Calculated	2024	2023 Debt
		Date	Cash Bal	Balance	Prin & Int	2/1/2024	Interest	Prin & Int	Over levy	Special	2024	Levy	Levy
Fund 310	Equip Certs		\$192,610	\$222,398	\$114,050	\$108,348	\$8,000	\$118,000	\$132,300	\$42,294	\$90,006	\$90,006	\$66,154
	2020A	Ladder truck, street sweeper, and loader	2030		\$114,050		\$8,000	\$118,000	\$132,300	\$42,294	\$90,006	\$90,006	\$66,154
Fund 315	2015A Improvement Bonds	Willow, 10th Ave NE, NE Garfield Street Project, S 5th St Mill and Overlay	2025	\$80,875	\$108,825	\$81,700	\$900	\$80,900	\$85,890	\$6,723	\$79,167	\$52,584	\$53,770
Fund 317	2013A Improvement Bonds	SW 4th, East River Road, N 8th St, 13th Ave NE: N to O, Ivy	2024	\$78,726	\$97,993	\$86,275	\$0	\$0	\$0	\$0	\$0	\$0	\$33,579
Fund 320	2015B Improvement Bonds	28th Street	2026	\$70,512	\$80,263	\$25,894	\$550	\$20,500	\$22,103	\$14,161	\$7,942	\$0	\$0
Fund 302	2018A Improvement Bonds	Jackson St, Buffalo Hills Land Resurf, S 6th St East Frontage Road, NW Brainerd Resfur	2028	\$153,206	\$187,368	\$87,025	\$5,025	\$85,025	\$94,553	\$11,432	\$83,121	\$58,536	\$71,683
Fund 307	2020A Improvement Bonds	Northeast Brainerd: 11th Ave, J St, P St & 10th Ave, L St, O St & 10th Ave, B St NE, and 5th Ave Recon	2031	\$215,249	\$272,918	\$131,000	\$9,800	\$129,800	\$146,580	\$45,371	\$101,209	\$81,341	\$89,671
Fund 303	2020A Tax Abatement Bonds	Memorial Park Project	2035	\$101,723	\$148,916	\$86,150	\$10,400	\$90,400	\$105,840	\$0	\$105,840	\$100,248	\$104,817
Fund 305	2021A Improvement Bonds	Southeast Brainerd- 16th SE; 15th SE, Walnut, St. Louis Ave, NW 3rd and Jackson, Pine, Chicago, Portland, and Madison	2032	\$301,941	\$393,013	\$177,548	\$28,923	\$178,923	\$218,237	\$53,629	\$164,608	\$138,213	\$150,326
Fund 306	2023A *** - NE Brainerd Proj	Oakridge Road, N 6th, 7th and 3rd, and Juniper	2034	\$154,822	\$199,876	\$75,000	\$37,500	\$252,500	\$304,500	\$92,850	\$211,650	\$199,412	\$100,000
Repayment of BPU Loan											\$125,000	\$125,000	\$125,000
Repayment of LMCIT Loan											\$128,000	\$128,000	\$125,000
Totals			\$1,349,666	\$1,711,570	\$864,641	\$846,929	\$101,098	\$956,048	\$1,110,002	\$266,460	\$1,096,542	\$973,341	\$920,000

*** Debt not issued yet

Projected 12/31/22 Cash Balance	\$1,997,369
Actual 12/31/22 Cash Balance	2,021,953
Difference	\$24,584

\$53,341



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Discussion on Annual Budget Timeline and Set Workshop

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: The City Council needs to adopt the 2024 preliminary levy by September 30, 2023. The preliminary levy that is set in September is the levy used to send out the proposed property tax statements in November; and the final levy adopted in December can be lower but not higher than the preliminary levy.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Below is a proposed timeline for the Council to consider:

- On August 16th, the City Administrator, P&F Chair and Council President will meet to establish a budget that will be presented to the City Council on or before the first day of September as required by the Charter.
- The Park Board will present a budget at the August 21st council meeting, satisfying the requirement in the Charter that prior to September 1 the park board will prepare and present a budget for park and recreation purposes for the ensuing fiscal year, subject to the approval of the City Council.
- Budget workshop on Monday, August 28th.
- Have an additional workshop or further discussion about the budget and levy in September.
- Set the preliminary levy at the regular City Council meeting on September 18th.

RECOMMENDED ACTION/MOTION: Review the proposed timeline and set a budget workshop for Monday, August 28, 2023, time subject to the tentative workshop being held to review the classification and compensation study.

FINANCIAL IMPACT:



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: 2022 Tax Increment Financing (TIF) Report Summary - Informational

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Information Only

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: Annually before August 1st, the City needs to file annual TIF reports. The reports were filed before the deadline and attached is the 2022 required TIF disclosure that was published in the Dispatch on August 2, 2023.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Informational, no action required.

FINANCIAL IMPACT: N/A

City of Brainerd, Minnesota

Annual Disclosure of Tax Increment Districts for the Year Ended December 31, 2022

TIF District Name:	TIF 4-11 East Brainerd Mall	TIF 4-13 Timberland Townhomes	TIF 4-15 Artspace	TIF 4-16 Taco John's	TIF 4-17 Jimmy John's	TIF 4-18 Royal Tire
Current net tax capacity	\$251,250	\$14,154	\$27,742	\$10,472	\$5,394	\$10,388
Original net tax capacity	\$50,184	\$253	\$22,158	\$7,346	\$2,848	\$6,578
Captured net tax capacity	\$201,066	\$13,901	\$5,584	\$3,126	\$2,546	\$3,810
Principal and interest payments due in 2023	\$192,905	\$11,047	\$5,373	\$2,619	\$3,132	\$11,408
Tax increment received in 2022	\$191,401	\$11,585	\$5,237	\$2,935	\$3,426	\$4,995
Tax increment expended in 2022	\$184,415	\$11,060	\$5,458	\$2,744	\$2,213	\$4,415
Month and year of first tax increment receipt	7 / 2004	7 / 2003	7 / 2009	7 / 2009	7 / 2010	7 / 2017
Date of required decertification	12/31/2029	12/31/2028	12/31/2034	12/31/2034	12/31/2035	12/31/2042

Additional information regarding each district may be obtained from-

Connie Hillman, Finance Director
City of Brainerd
501 Laurel Street
Brainerd, MN 56401
(218) 828-2307



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Final Reading- Proposed Ordinance 1553- Establishing Country Manor Planned Unit Development District

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Ordinance

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE:

The Foundation for Health Care Continuums (Country Manor) has submitted a request to construct a senior living facility comprised of 92 apartments and 18 memory care units, a childcare facility for 8 infants, 14 toddlers, 40 preschoolers and 30 school aged children, and for rehabilitation services for residents and the public.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The Planning Commission unanimously recommended approval of an Ordinance Amendment to rezone parcel numbers 41330755, 41330745, 41330744 and establish a Planned Unit Development (PUD) Overlay Zoning District.

City Council held the first reading of Proposed Ordinance 1553 at the regularly scheduled July 17th meeting and approved the Preliminary Plat, Final Plat, PUD General Concept Plan and Development Stage Plan for Country Manor contingent upon approval of Proposed Ordinance 1553.

RECOMMENDED ACTION/MOTION:

1) Motion to conduct the final reading of Proposed Ordinance 1553 and dispense with the actual reading.

*Note: a vote to dispense with the actual reading of the ordinance must be unanimous.

2) Motion to adopt Proposed Ordinance 1553, an ordinance amending Section 515-2-21.D of the Zoning Code and the City of Brainerd Zoning Map.

FINANCIAL IMPACT: N/A

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: June 21st, 2023

RE: Consideration for Country Manor Rezoning, Plat, and Planned Unit Development.

REQUEST

PUBLIC HEARING. Ordinance Text Amendment to establish a PUD Overlay District, a **Preliminary Plat** and **Final Plat** to allow Country Manor to establish two lots and three outlots, and a **Planned Unit Development General Concept Plan** and **Development Stage Plan** for the construction of a senior living facility.

APPLICANT: The Foundation for Health Care Continuums (Country Manor)

The applicant has submitted applications for a rezoning, a Preliminary Plat and Final Plat, and a Planned Unit Development (PUD). The applicant requests rezoning three parcels along Beaver Dam Road from CN-2 (Contemporary Neighborhood-2) District to a Planned Unit Development (PUD) Overlay Zoning District. The purpose of these requests is to construct a senior living facility comprised of 92 apartments and 18 memory care units, a childcare facility for 8 infants, 14 toddlers, 40 preschoolers and 30 school aged children, and for rehabilitation services for residents and the public.

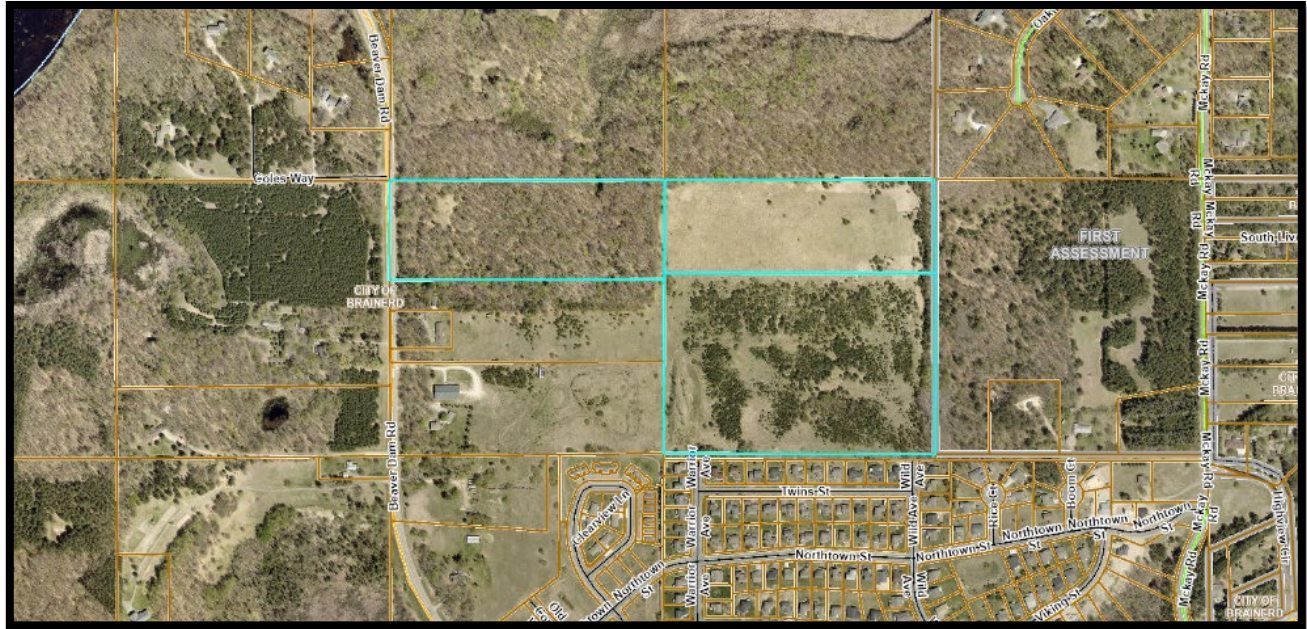
CONTEXT

Parcel Numbers: 41330755, 41330745, 41330744
Zoning District: Contemporary Neighborhood-2 (CN-2) District
Property Area: 36.92 Acres

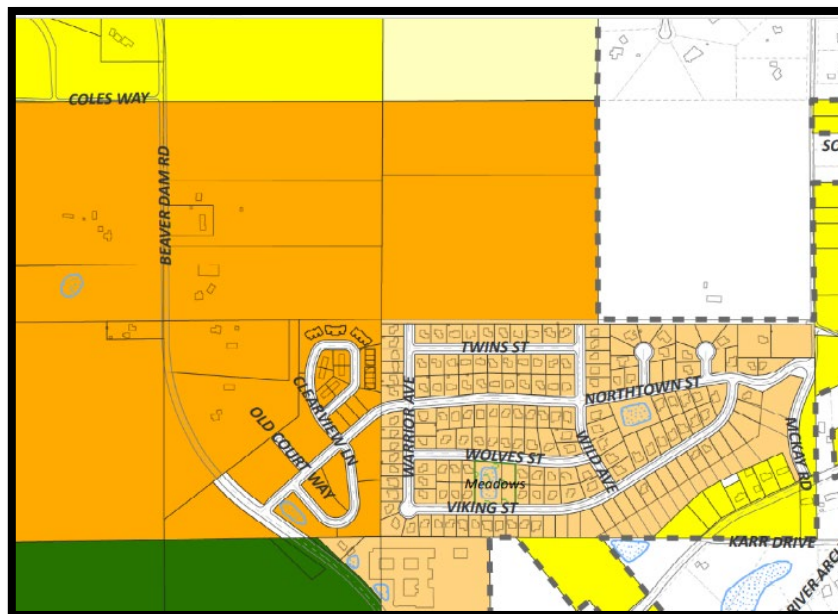
Adjacent Uses: North: Undeveloped Forested Land
East: Undeveloped Forested Land
South: Single Family Dwelling Units (Northtown Addition)
West: Single Family Dwelling Units

Adjacent Zoning: North: Garden Living (GL) District & Rural Living 1 (RL-1) District
 East: County – Shoreland District and Rural Residential – 2.5
 South: Contemporary Neighborhood-1 (CN-1) District
 West: Contemporary Neighborhood-2 (CN-2) District

Aerial Map



Existing Zoning



Zoning Map 2022



Legend

- City Limits
- Lakes
- Parks

Overlay

- Brooks Street Industrial Overlay (BSI-O)
- Manufactured Housing Overlay (MH-O)
- Northern Pacific Center Overlay (PUD)

Zoning

- Rural Living 1 (RL-1)
- Rural Living 2 (RL-2)
- Garden Living (GL)
- Contemporary Neighborhood 1 (CN-1)
- Contemporary Neighborhood 2 (CN-2)
- General Commercial (GC)
- Commercial Corridor (CC)
- Traditional Neighborhood 1 (TN-1)
- Traditional Neighborhood 2 (TN-2)
- Town Center (TC)
- Main Street (MS)
- Makers and Employment (ME)
- General Industrial (GI)
- Public / Semi-Public (PSP)
- Park (P)



CITY ENGINEER REVIEW

No additional concerns at this time. Please remind the developer as we continue the process, our stormwater requirements are described in the Stormwater Design Manual ci.brainerd.mn.us/DocumentCenter/View/6698/Brainerd-Stormwater-Engineering-Manual?bidId=

PLANNED UNIT DEVELOPMENT (PUD) ZONING OVERLAY

According to [Section 515-5-7.B](#), a Planned Unit Development (PUD) may include land uses from a variety of Base Zoning Districts, and may include design flexibility related to density, setbacks, building heights, lot area, lot width, etc. Any mixed-use project that does not comply with the dimensional or use standards may utilize the Planned Unit Development (PUD) Overlay Zoning District. All PUD Overlay Zoning Districts must identify the areas where flexibility from the Base Zoning District standards are established. A rezoning for a Planned Unit Development (PUD) shall be processed as outlined in Section [515-5-7] of this Ordinance and as outlined herein.

FINDINGS OF FACT

1. The property is currently zoned Contemporary Neighborhood 2 (CN-2) District
 - a. Per [Appendix A: Table of Uses](#), the CN-2 District permits Senior Housing as a permitted use, Commercial Day Care Facilities as a conditional use, and does not allow Medical Clinics.
 - b. [Per Table 515-2-7.1. CN-2 Zoning District Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#), the CN-2 District has lot frontage ranges of 65' to 85' and a maximum lot size of 15,000 SF.
 - c. The applicant proposes to rezone the three parcels into a Planned Unit Development Overlay District with a Contemporary Neighborhood-2 (CN-2) underlying zoning district to provide for the integration and coordination of land parcels.

The applicant proposes the following PUD Overlay District:

1. Country Manor – Planned Unit Development (CM-PUD). The purpose of the CM-PUD is to allow for the development and redevelopment of the property with a mix of uses and dimensional standards. The follow standards are established.
 - a. The standards and uses contained within the Contemporary Neighborhood-2 (CN-2) Base Zoning District shall govern the CM-PUD district, with the modifications as noted in Table 515-2-21.2.
 - b. Additions to the structures are allowed provided it meets the CN-2 Zoning District Dimensional Standards of Table 515-2-7.1 and all other requirements in the Zoning Code.
 - c. Development Standards. All approved Final PUD Plans shall govern the development of the property and shall be kept on file with the City Zoning Administrator.

Table 515-2-21.2. CM-PUD Dimensional and Use Standards - Density, Lot Size, Coverage and Height Standards.

Lot Dimensions		
	Lot Size (minimum)	None
	Lot Width (minimum) (Frontage on Public or Private Roads)	None
Uses Permitted		
	Appendix A: Table of Uses, CN-2 District	All permitted, conditional and interim uses
	Commercial day care facilities	P
	Office businesses – (general use, medical clinic)	C
Uses Permitted		
	Impervious Surface	75%

The City may approve the Planned Unit Development (PUD) only if it is found that the development satisfies all of the following standards according to [Section 515-5-7.C](#):

1. The proposed Planned Unit Development (PUD) is in conformance with the Comprehensive Plan for Brainerd. At a minimum, the City must find that:
 - a. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities and utilities, which serve or are proposed to serve the area.
 - i. *The residential elements of the development will solely serve seniors.*
 - ii. *The development includes its own open space areas.*
 - iii. *The development will connect to the City's sewer, water, and electrical system. The City Engineer and Brainerd Public Utilities have no concerns that this development will create an excessive burden on these utilities.*
 - b. The use is reasonably related to the overall needs of the City and is compatible with the surrounding land use.
 - i. *The City and Crow Wing County as a whole are in need of diverse housing options which is a part of the Housing Goals and Policies of the Comprehensive.*
 1. *Provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences.*
 - a. *Policy 1 - Complement Brainerd's entry-level and affordable housing options by encouraging other move-up and midto upper-end, market-rate housing options.*
 - b. *Policy 5 - Ensure an adequate supply of quality and affordable housing units for current and future residents.*
 - ii. *The surrounding areas are also residential in use.*
 - iii. *The City and Crow Wing County as a whole are in need of further childcare options which is supported by the Economic Development Goals and Policies of the Comprehensive Plan.*
 1. *GOAL 2: Support our workforce and help them thrive.*

- a. *Policy 1 - Collaborate with local partners and stakeholders to address industry workforce needs, creating a career and education pathway for residents of all ages.*
 - iv. *Rehabilitation services are consistent with senior living facilities and would provide residents with services in the building.*
 - c. The Planned Unit Development (PUD) is an effective and unified treatment of the development possibilities on the project site and the development plans provide for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain, and similar areas.
 - i. *The development intends to use the rural setting of the site as an integral element of the development, providing as much natural areas to its future residents as possible.*
 - d. The uses proposed will not have an undue and adverse impact on the reasonable enjoyment of neighboring property and will not be detrimental to surrounding uses.
 - i. *This property will be well separated from surrounding uses through natural screening and buffers.*
- 2. Additionally, the Planned Unit Development (PUD) meets one or more of the following development criteria according to Section 515-5-7.C.2
 - a. A minimum of two (2) or more principal structures is proposed.
 - i. *The applicant proposes three buildings connected by a ground level walkway.*
 - b. The tract is at least two (2) acres in size.
 - i. *The site is approximately 54 acres in size.*
 - c. The use is consistent with the requirements of the Zoning Ordinance.
 - i. *The use will be consistent with the requirements of the Zoning Ordinance if rezoned from CN-2 to Country Manor – Planned Unit Development (CM-PUD).*
 - d. The Planned Unit Development (PUD) can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site.
 - i. *Natural buffers shall be maintained between existing developments and the site.*
 - ii. *The surrounding developments are comprised of residential properties and a care facility.*
 - e. Each phase of the proposed development is of sufficient size, composition, and arrangement so that it's construction, marketing, and operation are feasible as a complete unit, and that provision for and construction of dwelling units and common open space are balanced and coordinated. In addition, the total development is designed in such a manner as to form a desirable and unified environment within its own boundaries.
 - i. *The proposed development will be complete development that will occur all in one stage.*
 - ii. *Any potential future development on the site will serve to further support the initial development's use and character.*

- f. Financing is available to the applicant on conditions and in an amount which is sufficient to assure completion of the Planned Unit Development (PUD). To evidence this finding, a written statement of financial feasibility, which is accepted by the City, shall be submitted by the applicant.
 - i. *The applicant has the ability to acquire the necessary financing to complete the proposed development in full.*
 - ii. *The applicant will be required to provide proof of financing with approval of the Final Plan.*
 - iii. *The applicant has provided an escrow to the City to pay for legal review.*
- g. One (1) individual has been designated by the property owner(s) to be in control of the development.
 - i. *While the property owner has and shall continue to work in conjunction with multiple entities throughout the development process, the property owner maintains all rights, authority, and management of the development.*
- h. The Planned Unit Development (PUD) provides for architectural diversity by way of varied building types and exterior building design.
 - i. *The development is a contiguous development comprised of similar yet separate designs.*
- i. Underground Utilities. In any Planned Unit Development (PUD), all utilities, including, but not limited to, telephone, electricity, gas, and cable television shall be installed underground.
 - i. *All utilities in the development are planned to be placed underground.*
- j. Utility Connections.
 - i. Water Connections. Where more than one property is served from the same service line, a shut off valve must be located in such a way that each unit's service may be shut off and secured by the City, in addition to the normally supplied shut off at the street.
 - 1. *Individual shutoffs will be located throughout the development.*
 - ii. Sewer Connections. Where more than one (1) unit is served by a sanitary sewer lateral which exceeds three hundred (300) feet in length, provision must be made for a manhole to allow adequate cleaning and maintenance of the lateral. All maintenance and cleaning shall be the responsibility of the property owners association or owner.
 - 1. *Manholes will be located throughout the development.*
- k. Roadways, Private. Design - Private roadways within the project shall have an improved surface to 28 feet or more in width and shall be so designed as to permit the City fire trucks to provide protection to each building.
 - i. *Proposed private roadways have been reviewed by the City Engineer and Fire Chief and have been deemed adequate.*
- l. Parking. No portion of the required private road system may be used in calculating required off-street parking space or be used for parking.
 - i. Elderly (Senior Citizen) Housing. Reservation of area equal to one (1) parking space per unit. Initial development is, however, required of only one-half (½) space per unit and said number of spaces can continue until such time as the

City Council considers a need for additional parking spaces has been demonstrated.

- ii. **Day Care Facilities.** Day care facilities serving fourteen (14) or fewer persons. In addition to residential parking requirements, one (1) space per seven (7) children capacity. All other day care facilities. One (1) space per teacher on the largest shift, plus one (1) space per ten (10) students/children based on maximum capacity of the facility.
- iii. **Office Buildings, Animal Hospitals and Clinics, Professional Offices and Medical Clinics.** One (1) space for every 200 square feet of floor area.
 - 1. *Staff believes the proposed dedicated parking areas will sufficiently serve the development as the applicant proposes approximately 197 parking stalls and additional garage parking.*
- m. **Landscaping.** In any Planned Unit Development (PUD), landscaping shall be provided according to a plan approved by the City Council, which shall include a detailed planting list with sizes and species indicated as part of the final plan. In assessing the landscaping plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structures and the overall scheme of the Planned Unit Development plan.
 - i. *A detailed landscape plan has been submitted.*
 - ii. *Significant natural buffers will be maintained that will more than adequately screen the development from surrounding areas and roadways.*
- n. **Public services.** The proposed project shall be served by the City water and sewer system and fire hydrants shall be installed at such locations as necessary to provide fire protection.
 - i. *The development will be served by City sewer and water and the location of fire hydrants has been reviewed by the Fire Department.*
- o. **Refuse.** Provision for trash pick-up shall be provided according to a plan approved by the City Council.
 - i. *Per City Code, refuse must be collected at a minimum of a weekly basis.*
- p. **Best Management Practices.** All Planned Unit Developments shall incorporate Best Management Practices for stormwater management as defined by Chapter 7 of the City Code, subject to review and approval of the Zoning Administrator, Planning Commission and City Council.
 - i. *Three stormwater retention areas are proposed.*
 - ii. *The City Engineer has reviewed the proposed development for stormwater impacts and has expressed no concerns at this time. A full stormwater review will be conducted upon submittal of the building permit.*
- q. **Sidewalks and Trails.** Except as otherwise determined by the City Council, concrete sidewalks not less than five (5) feet in width and/or bituminous trails not less than eight (8) feet in width shall be provided.
 - i. *The proposed development is exempt from this restriction as all proposed roadways are private.*
- r. **Development Agreement.** Prior to a rezoning or the issuance of a building permit as part of a Planned Unit Development (PUD), the developer shall execute a development agreement with the City. The agreement shall detail all use

restrictions and required improvements conditional to the Planned Unit Development (PUD) rezoning approval. The agreement shall provide for the installation within one (1) year of the off-site and on-site improvements as approved by the City Council, secured by a cash escrow or security in an amount and with conditions satisfactory to the City, to ensure the City that such improvements will be actually constructed and installed according to specifications and plans approved by the City as expressed in such agreement. The amount of the financial guarantee shall be one and one-half (1½) times the estimated cost of the improvements, or as determined by the City of Brainerd.

- i. *The City Attorney shall draft a development agreement that shall be executed between the City and the Foundation for Health Care Continuums upon approval of the Development Stage Plan by the City Council and prior to review of the Final Stage Plan.*

3. Northern sections of the Site are within the Gilbert Lake shoreland district.

- a. Per Section [530.09 Subd. 5 Paragraph B](#) of the City Code, impervious surface coverage of lots must not exceed 25% of the lot area.
- b. Approximately 473,362 square feet (10.86 acres) of the Site, exclude the proposed Lot 1, Bock 2, are within the shoreland district.
- c. Per the recommendation of consultants Swanson Haskamp Consulting, the overall impervious surface allowed on the Site should be calculated by combining the 25% impervious surface restriction of the areas within the shoreland district to the allowed impervious surface of the non-shoreland areas.
- d. Staff is recommending 75% impervious surface for the CM-PUD district
- e. Total allowable impervious surface for the parcel containing the proposed improvements is approximately 60%.
 - i. *This proposed development does not exceed the impervious surface limit and will be required to retain all stormwater for all improvements made to the site according to the City Code for commercial construction.*

4. Planned Unit Developments are generally reviewed and approved in 3 phases: Concept Plan review, Development Plan review, and Final Plan review.

- a. This application is a Development Stage Plan review, skipping the Concept Plan review step.
 - i. Per Section 515-5-7.J.7, "In cases of single stage Planned Unit Development (PUD) or where the applicant wishes to begin the first stage of a multiple stage Planned Unit Development (PUD) immediately, they may, at their option, submit Development Stage Plans for the proposed Planned Unit Development (PUD) simultaneously with the submission of the General Concept Plan. In such case, the applicant shall comply with all the provisions of this Ordinance applicable to submission of the Development Stage Plan. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny Development Stage Plan approval in accordance with the provisions of this section."

5. Review Process

- a. The review process for this PUD request shall be as follows:

- i. A public hearing shall be scheduled at a meeting of the Planning Commission.
- ii. The Planning Commission shall review said reports and plans and submit recommendations to the Council. Such recommendations shall contain the findings of the Planning Commission with respect to the conformity of the Development Stage Plan to the approved General Concept Plan. Upon receipt of the Planning Commission's recommendations, the City Council shall consider the recommendations.
- iii. Upon receipt of the Planning Commission report and recommendation, the request shall be placed on the agenda of the next regularly scheduled meeting of the City Council.

Preliminary and Final Plat approval shall be based on the following criteria:

- 6. That the proposed subdivision is consistent with adopted applicable general and specific comprehensive plans of the City.
 - a. The proposed plat request reconfigures the existing three parcels into Lot 1 Block 1 (36.38 acres), Lot 1 Block 2 (7.94 acres), Outlot A (11980 square feet), Outlot B (0.5 acres), and Outlot C (3.9 acres).
 - b. The plat also contains a dedicated public right-of-way easement for potential future development.
 - c. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i. *Housing Goals & Policies - Provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences.*
 - 1. *Policy 1 - Complement Brainerd's entry-level and affordable housing options by encouraging other move-up and mid to upper-end, market-rate housing options.*
 - 2. *Policy 5 - Ensure an adequate supply of quality and affordable housing units for current and future residents.*
 - ii. *Economic Development Goal 2: Support our workforce and help them thrive.*
 - 1. *Collaborate with local partners and stakeholders to address industry workforce needs, creating a career and education pathway for residents of all ages.*
- 7. That the physical characteristics of this site, including but not limited to topography, percolation rate, soil conditions, susceptibility to erosion and siltation, susceptibility to flooding, water storage, drainage and retention, are such that the site are suitable for the type of development, design, or use contemplated.
 - a. *The applicant has provided grading, drainage, and erosion control plans. The City Engineer has no concerns at this time.*
- 8. That the site is physically suitable for the proposed density of development.
 - a. *The proposed development is zoned Contemporary Neighborhood 2 (CN-2) District. The proposed development on Lot 1 Block 1 is approximately 36.38 acres. The CN-2 District has a density range of 4-12 Dwelling Units per Acre. This property could accommodate a maximum of 436 dwelling units.*

- i. *Staff has no concerns regarding the density of the development as the applicant proposes 110 units.*
- 9. That the design of the subdivision or the proposed improvements are not likely to cause environmental damage.
 - a. *The proposed improvements will not cause environmental damage as the applicant is working with GLT Architects and Westwood Profession Services and have provided an erosion control plan. The Engineering Department will review and monitor the site during construction to ensure the erosion control methods depicted in the plan are in place before construction.*
- 10. That the design of the subdivision or the type of improvements, are not likely to cause public health problems.
 - a. *The improvements will not cause any public health problems.*
- 11. That the design of the subdivision or the type of improvements will not conflict with easements of record or with easements established by judgment of a court.
 - a. *The Engineering Department has reviewed the easements of record and worked with the applicant to provide potential future public right-of-way easements for development.*
- 12. That the proposed subdivision, its site, or its design does not adversely affects the floodcarrying capacity of the floodway increases flood stages and velocities, or increases flood hazards within the floodway fringe or within other areas of the City.
 - a. *GLT Architects and Westwood Profession Services have provided stormwater plans and will be required to provide stormwater calculations with the building permit. The City Engineer has no concerns at this time but will ensure the stormwater calculations meet the requirements of the City's MS4 permit prior to issuance of the building permit.*
- 13. The proposed subdivision is consistent with the policies and standards of the State defined shoreland, floodplain, and wetland regulations.
 - a. *The applicant had the property delineated for wetlands and have provided the Shoreland Overlay District on the Preliminary Plat. Staff has no concerns over the proposed development and did send proper notification to the Department of Natural Resources.*
- 14. The City Council deems the subdivision is not premature.
 - a. *This subdivision is not premature as the applicant is also applying for a Planned Unit Development for the construction of a Senior Living Facility, Childcare Facility, and Rehab Facility. A development agreement must be executed with the City prior to approval of the Final Stage Development Plan of the PUD.*
- 15. A subdivision shall be consistent with the following plans:
 - a. Brainerd Comprehensive Plan.
 - b. Brainerd Sanitary Sewer Plan/Engineering Specifications.
 - c. Brainerd Water Plan/Engineering Specifications.
 - d. Stormwater Management Plan.
 - e. Comprehensive Trail Plan.
 - f. Capital Improvement Plan.
 - g. A full list of the requirements in the capital improvement plan can be found in Section 500-2-5.11.f

- h. *The Engineering Department, Community Development Department, Fire Department, and Brainerd Public Utilities have no concerns with the above plans.*

The Final Plat Shall Be Approved Based on the following Criteria: In accordance with the Subdivision Ordinance Section 500-5-2.C

16. The final plat shall substantially conform to the approved preliminary plat and phasing plan.
 - a. *Staff does not recommend any changes for the Preliminary Plat.*
17. Completed development contract including all required financial securities and time frame for final plat and final grading.
 - a. *All permitting fees and escrows have been paid in full.*
 - b. *The applicant will be required to enter into a development agreement with the City prior to approval of the PUD Final Stage Development Plan.*
18. Conditions attached to approval of the preliminary plat shall be fulfilled or secured by the development agreement, as appropriate.
 - a. *Staff does not recommend any conditions for approval of the preliminary plat.*
19. All fees, charges, and escrow related to the preliminary or final plat shall be paid in full.
 - a. *All financial responsibilities related to the preliminary and final plat are paid in full at this time by the developer.*

As of this writing, the Community Development Department has received three calls regarding this proposed development, but no concerns were raised regarding this request.

STAFF RECOMMENDATION

Staff recommends the following:

- 1) Recommend approval for the rezoning request from CN-2 to Country Manor – Planned Unit Development (CM-PUD) Overlay District subject to the findings of fact.
- 2) Recommend approval of the Preliminary Plat and Final Plat subject to the findings of fact with the following conditions.
 - a. Approval of the Preliminary Plat and Final Plat are subject to City Council approval of the rezoning request.
- 3) Recommend approval of the PUD General Concept Plan and Development Stage Plan subject to the findings of fact with the following conditions.
 - a. Approval of the PUD General Concept Plan and Development Stage Plan are subject to City Council approval of the rezoning request and approval of Preliminary and Final Plat.
 - b. Final Lighting Plan conforms to Section 515-4-8 of the Zoning Code and the CN-2 District Standards.

**ORDINANCE
NO. 1553**

**AN ORDINANCE AMENDING THE ZONING MAP OF
THE CITY OF BRAINERD**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-2-21.D of the Zoning Code is hereby amended by adding the following underlined language:

2. Country Manor – Planned Unit Development (CM-PUD). The purpose of the CM-PUD is to allow for the development and redevelopment of the property with a mix of uses and dimensional standards. The follow standards are established.
- a. The standards and uses contained within the Contemporary Neighborhood-2 (CN-2) Base Zoning District shall govern the CM-PUD District, with the modifications as noted in Table 515-2-21.2.
- b. Additions to the structures are allowed provided it meets the CN-2 Zoning District Dimensional Standards of Table 515-2-7.1 and all other requirements in the Zoning Code.
- c. Development Standards. All approved Final PUD Plans shall govern the development of the property and shall be kept on file with the City Zoning Administrator.

Table 515-2-21.2. CM-PUD Dimensional and Use Standards - Density, Lot Size, Coverage and Height Standards.

<u>Lot Dimensions</u>		
	<u>Lot Size (minimum)</u>	<u>None</u>
	<u>Lot Width (minimum) (Frontage on Public or Private Roads)</u>	<u>None</u>
<u>Uses Permitted</u>		
	<u>Appendix A: Table of Uses, CN-2 District</u>	<u>All permitted, conditional and interim uses</u>
	<u>Commercial day care facilities</u>	<u>P</u>
	<u>Office businesses – (general use, medical clinic)</u>	<u>C</u>
<u>Uses Permitted</u>		
	<u>Impervious Surface</u>	<u>75%</u>

SECTION TWO: The Zoning Map of the City of Brainerd is hereby amended by changing the zoning designation of the property below from a CN-2 (Contemporary Neighborhood-2) District to Country Manor – Planned Unit Development (CM-PUD) Planned Unit Development Overlay District:

PIN 41330755, 41330745, 41330744

N. 874.74 FT OF NE1/4 OF SW1/4, EXCEPT S. 12 ACRES OF N. 874.74 FT. SUBJECT TO EASEMENTS, RESERVATIONS, OR RESTRICTIONS OF RECORD.

NW1/4 OF SE1/4 SECTION 33, EXCEPT THE S. 26.1 ACRES THEREOF
S 26.10 ACRES OF NWSE. TOGETHER WITH AN ESMNT OF RECORD.

SECTION THREE: This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this _____ day of _____, 2023

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2023

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Published: One Time – _____

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Foundation for Health Care Continuums has submitted a Rezoning, Preliminary Plat, Final Plat, and Planned Unit Development request for the Parcels 41330744, 41330745, 41330755. The applicant is requesting to rezone these parcels into a Planned Unit Development Overlay District with a Contemporary Neighborhood-2 (CN-2) underlying zoning district with no restrictions on property size. Further this will allow the following uses to occur at the premises: Assisted Living, Memory Care, Rehabilitation services for residents and the public, and child day care services for the public. The property included in this application is described as:

*N. 874.74 FT OF NE1/4 OF SW1/4, EXCEPT S. 12 ACRES OF N. 874.74 FT. SUBJECT TO EASEMENTS, RESERVATIONS, OR RESTRICTIONS OF RECORD.
NW1/4 OF SE1/4 SECTION 33, EXCEPT THE S. 26.1 ACRES THEREOF
S 26.10 ACRES OF NWSE. TOGETHER WITH AN ESMNT OF RECORD.
P.I.N. 41330755, 41330745, 41330744
Section 33, Township 134, Range 28*

A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, June 21st, 2023, in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 6th day of June 2023



James Kramvik
Community Development Director

Publication Date: June 10th 2023



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☒ (\$300.00)	☐ (\$500.00)
VARIANCE	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: PID: 41330744, 41330745, 41330755

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy) See attached legal description

Property Owner Name: Foundation for Health Care Continuums

Street Address: 501 1st St NE City: Sartell State: MN Zip Code 56377

Phone Number: 320-253-1920 Fax: 320-656-5922 E-mail: bkelm@countrymanor.org

Applicant Name: (If different than Property Owner) _____

Street Address: _____ City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax: _____ E-mail: khargurth@countrymanor.org

Description of Request: The rezoning of the three contiguous parcels PID: 41330744, 41330745, 41330755 into a Planned Unit Development Overlay District with a Contemporary Neighborhood 2 (CN-2) underlying base Zoning District with no restrictions on property size and permitting the following uses: Assisted Living, Memory Care, and Rehab services for facility residents, Home Care and Rehab services for the general public in the greater Brainerd area community, and child day care services for the general public.

Property Owner Signature

6/2/2023

Date

Brian Kelm

(Please print name)

Applicant Signature

6/2/2023

Date

Kevin Harguth

(Please print name)

(OVER)



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Consider Interim Use Permit For One Short Term Rental - 515 S 9th St.

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 min

SUMMARY OF ISSUE: Stangler Properties LLC. has submitted an interim use permit application with accompanying documents for one short-term rental in a duplex located at 515 9th St S. Brainerd, MN.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Through the findings of fact and the rules and administration of the Zoning Code, staff recommended approval of the Interim Use Permit for a short-term rental at 515 S 9th St. as staff believed Mr. Stangler met all of the conditions required for approval. Planning Commission considered this request at their July 19th meeting and unanimously recommended approval of the Interim Use Permit.

Discussion and questions concerning the short-term rental primarily focused on the need for long-term housing options for the City of Brainerd. This duplex property was awarded funding by the DEED Mainstreet Grant as the EDA believed this property was going to be used for long-term housing, which is an important goal of the comprehensive plan. Mr. Stangler indicated that his target renter for the property is extended-stay residents, in particular traveling nurses, and the short-term rental option would provide the ability to fill gaps inbetween longer leases.

Prior to the recommendation for approval, a motion to deny the request was moved and seconded by commissioners Duval and Stenglein. The motion for denial of the interim use permit request failed by a 5-2 vote.

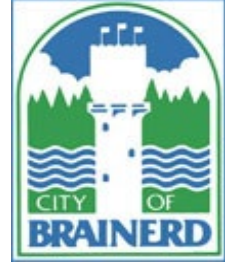
RECOMMENDED ACTION/MOTION:

Motion to approve the Interim Use Permit for a short-term rental at 515 S 9th St with the following conditions:

- 1) An approved inspection by the Fire Marshal.
- 2) Submittal of the local option sales tax form to the Finance Department.
- 3) Upon sale of the property or the transfer of ownership, the interim use permit for a short-term rental at 515 S 9th St Brainerd, MN is no longer valid.

FINANCIAL IMPACT: N/A

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director
Dylan Edwards, Assistant Planner

DATE: July 19, 2022

RE: Consider Interim Use Permit for Short-Term Rental – 515 9th St S.

REQUEST

PUBLIC HEARING. Interim Use Permit for a Short-Term Rental

APPLICANT: Stangler Properties LLC.

Mr. Stangler has submitted an application with accompanying documents for one short-term rental in a duplex located at 515 9th St S. Brainerd, MN.

CONTEXT

Parcel Numbers: 41240988

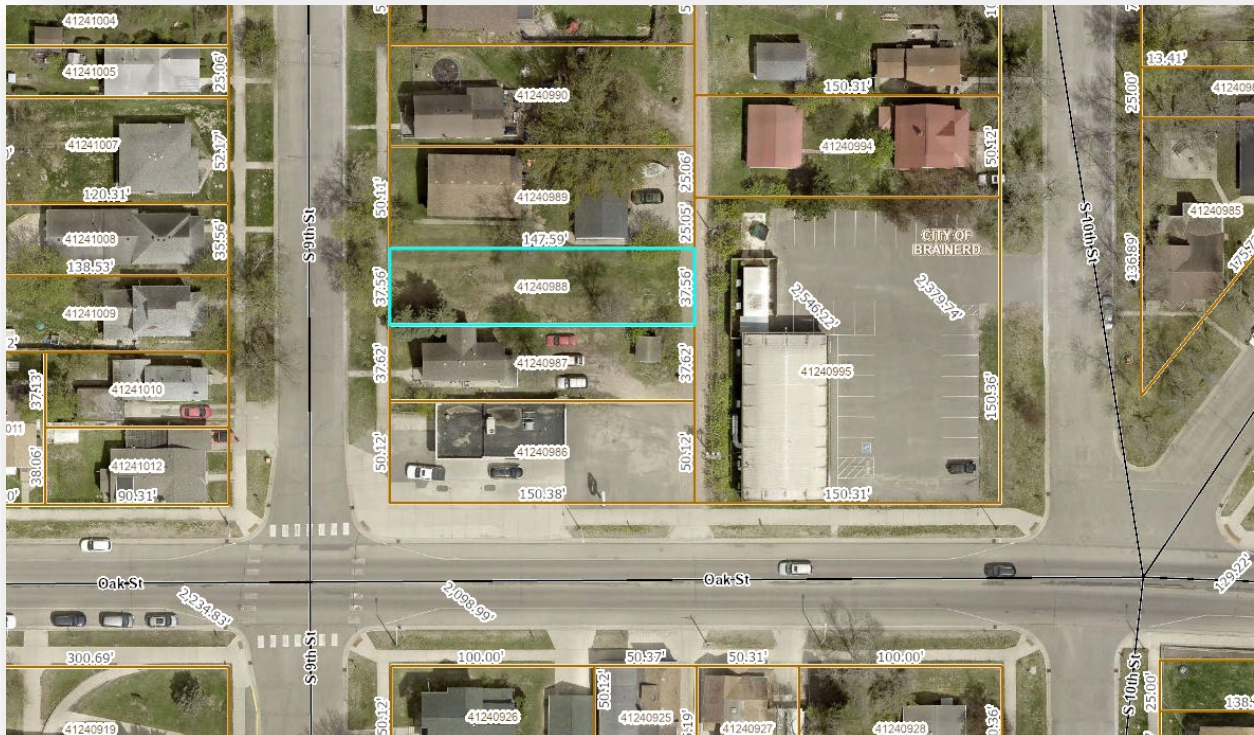
Zoning District: Traditional Neighborhood (TN-2) District

Property Area: 5648 SQFT

Adjacent Uses: North: Residential – Duplex Rental
East: Sharing Bread Soup Kitchen
South: Residential – Duplex Rental
West: Single Family Residential (Rentals & Non-Rentals)

Adjacent Zoning: North: Traditional Neighborhood (TN-2) District
East: Traditional Neighborhood (TN-2) District
South: Traditional Neighborhood (TN-2) District
West: Traditional Neighborhood (TN-2) District

AERIAL MAP



FINDINGS OF FACT

1. 515 9th St S. is located in a TN-2 (Traditional Neighborhood 2) District. The TN-2 District allows short-term rentals as an Interim Use according to Zoning Code [Appendix A: Table of Uses](#).
2. Short-term rentals must comply with the following minimum standards as required by the [Section 515-3-34](#) of the Zoning Code:
 - a. The maximum rental period shall not be more than 28 consecutive nights.
 - i. *The applicant proposes unit one as a short-term rental and will not exceed 28 consecutive nights for a rental period.*
 - b. The permit holder (owner) of a short-term rental must apply for and receive an interim use permit.
 - i. *This application and process constitutes the applicants attempt to apply for the Interim Use Permit for the operation of a short-term rental.*
 - c. The application for an interim use permit shall include:
 - i. The number of bedrooms with dimensions and all other sleeping accommodations
 1. *The proposed short rental unit is 900 SQFT. in size and has two bedrooms.*

2. *The dimensions of each of these respective bedrooms are 13' x 12'6" and 10' x 12'3".*
 - ii. The number of off-street parking spaces available to guests.
 1. *There are two off street parking space allocated to guests, one in the driveway and one in the alley loaded garage.*
 - iii. All accessory structures and outdoor recreational features available for guest use
 1. *The only accessory structure available for guest usage is the garage.*
 - iv. A pet, garbage, and noise policy.
 1. *There are no pets allowed in the short-term rental property.*
 2. *Garbage and Recycling bins for use are located at the rear of the property and picked up every seven days by Waste Partners.*
 3. *There is a rule imposing quiet hours between 10:00 PM and 8:00 AM.*
 - v. The permit holder shall post emergency contact information (police, fire, hospital) and show renters the location of fire extinguishers in the short-term rental unit.
 1. *The housing inspector will confirm this upon inspection of the rental unit.*
- d. A permit holder must disclose in writing to their renters the following information regarding property policies and City codes:
 - i. Contact Information. The managing agent or local contact's name, address, and phone number. The agent shall be available 24 hours a day, seven days a week, whenever the property is being rented. Property contact information will be always accessible to the public on the City of Brainerd website.
 1. *Mr. Stangler is the responsible party for both rental units as he resides within 50 miles of the premises.*
 - ii. Occupancy The maximum number of guests allowed at the property.
 1. *The posted rules for the short-term rental allow a maximum of 4 guests.*
 - iii. Vehicles. The maximum number of vehicles, recreational vehicles, and trailers allowed on the property and where they are to be parked. Parking in a yard that fronts a street as well as along an interior side of a house is required to be on an improved surface. Recreational vehicles shall not be parked in any right-of-way or utility easement. No vehicle or trailer shall be parked on a street for a period of time in excess of forty-eight (48) continuous hours.
 1. *The rules state the renters are not allowed to park more than two vehicles on the premises at any one time in designated parking areas off-street. This would include recreational vehicles or trailers.*

- iv. Garbage. Garbage and refuse containers shall be placed out for collection no earlier than 6:00 P.M. the day before collection and removed by the end of the day of collection. Garbage shall be placed in fly tight containers sufficient to receive all garbage which may accumulate between times of collection.
 - 1. *The weekly garbage schedule is provided for renters on Wednesday per the provided rules.*
- v. Noise. No person shall, between the hours of 10:00 P.M. and 7:00 A.M. congregate at, or participate in the any party or gathering of two or more people from which noise emanates of a sufficient volume so as to disturb the peace, quiet, or repose of another person.
 - 1. *The short-term rental rules impose quiet hours between 10:00 PM and 8:00 AM.*
- vi. Pets. No person shall keep, maintain, or otherwise house more than a total of four cats or dogs within any household in the City of Brainerd. It shall be unlawful for any person to allow a dog or cat to run at large and to keep or harbor a dog that habitually barks, yelps, howls, cries, or whimpers so as to unreasonably disturb the peace and quiet of any person in the vicinity. The owner of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner.
 - 1. *The rental rules state that there are no pets allowed except for registered service animals.*
- e. The occupancy of a short-term rental shall be limited to not more than 3 people per bedroom or the occupancy set by the Building Official,
 - i. *According to [Section 404.4.1 of the Property Maintenance Code](#), every bedroom shall contain not less than 70 square feet (6.5 m²) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m²) of floor area for each occupant thereof, whichever is less.*
 - ii. *The limit on guests to the property is four total guests – two per bedroom.*
 - iii. *Bedroom one is 162 SQFT which exceeds the 100 SQFT requirement to room two guests.*
 - iv. *Bedroom two is 122 SQFT which exceeds the 100 SQFT requirement to room two guests.*
- f. Rooms used for sleeping shall be provided with egress windows and smoke detectors in locations that comply with the Minnesota State Building Code or the requirements of the Building Department, whichever is stricter.
 - i. *The rooms used for sleeping have egress windows and smoke detectors that comply with the Minnesota State Building Code and were inspected by the Housing Inspector on 3/24/2023.*
- g. The short-term rental shall be connected to city sewer and water or an approved septic system. A valid septic system certificate of compliance is required at the

time of rental license issuance and annual renewal. A short-term rental shall have a full bathroom (sink, toilet, and tub or shower).

- i. The short-term rental is connected to the city sewer and water system. The building plans show a full bathroom with a toilet, tub/shower, and sink.*
- h. Additional occupancy by use of recreational vehicles, tents, accessory structures, or fish houses is not permitted.
 - i. The applicant is not proposing occupancy by use of recreational vehicles, tents, accessory structures, or fish houses.*
- i. The permit holder shall keep a report, detailing use of the short-term rental by recording the full name, address, phone number and vehicle license number of the guest reserving the rental. A copy of the report shall be provided to the Zoning Administrator upon request.
- j. A short-term rental shall be a licensed rental unit by the city and shall meet the requirements of all statutes, rules, regulations, and ordinances including, but not limited to the City of Brainerd's rental housing maintenance code. Each unit shall be inspected annually by the rental housing inspector and the Fire Marshal.
 - i. The premises has been inspected by the Housing Inspector and will be required to be inspected by the Fire Marshal as a condition of the granting the Interim Use Permit.*
- k. The Planning Commission may impose conditions that will reduce the impacts of the proposed use on neighboring properties, public services, nearby water bodies, public safety, and safety of renters. Said conditions may include but not be limited to – fencing or vegetative screening, native buffer along the shoreline, noise standards, duration of permit, restrictions as to the docking of watercraft, and number of renters.
 - i. Staff does not recommend that any additional conditions are imposed to the property.*
- l. A permit holder must post their rental license permit number on all print, poster, or web advertisements.
- m. It is the owner's responsibility to apply for state and local sales tax numbers, including hotel and motel use sales tax. It is the owner's responsibility to contact the Minnesota Department of Health about lodging license requirements.
 - i. As these duties are the owner's responsibility to the State, staff recognize this as the responsibility of the owner to contact the Minnesota Department of Health. The application for short-term rentals includes an application for local sales tax that must be submitted to the City's Finance Department.*

As of this writing, no parties have contacted the Community Development Department with concerns about the Interim Use Permit.

STAFF RECOMMENDATION

Staff recommends approval of the Interim Use Permit for one short term rental unit at 515 9th St S. with the following conditions:

- 1) An approved inspection by the Fire Marshal.
- 2) Submittal of the local option sales tax form to the Finance Department.
- 3) Upon sale of the property by Stangler Properties LLC., the Interim Use Permit for a short-term rental at 515 9th St S. Brainerd, MN is no longer valid.
 - a. Note: any new owner of the property would be required to reapply for an Interim Use Permit for a short-term rental unit.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Stangler Properties LLC. has submitted a request for an Interim Use Permit to operate one short term rental at 515 S 9th St. The property included in this application is described as:

*LOT 20 BLOCK 135 AND N. 1/2 LOT 21 BLOCK 135
TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD
P.I.N. 41240988
Section 24, Township 45, Range 31*

The property is zoned TN-2 (Traditional Neighborhood-2) District, [Appendix A: Table of Uses](#) of the Zoning Code requires an Interim Use Permit for the operation of a short-term rental in a TN-2 District as regulated by Section 515-3-34 Short-Term Rentals. Information on the proposed short-term rental is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 19th 2023, in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Interim Use Permit request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 5th Day of July 2023



James L. Kramvik,
Community Development Director

Publication Date: July 8th, 2023

Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401
218/828-2309/Fax 218-828-2316 www.ci.brainerd.mn.us

INTERIM USE PERMIT for SHORT-TERM RENTAL

Application Form (residential - \$250.00 / commercial - \$500.00 +\$500.00 escrow deposit)

(This form must be filled out completely before your application will be accepted)

Property Address for this Interim Use Permit: 515 South 9th Street

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow Short Term Rental

at the property address listed above until the date of Jan 31 2030

Legal Description (attach, if lengthy): Lot 20 Block 135 Addition 09/196 - Town of
Brainerd - First Addition to Brainerd

Property Owner: Stanglers Properties LLL (Eric Stangler)

Address: 7384 Lone Oak Rd Brainerd MN 56401
(Street) (City) (State) (Zip)

Contact Information #: 218 820 3309
(Home)

(Business)

eric.stangles@gmail.com
(E-mail)

Applicant:(if different than Property Owner) SAA

Address: _____
 (Street) (City) (State) (Zip)

Contact Information #: _____
(Home) (Business)

{Fax}

{E-mail}

Contact Person: (if different than Property Owner) S A A

Address: _____
 (Street) (City) (State) (Zip)

Contact Information #: _____
(Home) (Business)

{Fax}

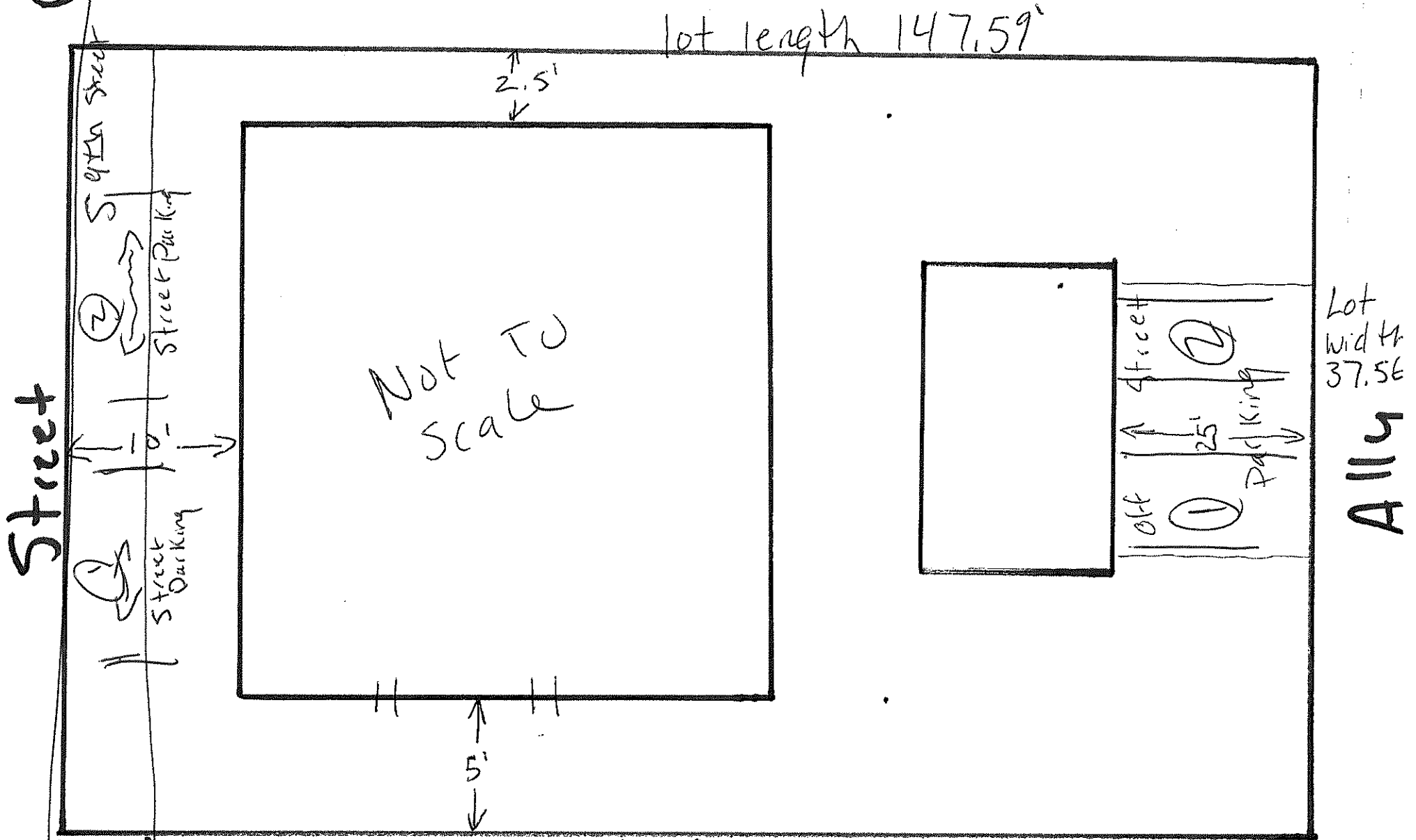
{E-mail}

515 South 9th Street Short term rental Rules

1. Max number of guests allowed is 4
2. Max number of vehicles is 2
3. No rules related to exterior use
4. Quiet hours are between 10 pm and 8 am.
5. There are three parking spaces 1 on the street 1 in the garage and 1 in front of the garage
6. No pets are allowed in the unit however registered service animals will be reasonably accommodated.
7. Garbage and recycling are located in the ally by the garage and are picked up by waste partners once per week.

515 S. 9th Street

lot length 147.59'



Stangler Properties LLC.

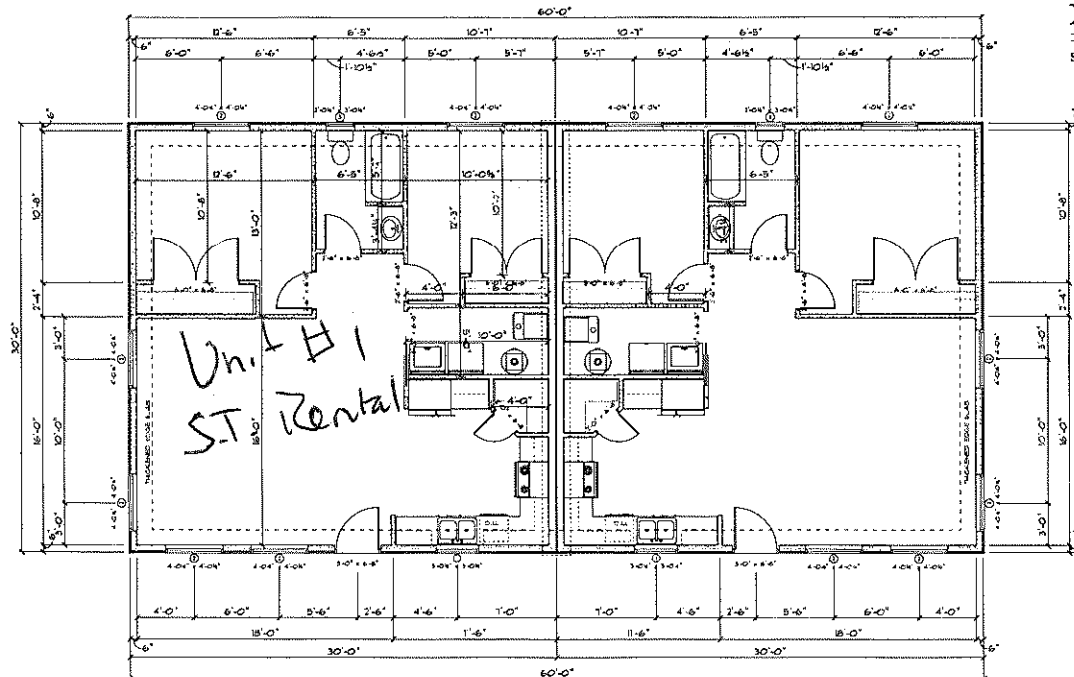
PID# 41240988

SCALE: 1/8" = 1'-0"

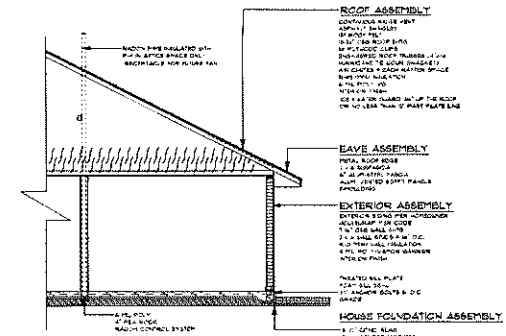
S. 9th Street

SCALE: 1/4" = 1'-0"

WINDOW SCHEDULE						
OPENING ID	PRODUCT CODE	COUNT	TYPE	R.D. SIZE	GRILLE	TEMPERED GL
1	TD2430	2	WINDOW	24" x 30" x 1/2" GL	Yes	Yes
2	PS4848	1	SLIDING WINDOW	48" x 48" x 1/2" GL	Yes	Yes
3	TD2430	2	WINDOW	24" x 30" x 1/2" GL	Yes	Yes



SCALE: 1/8" = 1'-0"



1 of 205



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: First Reading - Proposed Ordinance 1554 - Creating Chapter 16 - Sale and Use of Cannabis, and Section 1600 of the City Code - Use of Cannabis in Public Places

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Ordinance

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Public Works

PRESENTER: Jessie Dehn, Public Works Director **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: Effective August 1st, 2023, possession of cannabis will be legalized and decriminalized. Beginning August 1st, the City may adopt an ordinance establishing a petty misdemeanor offense for a person unlawfully using cannabis flower, cannabis products, and lower-potency hemp edibles in a public place. This has led to other communities beginning to research and implement local ordinances restricting use in public places.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The City Council and Park Board held a Joint Workshop to discuss the use of cannabis in public places. Through that discussion, it was determined that the City Council would like to see a proposed ordinance restricting the smoking of cannabis in public places.

A copy of the proposed Ordinance is included in this packet.

RECOMMENDED ACTION/MOTION:

1. Motion to conduct the first reading of Proposed Ordinance 1554, an ordinance creating Chapter 16 and Section 1600 of the City Code
* Note: a vote to dispense with the actual reading of the ordinance must be unanimous.
2. Call for a Public Hearing at the August 21, 2023 Council Meeting

FINANCIAL IMPACT: N/A

**ORDINANCE
NO. 1554**

**AN ORDINANCE CREATING CHAPTER 16 SALE AND USE OF CANNABIS AND SECTION
1600 USE OF CANNABIS IN PUBLIC PLACES IN THE CITY CODE**

THE CITY COUNCIL FOR THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: PURPOSE.

1.1 Statement of Purpose and Intent.

This Ordinance is adopted by the City of Brainerd City Council for the purpose of protecting public health and safety by regulating the use of Cannabis and cannabis derived products in public places and places of public accommodation within the City of Brainerd.

By enacting 2023 Session Law, Chapter 63, H. F. No. 100 [hereinafter referred to “State Legislation”], the Minnesota Legislature passed the adult-use cannabis bill. Under that bill, the adult use, possession and personal growing of cannabis became legal August 1, 2023.

State legislation authorizes adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis. See State Legislation Article 4, Sec. 19, Minn. Stat. 152.0263, Subd. 5, or successor statute.

The City wishes to be proactive in protecting public health and safety by enacting regulations that will mitigate threats presented to the public by the public use of cannabis.

The City of Brainerd (hereinafter “the City”) recognizes the risks that unintended access and use of cannabis products present to the health, welfare, and safety of youth in the City.

1.2 Statutory Authority

This Ordinance is enacted pursuant to 2023 Session Law, Chapter 63, H. F. No. 100 [hereinafter referred to “State Legislation”]; State Legislation Article 1, Sec. 1 Minn. Stat. 342.01; State Legislation Article 1, Sec. 9 Minn. Stat. 342.09 Subd. 1(b) or successor statute; State Legislation Sec. 9 Minn. Stat. 342.09, Subd. 1 (b)(9) or successor statute; State Legislation Minn. Stat. 342.09 Subd.1(a)(7) or successor statute; and State Legislation Article 4, Sec. 19 Minn. Stat. 152.0263, Subd. 5, or successor statute.

SECTION 2. ADDITION TO THE CITY CODE.

CHAPTER 16 – SALE AND USE OF CANNABIS

SECTION 1600 – USE OF CANNABIS IN PUBLIC PLACES

1600.01 Definitions. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and

phrases, when used in this ordinance, shall have the meanings ascribed to them except where the context clearly indicates a different meaning.

- a) Adult-use cannabis flower. “Adult-use cannabis flower” means cannabis flower that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.
- b) Adult-use cannabis products. “Adult-use cannabis products” means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.
- c) Cannabis flower. “Cannabis flower” means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.
- d) Cannabis product. “Cannabis product” means any of the following:
 - (1) cannabis concentrate;
 - (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
 - (3) any other product that contains cannabis concentrate.
- e) Hemp derived consumer products.
 - (1) “Hemp derived consumer products” means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:
 - i. contains or consists of hemp plant parts; or
 - ii. contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.
 - (2) Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.
- f) Lower-potency hemp edible. A “lower-potency hemp edible” means any product that:
 - (1) is intended to be eaten or consumed as a beverage by humans;
 - (2) contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;
 - (3) is not a drug;
 - (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
 - (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
 - (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
 - (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and

- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.
- g) Public place. A “public place”, means a public park or trail, public street or sidewalk, any enclosed, indoor area used by the general public, including, but not limited to, theaters, restaurants, bars, food establishments, places licensed to sell intoxicating liquor, wine, or malt beverages, retail businesses, gyms, common areas in buildings, public shopping areas, auditoriums, arenas, or other places of public accommodation.
- h) Place of public accommodation. “Place of public accommodation” means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.”
- i) Exceptions to public place or place of public accommodation. “A public place” or “a place of public accommodation” does not include the following:
 - (1) a private residence, including the individual’s curtilage or yard.
 - (2) a private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
 - (3) on the premises of an establishment or event licensed to permit on-site consumption.
- j) Smoking. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

1600.02 Prohibited Acts.

Subd. 1 No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use cannabis flower and adult use cannabis products. See State Legislation Article 4, Sec. 19, Minn. Stat. 152.0263, Subd. 5, or successor statute.

Subd. 2 No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. See State Legislation Article 1, Sec. 9 Minn. Stat. 342.09, Subd. 1(b)(9) or successor statute.

1600.03 Penalty. Violation of this Section is a petty misdemeanor as defined by Minnesota law.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this ____ day of _____, 2023

KELLY BEVANS
President of the Council

Approved this ____ day of _____, 2023

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Publication date: _____, 2023



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Consider Requesting MnDOT to Install No Parking Signs on South 6th Street

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, Public Works Director **DEPARTMENT:** Administration

PRESENTER: Jessie Dehn, Public Works Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE: Trunk Highway 371B (South 6th Street) progresses through the downtown area of Brainerd and is owned and operated by MnDOT District 3. The layout of TH 371B between TH 210 (Washington Street) and Pine Street includes a 5-lane section consisting of two through lanes in each direction and a center left turn lane. There are no shoulders or on-street parking adjacent to the travel lanes. There are no No Parking signs adjacent to TH 371B in this segment, although there is no sufficient space to park a vehicle without impeding a traffic lane. MnDOT, as the owner/operator of the highway, is in charge of signage along the roadway and decides whether or not signage is warranted to be installed.

As part of a lawsuit against the City, one of the conditions of the settlement agreement was that "the City Council place on the agenda for a City Council meeting to consider and vote on whether the City should approve or deny sending a request to the State for the placement of "no parking" signs along South Sixth Street from Washington to Pine Street." The settlement agreement also acknowledges that "while the City can request the State place "no parking" signs along South Sixth Street from Washington to Pine Street, the State has the authority to determine whether to place "no parking" signs and manner of placement within its right-of-way..." Should the Council formally request the signs, there is no requirement that would force MnDOT to agree to install the requested signage.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Options for the City Council to consider:

1. City Council formally request MnDOT to install the requested No Parking signs on TH 371B between Washington Street and Pine Street.
2. City Council decline to request additional signage from MnDOT.
3. Another alternative option per the direction of the City Council.

RECOMMENDED ACTION/MOTION: Staff is requesting action from the City Council on the above described options.

FINANCIAL IMPACT: N/A



Brainerd City Council Agenda Request

MEETING DATE: August 7, 2023

TITLE OF ITEM: Consider Revised Rules of Decorum/Council Procedures

AGENDA: City Council 8/7/2023

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jennifer Bergman, City
Administrator

DEPARTMENT: Administration

PRESENTER: Jennifer Bergman, City Administrator **ESTIMATED TIME (MIN):** 5 Minutes

SUMMARY OF ISSUE: The City Council held a worksession on June 26th to discuss Council Procedures and Rules of Decorum at the request of Council Member Czezok. Staff has revised the Rules of Procedure and Decorum based on the discussion at the worksession.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: The following changes are proposed:

1. Section 2, Subd. 2: Updated the name of Sturgis to The Standard Code of Parliamentary Procedure
2. Section 2: Added subdivision 4 which states that direction to staff will be provided by the majority vote of the City Council.
3. Section 4, Subd. 1 and 2: Clarified the current process for the agenda process
4. Section 4, Subd. 3: Identify the Council meeting dates and time.
5. Section 4, Subd. 8: Clarify the written communications process
6. Section 5, Subd. 1: Updated the information regarding the Mayor's role on voting
7. Section 5, Subd. 2: Include adding the reason for an abstention
8. Added Section 9 on Communication

RECOMMENDED ACTION/MOTION: Approved amended Rules of Procedure and Decorum

FINANCIAL IMPACT: N/A

**RULES OF PROCEDURE AND DECORUM
CITY COUNCIL AND COMMITTEE MEETINGS
BRAINERD, MINNESOTA**

**Adopted April 4, 1994
Reaffirmed and Amended December 1, 2003; November 2, 2020**

SECTION 1. PURPOSE

- Subd. 1. General. It is recognized that in order to enhance the concept of effective and democratic government, it is essential that a legislative body establish formal rules of procedure and decorum so that a true deliberative process will be observed and not disturbed.

SECTION 2. GENERAL

- Subd. 1. Law. The City Charter, Ordinances and State Statutes governing the City Council shall be followed and supplemented by these Rules of Procedure and Decorum.

- Subd. 2. General Rules. In all matters of parliamentary procedures, the Council shall be governed by the latest printed edition of ~~the~~ Sturgis-Standard Code of Parliamentary Procedure as published from time to time except as modified by these rules.

- Subd. 3. Applicability. These Rules also apply to committees of the Council as well as City boards and commissions, whether created by Charter or City Code. The term "Council" shall be substituted with "Committee," "Commission" or "Board," and terms "President" and "Vice President" shall be substituted with "Chair" and "Vice Chair", as appropriate.

- Subd. 4. Direction: Direction to staff will be provided by the majority vote of the City Council.

SECTION 3. PRESIDING OFFICER

- Subd. 1. Who Presides. The Council President shall preside at all meetings of the Council. In the absence of the Council President, the Council Vice-President shall preside. The presiding officer shall have the power to preserve strict order and decorum at meetings, enforce the rules of procedure and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order.

- Subd. 2. Appeal of the Ruling of the Presiding Officer. Any member of the Council may appeal from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the presiding officer may explain the ruling, but no other Council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority vote.

Subd. 3. Rights of the Presiding Officer. The presiding officer may speak on any question. The presiding officer may only make motions and second motions after stepping down as presiding officer.

SECTION 4. AGENDA

Subd. 1. Matters for Consideration. Matters for Council action shall be submitted by members of the Council and residents in writing by 12:00 on the Tuesday immediately preceding the City Council -to the City Administrator or to city staff representatives in the case of Committee business.

Subd. 2. Preparation. An agenda of business for each regular and special meeting shall be established by the prepared in the Office of the City Administrator or by City Staff in the case of Committees and copies thereof delivered to each Council member as far in advance of the meeting as time for preparation will permit. The City Administrator shall meet with the chairs of the Personnel and Finance Committee and Safety and Public Works Committee along with the Finance Director and Public Works Director (the appointed liaisons to the Committee's) prior to the City Council meeting to review the agendas. The City Administrator shall meet with the Council President prior to the City Council meeting to review the overall Council agenda.

Subd. 3. Order of Business at Regular Meetings. The Brainerd City Council hold regular meetings on the 1st and 3rd Monday's of the month at 7:30 p.m. At the hour appointed for the regular meeting _____ of the City Council, the meeting shall be called to order by the presiding officer. If _____ a quorum is present, the City Council shall then proceed with its business in the _____ following order as applicable:

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Approval of Agenda
- * Consent Calendar, including approval of minutes, licenses, reports, bills, fund transfers and other routine, non-controversial items needing little or no deliberation
- * Presentations (if any)
- * Council Committee Reports (Personnel & Finance; Safety & Public Works)
- * Unfinished Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * New Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * Public Forum
- * Staff Reports (Verbal: Any updates since the packet)
- * Mayor's Report
- * Council Member Reports
- * Adjournment

Subd. 4. Varying Order of Business. The order of business may be varied by the presiding officer.

-Subd. 5. Consent Calendar. Matters for the Council of a routine or non-controversial nature which need minimal Council deliberation shall be placed on the Consent Calendar. A motion to approve the Consent Calendar shall not be debated. At the request of any individual Council member, an item shall be removed from the Consent Calendar and placed upon the regular agenda for debate immediately following the Consent Calendar. The Consent Calendar shall only be adopted by a roll call vote of those Council members present at the meeting.

Subd. 6. Items Not on the Agenda. The Council may consider items not appearing on the agenda as normal business if an objection is not raised by the Mayor or a Council member. If an objection is raised by the Mayor or a Council member to consider an item not appearing on the agenda, a vote shall be taken by the Council to determine the appropriateness of further consideration of the matter at that time.

Subd. 7. Public Participation. Members of the public may address the City Council during:

A: Public Hearings.

B: Public Forum. This portion of the meeting shall be limited to fifteen minutes and individuals shall be requested to limit their comments to four minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.

C: Specific issues scheduled on the agenda but in accordance with Section 6, Subd. 6, of these rules entitled, Addressing the Council.

Subd. 8. Written Communications on All Matters. All interested parties or their authorized representatives may address the Council by written communication regarding all matters under the Council's consideration. The City Administrator shall copy these communications to the Council and forward said communications with the Council meeting packet if possible. If written communications are received after meeting packets are delivered to the Mayor and Council, such communications will be emailed to Mayor and Council and/or handed _____ out at the meeting with a copy available to the public at the Council meeting.

SECTION 5. VOTING

Subd. 1. Procedure. The votes of the members on any ordinance or resolution pending before _____ the Council shall be by roll call vote. The votes of the members on any motion shall _____ be by voice vote unless the Mayor or any member of the Council requests that a roll _____ call vote be taken. The presiding officer shall call for a roll call vote whenever a _____ voice vote of the Council is not clear as to the disposition of the action before the _____ Council. The Mayor shall cast the deciding vote upon any question before the Council when the Council Members composing the

said Council present and voting are equally divided.

Subd. 2. Abstention. If a Council member does not vote, the abstention shall be recorded as Abstain — name along with the reason for the abstention.

Subd. 3. Voting Order for Roll Call (applicable to City Council only). The City Administrator shall call for the vote in consecutive order of Wards, with Ward One voting first rotating one position every two months. The presiding officer shall always vote last.

SECTION 6. RULES OF DECORUM

Subd. 1. Members of Council. While the meeting is in session, the members must preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

Subd. 2. Recognition. No person or member shall address the other members without being recognized by the presiding officer.

Subd. 3. Discussion. No member of the Council shall speak more than twice on any question, nor more than five minutes each time without consent of the Council.

Subd. 4. Staff. Members of the City staff shall observe the same rules of order and decorum as are applicable to the City Council.

Subd. 5. Pertinent to Matter Under Debate. Members, staff and public shall confine remarks to the matter under debate.

Subd. 6. Addressing the Council. Each member of the public addressing the Council shall step up to a microphone provided for the use of the public after being recognized by the presiding officer and give his/her name and address in an audible tone of voice for the records, state the subject to be discussed and state who the speaker is representing if representing an organization or other persons. Unless further time is granted by a majority vote of the Council, remarks from the public shall be limited to four (4) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without permission of the presiding officer. No question may be asked of a member or a member of the staff without the permission of the presiding officer.

Subd. 7. Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Council and, in case additional matters are to be presented by any other member of said group, to limit the

number of such persons addressing the Council.

Subd. 8. After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.

Subd. 9. Conduct. Any member of the Council, staff or person indulging in personalities or making impertinent, slanderous or profane remarks or who willfully utters loud, threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt or disturb the orderly conduct of any meeting, hearing or other proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the Council during that meeting.

Subd. 10. Members of the Audience. No person in the audience shall engage in disorderly language, conduct such as hand clapping, stamping of feet, whistling, using profane good order yelling and similar demonstrations, which conduct disturbs the peace and of the meeting.

SECTION 7. ENFORCEMENT OF DECORUM

Subd. 1. Warning. All persons shall, at the request of the presiding officer, be silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, said officer may order this person removed from the meeting. If this person does not leave willingly, the presiding officer may call a recess and order that the person be removed by the Sergeant-at-Arms.

Subd. 2. Sergeant-at-Arms. The Chief of Police, or such member or members of the Police Department, shall be Sergeant-at-Arms of the Council meetings or as asked to be representative present at a Committee meeting. The Chief or other Police Department shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council.

Subd. 3. Resisting Removal. Any person who resists removal by the Sergeant-at-Arms may be charged with violating City Ordinance.

Subd. 4. Motions to Enforce. Any Council member may move to require the presiding officer to enforce these rules and the affirmative vote of a majority of the Council shall require the presiding officer to do so.

Subd. 5. Adjournment. In the event that any meeting is willfully disturbed by a group or group of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of individuals who are creating the

considered disturbance, the meeting may be adjourned with the remaining business at the next regular meeting.

Subd. 6. Special Meetings. If the matter being addressed prior to adjournment is of such a nature as to demand immediate attention, the presiding officer may adjourn the meeting to another date.

SECTION 9. COMMUNICATION

Subd. 1. Mayor and City Council Emails. Each Council Member and Mayor shall be assigned a unique City email address for City-related email communication. It is strongly advised the Mayor and Council Members use this email address exclusively for the City business emails. Use of personal email for City business could create government data to their personal account subjecting them to retention laws and possibility of discovery if the City receives a data request. All emails sent through the City server shall be saved per the City's data retention policy.

Subd. 2. Communication with Council Members regarding Agenda Items. If the Mayor or a Council Member requests information or has questions regarding a council agenda item, the email shall come to the City Administrator who will then forward the response to the Mayor and all City Council members.

Subd. 3. Communication Between Council and Staff. Mayor and Council Member e-mail communications should be directed either to the City Administrator or to a department head, copying the City Administrator. Council Members may not copy more than one other Council Member in their correspondence nor should email messages be forwarded from one member to another as to create a "walking quorum."

SECTION 810. CAMERAS AND RECORDING DEVICES

Subd. 1. Use of Cameras and Recording Devices Limited. Cameras, including television and motion picture cameras, electronic sound recording devices and any other mechanical, electrical or electronic recording devices may be used in the Council Chamber, but only in such a manner as will cause a minimum of interference with or disturbance of the proceedings of the Council and at the discretion of the presiding officer.

SECTION 911. SEVERABILITY

Subd. 1. General. If any section, subsection, sentence, clause, phrase or portion of these Rules of Procedure and Decorum is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

CITY MEETINGS

CITIZEN PARTICIPATION GUIDELINES

The City Council is meeting as a legislative body to conduct the business of the City. Unless so ordered by the Council President, citizen participation is limited to the following times and always within the prescribed rules of conduct for public input at meetings.

A) Public Hearings. Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak.

B) Public Forum. Any member of the public may speak at this time on any item NOT on the agenda. In consideration for the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.

Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion without permission of the presiding officer. No question may be asked of a member or a member of the staff without permission of the presiding officer.

Your participation, as prescribed by these rules, is welcomed and your cooperation is greatly appreciated.